



# Climate Change Act 2008

## 2008 CHAPTER 27

### PART 5

#### OTHER PROVISIONS

#### *Charges for <sup>[F1]</sup>single use carrier bags*<sup>[F1]</sup>carrier bags]

#### **77 Charges for <sup>[F1]</sup>single use carrier bags**<sup>[F1]</sup>carrier bags]

- (1) Schedule 6 makes provision about charges for <sup>[F1]</sup>single use carrier bags<sup>[F1]</sup>carrier bags].
- (2) In that Schedule—
  - Part 1 confers power on the relevant national authority to make regulations about charges for <sup>[F1]</sup>single use carrier bags<sup>[F1]</sup>carrier bags];
  - Part 2 makes provision about civil sanctions;
  - Part 3 makes provision about the procedures applying to regulations under the Schedule.
- (3) In that Schedule “the relevant national authority” means—
  - (a) the Secretary of State in relation to England;
  - (b) the Welsh Ministers in relation to Wales;
  - (c) the Department of the Environment in Northern Ireland in relation to Northern Ireland.
- (4) Regulations under that Schedule are subject to affirmative resolution procedure if—
  - (a) they are the first regulations to be made by the relevant national authority in question under the Schedule,
    - <sup>[F2]</sup>(aa) they are the first regulations to be made by the Welsh Ministers under paragraph 4A of the Schedule,]
    - <sup>[F3]</sup>(aa) they are to be made by the Department of the Environment in Northern Ireland under paragraph 4A of the Schedule;]

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**Changes to legislation:** Climate Change Act 2008, Section 77 is up to date with all changes known to be in force on or before 18 January 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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- [<sup>F4</sup>(ab) they are to be made by the Department of the Environment in Northern Ireland and increase the minimum amount specified under paragraph 4 of the Schedule;]
- (b) they contain provision imposing or providing for the imposition of new civil sanctions,
  - (c) they increase the amount or maximum amount of a monetary penalty or change the basis on which such an amount or maximum is to be determined, or
  - (d) they amend or repeal a provision of an enactment contained in primary legislation.

(5) Otherwise regulations under that Schedule are subject to negative resolution procedure.

[<sup>F5</sup>(6) Section 17(5) of the Interpretation Act (Northern Ireland) 1954 applies to a power to make regulations under Schedule 6.]

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#### Textual Amendments

- F1** Words in Sch. 6 para. 2 substituted (N.I.) (28.4.2014) by [Carrier Bags Act \(Northern Ireland\) 2014 \(c. 7\), s. 1\(b\)](#)
- F2** S. 77(4)(aa) inserted (E.W.) (15.2.2011) by [Waste \(Wales\) Measure 2010 \(nawm 8\), ss. 2, 21\(2\)](#)
- F3** S. 77(4)(aa) inserted (N.I.) (4.5.2011) by [Single Use Carrier Bags Act \(Northern Ireland\) 2011 \(c. 26\), s. 1\(2\)](#)
- F4** S. 77(6) inserted (N.I.) (28.4.2014) by [Carrier Bags Act \(Northern Ireland\) 2014 \(c. 7\), s. 2\(3\)](#)
- F5** S. 77(4)(ab) inserted (N.I.) (28.4.2014) by [Carrier Bags Act \(Northern Ireland\) 2014 \(c. 7\), s. 2\(2\)](#)

**Changes to legislation:**

Climate Change Act 2008, Section 77 is up to date with all changes known to be in force on or before 18 January 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.

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**Changes and effects yet to be applied to :**

- s. 77(3)(b) omitted by [2016 anaw 3 Sch. 2 para. 12\(2\)\(a\)](#)
- s. 77(4)(aa) omitted by [2016 anaw 3 Sch. 2 para. 12\(2\)\(b\)](#)

**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\(5\)](#)