

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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 - Emissions Reduction Targets

Citizen's Assembly

Section 9 – Citizens Assembly

45. Section 9 inserts a new Part 2A and section 32A (citizens assembly) into the 2009 Act. The following paragraphs refer to the subsections of new section 32A.
46. Subsection (1) imposes a duty on the Scottish Ministers to establish a panel to be known as a “citizens assembly” to exercise the functions in subsection (5).
47. Subsection (2) requires that the citizens assembly is made up of such persons as the Scottish Ministers consider to be representative of the general populace of Scotland.
48. Subsection (3), read with subsection (4), requires the citizens assembly to have two conveners who are independent of the Scottish Ministers and the Scottish Parliament, and that there is a gender balance between the conveners.
49. Subsection (5), read with subsection (6), sets out the functions to be exercised by the citizens assembly. These are to consider how to prevent or minimise, or remedy or mitigate the effects of, climate change; make recommendations on measures proposed to achieve the emissions reduction targets; and make recommendations about such other matters as the Scottish Ministers may refer to the assembly. Scottish Ministers may refer matters to the assembly only if they have been approved by resolution of the Scottish Parliament.
50. Subsection (7) imposes a duty on the Scottish Ministers to lay a report before the Scottish Parliament on the arrangements for the administration and operation of the assembly before the first meeting of the assembly.
51. Subsection (8), read with subsections (9) and (10), requires the assembly to complete its consideration of the matters mentioned in subsection (5)(a) by 28 February 2021 and to lay a report with its recommendations before the Scottish Parliament by that date. The assembly must send a copy of the report to the Scottish Ministers who, within 6 months of receipt, must publish a statement setting out how they intend to respond to the recommendations.