



# Climate Change (Scotland) Act 2009

## 2009 asp 12

### PART 2

#### ADVISORY FUNCTIONS

##### *Scottish Committee on Climate Change*

PROSPECTIVE

#### **25 Scottish Committee on Climate Change**

- (1) The Scottish Ministers may, by order, establish a body for the purpose of exercising the advisory functions.
- (2) The body established by virtue of subsection (1) is to be known as the Scottish Committee on Climate Change (the “Committee”).
- (3) Schedule 1 makes further provision about the Committee.
- (4) An order under subsection (1) may in particular provide—
  - (a) for the conferral of functions on the Committee relating to advice on climate change;
  - (b) in relation to the status, constitution and proceedings of the Committee as the Scottish Ministers consider appropriate;
  - (c) for the information that the Committee's advice must contain;
  - (d) for the factors to which the Committee is to have regard in giving that advice;
  - (e) for the period within which the Committee must give that advice;
  - (f) as to whom that advice is to be given;
  - (g) for the form and manner in which that advice is to be published and laid before the Scottish Parliament.

#### **26 [F1 Application of sections 30 to 32 and 56]**

- (1) Sections [F230] to 32 and 56 have effect only from—

*Status: This version of this cross heading contains provisions that are prospective.*  
*Changes to legislation: There are currently no known outstanding effects for the Climate Change (Scotland) Act 2009, Cross Heading: Scottish Committee on Climate Change. (See end of Document for details)*

- (a) the day when an order made by the Scottish Ministers under section 24(1) comes into force; or
  - (b) such later day or days as the Scottish Ministers may specify in an order under that section.
- (2) When an order under section 24(1)—
- <sup>F3</sup>(a) .....
  - (b) bringing section 56 into effect comes into force, subsection (4) of section 55 ceases to have effect.

**Textual Amendments**

**F1** S. 26 title substituted (23.3.2020) by Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (asp 15), s. 32(2), **sch. para. 8**; S.S.I. 2020/66, reg. 2

**F2** Word in s. 26(1) substituted (23.3.2020) by Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (asp 15), s. 32(2), **sch. para. 7(a)**; S.S.I. 2020/66, reg. 2

**F3** S. 26(2)(a) repealed (23.3.2020) by Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (asp 15), s. 32(2), **sch. para. 7(b)**; S.S.I. 2020/66, reg. 2

**Commencement Information**

**I1** S. 26 in force at 31.10.2009 by S.S.I. 2009/341, **art. 2(2)(a)**

PROSPECTIVE

**<sup>F4</sup>27 Advice on annual targets etc.**

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**Textual Amendments**

**F4** Ss. 27-29 repealed (23.3.2020) by Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (asp 15), s. 32(2), **sch. para. 9**; S.S.I. 2020/66, reg. 2

PROSPECTIVE

**<sup>F4</sup>28 Reporting on progress towards targets**

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**Textual Amendments**

**F4** Ss. 27-29 repealed (23.3.2020) by Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (asp 15), s. 32(2), **sch. para. 9**; S.S.I. 2020/66, reg. 2

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PROSPECTIVE

**F<sup>4</sup>29 Scottish Ministers' response to reports on progress**

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**Textual Amendments**

**F4** Ss. 27-29 repealed (23.3.2020) by [Climate Change \(Emissions Reduction Targets\) \(Scotland\) Act 2019](#) (asp 15), s. 32(2), [sch. para. 9](#); S.S.I. 2020/66, reg. 2

PROSPECTIVE

**30 Duty of advisory body to provide advice or other assistance**

When requested to do so by the Scottish Ministers, the advisory body must provide advice, analysis, information or assistance as regards—

- (a) the exercise of the Scottish Ministers' functions under this Act;
- (b) the exercise of Ministers' functions in relation to climate change other than under this Act;
- (c) other matters relating to climate change.

PROSPECTIVE

**31 Guidance to advisory body**

- (1) The advisory body must have regard to any guidance given by the Scottish Ministers to it in relation to the exercise of its functions under this Act.
- (2) The Scottish Ministers may not give the advisory body guidance as to the content of any advice or report.
- (3) The power to give guidance under subsection (1) includes power to vary or revoke the guidance.

PROSPECTIVE

**32 Power to give directions to advisory body**

- (1) The Scottish Ministers may, if they consider it appropriate to do so, give the advisory body directions as to the exercise of its functions under this Act.
- (2) The Scottish Ministers may not direct the advisory body as to the content of any advice or report.
- (3) The power to give directions under subsection (1) includes power to vary or revoke the directions.

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(4) The advisory body must comply with any directions given under subsection (1).

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