



# Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

## 2019 asp 15

### PART 1

#### EMISSIONS REDUCTION TARGETS

##### *Advice about targets*

#### **8 Ministerial duties following request for advice**

After section 2D of the 2009 Act (inserted by section 7 of this Act), insert—

##### **“2E Ministerial duties following request for advice**

- (1) The Scottish Ministers must publish any advice received in response to a request under section 2C(1) or 2D(1) as soon as reasonably practicable after they receive it.
- (2) Subsection (3) applies if—
  - (a) the relevant body's advice states that a particular year is the earliest achievable year for the net-zero emissions target, and
  - (b) that year is not already the net-zero emissions target year.
- (3) The Scottish Ministers must—
  - (a) within 3 months of receiving that advice publish a statement setting out how they intend to respond to that advice, and
  - (b) if they do not, within 12 months of receiving that advice, lay for approval a draft of regulations under section A1(3) which modify the net-zero emissions target year to that year, make a statement to the Scottish Parliament setting out the reasons for not doing so.
- (4) Subsection (5) applies if the relevant body's advice states that a percentage figure for an interim target applying when the request is made is not appropriate and that another figure would be appropriate.

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**Changes to legislation:** There are currently no known outstanding effects for the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, Section 8. (See end of Document for details)

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- (5) The Scottish Ministers must—
- (a) within 3 months of receiving that advice publish a statement setting out how they intend to respond to that advice, and
  - (b) if they do not, within 12 months of receiving that advice, lay for approval a draft of regulations under section 2A(1) to make the advised modification to that percentage figure, make a statement to the Scottish Parliament setting out the reasons for not doing so.
- (6) Subsection (7) applies if—
- (a) the relevant body's advice states that, for a greenhouse gas, the multiplier figure reflecting the direct and indirect non-carbon dioxide climate change impacts of emissions at altitude from international aviation applying when the request is made is not appropriate and that another figure would be appropriate, and
  - (b) the Scottish Ministers do not, within 12 months of receiving that advice, lay for approval a draft order under section 16(1) amending the multiplier to that figure.
- (7) The Scottish Ministers must publish a statement setting out the reasons for not laying for approval a draft order under section 16(1) making the advised modification to that multiplier figure.”.

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**Commencement Information**

**II** S. 8 in force at 23.3.2020 by S.S.I. 2020/66, reg. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, Section 8.