



The Scottish Parliament
Pàrlamaid na h-Alba

ENVIRONMENT, CLIMATE CHANGE AND LAND REFORM COMMITTEE

AGENDA

30th Meeting, 2018 (Session 5)

Tuesday 30 October 2018

The Committee will meet at 9.00 am in the Robert Burns Room (CR1).

1. **Climate Change (Emissions Reduction Targets) (Scotland) Bill:** The Committee will take evidence on the Bill at Stage 1 via video conference from—

Stefan Nyström, Director of Department for Climate Change and Air Quality, Swedish Environment Protection Agency;

Anders Wijkman, Chair, Climate-KIC.
2. **Climate Change (Emissions Reduction Targets) (Scotland) Bill (in private):** The Committee will consider evidence heard earlier in the meeting.
3. **Subordinate legislation (in private):** The Committee will consider a draft report on the Land Reform (Scotland) Act 2016 (Register of Persons Holding a Controlled Interest in Land) (Scotland) Regulations 2021 [draft].

Lynn Tullis
Clerk to the Environment, Climate Change and Land Reform Committee
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The Scottish Parliament
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The papers for this meeting are as follows—

Agenda item 1

Climate Change (Emissions Reduction Targets) (Scotland) ECCLR/S5/18/30/1

Bill cover note

PRIVATE PAPER

ECCLR/S5/18/30/2
(P)

Agenda item 3

PRIVATE PAPER

ECCLR/S5/18/30/3
(P)

Environment, Climate Change and Land Reform Committee

28th Meeting, 2018 (Session 5)

Tuesday 30 October 2018

Climate Change (Emissions Reductions Targets) (Scotland) Bill Cover Note

Introduction

1. The Climate Change (Emissions Reductions Targets) (Scotland) Bill was introduced on 23 May 2018 and under rule 9.6 of the Standing Orders, the Parliamentary Bureau referred the Bill to the Environment, Climate Change and Land Reform Committee to consider and report on the general principles.

2. The Scottish Government has published the following documents in relation to the Bill:

- [Climate Change \(Emissions Reductions Targets\) \(Scotland\) Bill](#)
- [Policy Memorandum](#)
- [Explanatory Notes](#)
- [Financial Memorandum](#)
- [Delegated Powers Memorandum](#)
- [Statement on Legislative Competence](#)

3. In addition, the Cabinet Secretary for Environment, Climate Change and Land Reform wrote to the Committee to highlight an information and analysis document to support discussion of the Bill. This is included at **Annexe A**.

4. No secondary Committee was appointed to scrutinise the Bill. However, the Finance and Constitution Committee will consider the Financial Memorandum to the Bill. Provisions relating to delegated powers within the Bill will be considered by the Delegated Powers and Law Reform Committee at Stage 1.

5. This paper sets out the background to the Bill and the Committee's approach to consideration of the Bill at Stage 1.

Background

6. In December 2015, signatories to the United Nations Framework Convention on Climate Change met in Paris for the annual Conference of the Parties. In December 2015 the [Paris Agreement \(UNFCCC 2015\)](#) was adopted under the United Nations Framework Convention on Climate Change (UNFCCC). The Scottish Parliament Information Centre (SPICe) [produced a briefing](#) on provisions of the Paris Agreement and what these might mean for Scotland.

7. The key provisions of the agreement were:

- Global temperature rises should be limited to “well below” 2°C and to “pursue efforts” to limit temperature increase to 1.5°C above pre industrial levels (See [Article 2](#));
- Parties to the agreement are to aim to “reach global peaking of greenhouse gas emissions as soon as possible”;
- Parties are to take action to “preserve and enhance” carbon sinks;
- To conduct a “Global Stocktake” every five years, starting in 2023;
- For developed countries to provide financial support for developing countries to mitigate climate change;
- Creation of goal of “enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change”.

8. Following the adoption of the agreement, the First Minister (who [attended the summit](#)) welcomed the agreement and [said](#):

“COP21 has, as we had hoped, achieved a big step forward in the international fight against climate change.....Devolved administrations, like the Scottish Government, will be strong drivers of a progressive climate agenda. We look forward to working with our international partners to secure the successful implementation of the Paris agreement.”

9. In its [Programme for Government 2016-17](#), the Scottish Government signalled its intentions to legislate to create new, more pressing climate change targets via new legislation in order to address the Paris Agreement. In its [2017-18 Programme for Government](#), the Scottish Government stated the Bill would be included in the programme of legislation that year and said:

“The Climate Change Bill will respond to the historic Paris Agreement by setting more ambitious targets to reduce greenhouse gas emissions. The Bill will increase transparency, demonstrate our commitment to sustainable economic growth and signal to the international community that Scotland is the place to do low carbon business.

10. The Scottish Government requested advice from the Committee on Climate Change (CCC) in October 2016 and received this [advice](#) in March 2017. Between 30 June and 22 September 2017, the Scottish Government [consulted on provisions and policy for inclusion in the Bill](#). The main themes of the consultation were:

- Updating the 2050 target in the Climate Change (Scotland) Act 2009 by increasing this from 80% to 90% lower than baseline levels;
- Whether the Bill should contain provisions to allow for a net zero emissions target to be set at a later date;

- To update the interim target for 2020 contained in the Climate Change (Scotland) Act 2009 from 42% to 56% lower than baseline levels;
- To add further interim targets of 66% by 2030 and 78% by 2040;
- To change the presentation of annual targets from tonnes of emissions to percentages to be consistent with the interim targets;
- For these annual targets to be presented as equidistant linear points between the interim targets;
- For targets to be set on the basis of actual emissions, rather than adjustments for crediting systems such as the European Union Emissions Trading Scheme (EU ETS);
- Whether the interim and 2050 emissions targets should be allowed to be changed;
- Reporting, including Climate Change Plans; and
- The impacts of the Bill on people, businesses and the environment.

