



# Climate Change (Scotland) Act 2009

## 2009 asp 12

### PART 5

#### OTHER CLIMATE CHANGE PROVISIONS

### CHAPTER 3

#### ENERGY EFFICIENCY

#### *Climate change burdens*

#### **68 Climate change burdens**

After section 46 (health care burdens) of the Title Conditions (Scotland) Act 2003 (asp 9), insert—

*“Climate change burdens*

#### **46A Climate change burdens**

- (1) On and after the day on which this section comes into force, it shall be competent to create a real burden in favour of a public body or trust, or of the Scottish Ministers, for the purpose of reducing greenhouse gas emissions; and any such burden shall be known as a “climate change burden”.
- (2) A climate change burden may only consist of an obligation, in the event of the burdened property being developed, for the property to meet specified mitigation and adaptation standards.
- (3) For the purposes of this section, a “public body” means a body listed in Part I or II of the Schedule to the Title Conditions (Scotland) Act 2003 (Conservation Bodies) Order 2003 (SSI 2003/453).”.