



## Climate Change (Scotland) Bill

---

|                |                                   |
|----------------|-----------------------------------|
| Bill Number:   | SP Bill 17                        |
| Introduced on: | 4 December 2008                   |
| Introduced by: | John Swinney MSP (Executive Bill) |
| Passed:        | 24 June 2009                      |
| Royal Assent:  | 4 August 2009                     |

---

### Passage of the Bill

The [Climate Change \(Scotland\) Bill](#) [SP Bill 17] was introduced in the Scottish Parliament on 4 December 2008. Stage 1 commenced on 20 January 2009 with the Transport, Infrastructure and Climate Change Committee as lead committee and the Rural Affairs and Environment Committee as a secondary committee. The Economy, Energy and Tourism Committee also considered aspects of the Bill relevant to its remit, as did the Finance Committee and Subordinate Legislation Committee.

The Stage 1 (general principles) debate took place on 6 and 7 May 2009 and the [Bill was passed](#) following the Stage 3 Parliamentary debate on 24 June 2009. The Bill received Royal Assent on 4 August 2009.

### Purpose and objectives of the Bill

The Bill contained provisions for setting targets for reducing greenhouse gas emissions, and to introduce a framework for advice and reporting on climate change. It further contained provisions to allow for climate change duties to be placed on local authorities and provisions on adaptation, muirburn, forestry, energy efficiency, waste reduction and recycling.

### Provisions of the Bill

The Bill sought to set greenhouse gas emissions reduction targets of 80% by 2050 and an interim target of 50% by 2030. In addition, it introduced a mechanism for annual emissions reduction targets. The targets include emissions from international aviation and shipping. The Bill was drafted to give Scottish Ministers the power to establish an advisory body, a Scottish Committee on Climate Change, though the UK Committee on Climate Change is to be used in the first instance. The Bill sought to place a number of duties on Scottish Ministers to report to the Scottish Parliament on the ways intended to deliver these targets, and on progress towards the targets. The Bill contained provisions to place climate change duties on public bodies, and to require that a climate change adaptation programme be published. The Bill also included a wide range of other provisions including:

- varying timings of muirburn (the burning of vegetation – gorse, heather and grass – to stimulate new growth)

- modifying the functions of the Forestry Commissioners (to allow for more flexibility in developing renewable energy, and to allow for the leasing of parts of the National Forest Estate to private concerns)
- requiring the publication of an energy efficiency plan
- requiring Scottish Ministers to promote renewable heat
- requiring waste prevention plans to be prepared by businesses and public bodies; packing targets to be set; powers for Scottish Ministers to establish deposit and return schemes, and to charge for carrier bags

### **Parliamentary consideration**

In their Stage One reports, the [Transport, Infrastructure and Climate Change Committee](#), the [Rural Affairs and Environment Committee](#) and the [Economy Energy and Tourism Committee](#) all made significant suggestions as to how the Bill could be improved. Changes were made at Stages 2 and 3 through Government and backbench MSP amendments, resulting in a Bill with a third more sections than as introduced. Significant changes included:

- the interim greenhouse gas emissions reduction target in the Bill was strengthened from 50% by 2030, to 42% by 2020 (with a caveat that the UK Committee on Climate Change would be asked if this was achievable)
- a requirement that the annual targets be set to ensure they delivered the 2020 and 2050 targets
- a domestic effort target to ensure that most of the emissions reductions take place in Scotland (rather than indirectly through, for example, the purchase of carbon credits on an open international market)
- strengthening the climate change duties to be placed on public bodies, who must act in a sustainable way to deliver the targets
- an extended list of organisations defined as public bodies
- a sustainable development duty on Scottish Ministers
- a requirement for Scottish Ministers to report to Parliament on the greenhouse gas emissions consequences of spending
- a requirement for a public engagement strategy on climate change
- more detailed provisions on the climate change adaptation strategy
- withdrawal of the provisions that would allow for the leasing of parts of the National Forest Estate to private concerns
- a duty to produce a land use strategy
- a requirement that Scottish Ministers provide for the assessment and improvement of the energy efficiency of living accommodation
- a requirement that local authorities allow for council tax reductions if improved energy efficiency measures are installed
- permitted development rights for domestic air source heat pumps and micro wind turbines
- a requirement that new Government buildings are very energy efficient
- a duty on Scottish Water to promote water conservation and water-use efficiency.

**Graeme Cook**  
**SPICe Research**