11. The Scottish Government received 19,365 responses, of which 273 were non-campaign generated. An [analysis document](#) published in December 2017 highlighted the views of consultees.

12. In October 2017, the Scottish Government sought further advice, due to revisions to emissions estimates, which was received in [December 2017](#). The Environment, Climate Change and Land Reform Committee took [evidence](#) on this advice from the Cabinet Secretary for Environment, Climate Change and Land Reform on 8 May 2018.

Content of the Bill

13. The Bill proposes to increase the 2050 target for reduction of greenhouse gas emissions from the 1990 baseline from 80% (as laid out in the Climate Change (Scotland) Act 2009) to 90%. The Bill also allows for a target of the 100% reduction (known as a net zero target) from the baseline to be created at a future date.

14. The Bill contains 5 Parts and 1 Schedule.

- **Part 1** allows for the creation of a net zero emissions target at a future date and updates the 2009 Act 2050 target from 80% to 90%. It also creates new interim targets for 2030 and 2040, as well as updating the previous 2020 interim target. The Bill creates a new provision for modification of these targets. Part 1 also includes sections proposing annual targets be presented in percentage terms in future and on advice the Scottish Government must seek in setting targets.
- **Part 2** is concerned with Emissions Accounting and how the emissions will be calculated in relation to the targets. This includes restricting the

use of carbon units which can be purchased to contribute towards emissions reductions.

- **Part 3** is about the reporting and planning duties of the Scottish Government on the targets. It also includes detail of proposals for how reports on policies and proposals, suggested to be renamed Climate Change Plans, will be created and published in the future.
- **Part 4** provides further detail on the meaning of terms within the Bill and further consequential to the 2009 Act.
- **Part 5** contains final general and miscellaneous provisions such as:
 - i. Meaning of the 2009 Act
 - ii. Ancillary Provision
 - iii. Commencement
 - iv. Short title

Environment, Climate Change and Land Reform Committee Scrutiny

15. The Committee has agreed to conclude its evidence taking at Stage 1 of the Bill prior to Christmas 2018. The Committee's timetable for consideration of the Bill at Stage 1 is:

Date	Event
19 June 2018	Bill team evidence session
26 June 2018	Consideration of approach paper
June – August 2018	Call for views
October – November 2018	Evidence sessions
December 2018/January 2019	Consideration of Stage 1 Report.

16. In addition, the Committee held a call for views in July and August 2018. You can read the responses received [here](#).

17. The Committee plans to consider its draft Stage 1 report following the Christmas recess 2018 and report to Parliament by the end of January 2019.

Evidence sessions

18. At its meeting on 19 June 2018, the Committee heard from the Scottish Government Bill Team. In advance of the meeting, the Committee [wrote](#) to the Bill Team and received a [response](#) on 12 June 2018. The Committee also [wrote](#) to the Bill Team after the session and received a [response](#) on 27 July 2018.

19. On 23 October, the Committee heard from:

- ClimateXChange
- Intergovernmental Panel on Climate Change
- The Committee on Climate Change

20. The official report of the meeting can be found [here](#).

Meeting 30 October 2018

21. At this meeting, the Committee will hear from:

- Anders Wijkman, Chair, [Climate-KIC](#) and former Swedish Parliamentarian; and
- Stefan Nyström, Director of Department for Climate Change and Air Quality at the [Swedish Environment Protection Agency](#)

22. The purpose of the meeting is to hear about the Swedish experience of seeking to set challenging climate change targets and how Scotland can learn from practice from around the world.

Clerks

Environment, Climate Change and Land Reform Committee

**Cabinet Secretary for Environment,
Climate Change and Land Reform**
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Graeme Dey MSP
Convener
Environment, Climate Change and Land
Reform Committee
Room T3.40
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24 May 2018

Dear Graeme,

When to set a net-zero greenhouse gas emissions target year: Information and analysis to support discussion of the Climate Change (Emissions Reduction Targets) (Scotland) Bill.

As you will be aware the Climate Change (Emissions Reduction Targets) (Scotland) Bill was introduced to the Scottish Parliament on 23 May 2018.

The Bill includes the target levels that were advised by the UK Committee on Climate Change and that the Scottish Government consulted on last year, including a 90% emission reduction target for 2050.

The Bill establishes a net-zero target but it does not set a date for that target. In light of the large number of consultation responses calling for a net-zero target to be set for 2050 or sooner, the Bill requires that Ministers regularly consider the earliest achievable year for such a target.

I considered a range of information and analysis in coming to my view on the target levels, and to support the Committee in debating the issue I have today laid a paper in Parliament that summarises that information and analysis. The paper is annexed to this letter for your ease of reference.

Yours,

ROSEANNA CUNNINGHAM

PAPER LAID IN SCOTTISH PARLIAMENT – “WHEN TO SET A NET-ZERO GREENHOUSE GAS EMISSIONS TARGET YEAR: INFORMATION AND ANALYSIS TO SUPPORT DISCUSSION OF THE CLIMATE CHANGE (EMISSIONS REDUCTION TARGETS) (SCOTLAND) BILL”