

CLIMATE CHANGE (EMISSIONS REDUCTION TARGETS) (SCOTLAND) ACT 2019

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 - Emissions Reduction Targets

The target-setting criteria

Section 5 – The target-setting criteria

24. Section 5 inserts a new section 2B (the target-setting criteria) into the 2009 Act. The following paragraphs refer to the subsections of new section 2B.
25. Subsection (1) provides that, in the 2009 Act, the “target-setting criteria” are the matters mentioned in paragraphs (a) to (m) of that subsection. These matters match those previously mentioned in section 4(4) (setting annual targets) of the 2009 Act, except that: “European and international law and policy relating to climate change” (now listed second) has been supplemented to make it clear that this matter includes the United Nations Framework Convention on Climate Change and protocols to that Convention; and “current international carbon reporting practice”, “the likely impact of the target on the achievement of sustainable development, including the achievement of the United Nations sustainable development goals” and “the likely impact of the target on public health” have been added as additional criteria.
26. Subsection (2) explains what is meant by the expression “fair and safe Scottish emissions budget” in subsection (1)(a) and elsewhere in the 2009 Act.
27. Subsection (3) confers a power on the Scottish Ministers to, by regulations, amend the target-setting criterion. The regulations are subject to the affirmative procedure.