



# Climate Change Act 2008

## 2008 CHAPTER 27

### PART 3

#### TRADING SCHEMES

##### *Trading schemes*

#### **44 Trading schemes**

- (1) The relevant national authority may make provision by regulations for trading schemes relating to greenhouse gas emissions.
- (2) A “trading scheme” is a scheme that operates by—
  - (a) limiting or encouraging the limitation of activities that consist of the emission of greenhouse gas or that cause or contribute, directly or indirectly, to such emissions, or
  - (b) encouraging activities that consist of, or that cause or contribute, directly or indirectly, to reductions in greenhouse gas emissions or the removal of greenhouse gas from the atmosphere.

#### **45 Activities to which trading schemes may apply**

- (1) For the purposes of this Part activities are regarded as indirectly causing or contributing to greenhouse gas emissions if they involve, in particular—
  - (a) the consumption of energy,
  - (b) the use of materials in whose production energy was consumed,
  - (c) the disposal otherwise than for recycling of materials in whose production energy was consumed, or
  - (d) the production or supply of anything whose subsequent use directly causes or contributes to greenhouse gas emissions.

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*Changes to legislation: Climate Change Act 2008, Cross Heading: Trading schemes is up to date with all changes known to be in force on or before 13 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (2) Correspondingly, for the purposes of this Part activities are regarded as indirectly causing or contributing to the reduction of greenhouse gas emissions if they involve a reduction under any of those heads.
- (3) This Part applies to activities carried on in the United Kingdom, regardless of where the related emissions, reductions or removals of greenhouse gas occur.

#### **46 Matters that may or must be provided for in regulations**

- (1) Schedule 2 specifies matters that may or must be provided for in regulations under section 44.
- (2) In that Schedule—
  - Part 1 deals with schemes that operate by limiting or encouraging the limitation of activities that consist of the emission of greenhouse gas or that cause or contribute, directly or indirectly, to such emissions;
  - Part 2 deals with schemes that operate by encouraging activities that consist of, or that cause or contribute, directly or indirectly, to reductions in greenhouse gas emissions or the removal of greenhouse gas from the atmosphere;
  - Part 3 deals with administration and enforcement.
- (3) Regulations under section 44 may also make provision about the application of the regulations to the Crown.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 86(1)(a) words renumbered as s. 86(1)(a) by [2016 c. 22 s. 211\(2\)\(a\)](#)
- s. 86(1)(b) and word inserted by [2016 c. 22 s. 211\(2\)\(b\)](#)
- s. 86(7A)(7B) inserted by [2016 c. 22 s. 211\(5\)](#)