

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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4 – Other duties

Section 25 – Programmes for adaptation to climate change

128. Section 25 amends section 53 of the 2009 Act (programmes for adaptation to climate change) to require that the Scottish Ministers must include, in the programme laid before the Scottish Parliament under section 53(2) which (amongst other things) sets out their objectives in relation to adaptation to climate change, an objective in relation to Scotland's contribution to international climate change adaptation in line with international best practice.

Section 26 – Sustainable development

129. Section 92(1) of the 2009 Act requires the Scottish Ministers and any advisory body (should one be designated, by order, under section 24(1) of the 2009 Act) to take into account, in exercising functions conferred on them by virtue of the 2009 Act, the need to do so in a way that contributes to the achievement of sustainable development. Section 26 amends section 92(1) to include the achievement of the United Nations sustainable development goals (as defined in section 98(1) of the 2009 Act (as amended by section 28(11) of the Act)).

Section 27 – Impact of infrastructure investment on emissions

130. Section 27 inserts a new section 94A (impact of infrastructure investment on emissions) into the 2009 Act. The following paragraphs refer to the subsections of new section 94A, which apply where the Scottish Ministers publish an infrastructure investment plan.
131. Subsection (2) imposes a new duty to publish an assessment of the extent to which investment in accordance with the infrastructure investment plan is expected to contribute to the meeting of the emissions reduction targets.
132. Subsection (3) provides that the assessment may be set out either in the infrastructure investment plan itself or in a separate document. If the latter, the assessment must be published at the same time as, or as soon as reasonably practicable after, the infrastructure investment plan is published.
133. Subsection (4) defines an infrastructure investment plan for this purpose as meaning a plan prepared by the Scottish Ministers setting out their priorities for investing in, and strategy for the development of, public infrastructure.