

## Climate Change (Emissions Reduction Targets) (Scotland) Bill — Stage 2

### Section 1

#### Graham Simpson

1 In section 1, page 2, line 13, at end insert—

<( ) A budget for a period must set out the proportion of the budget that is to be attributed to emissions from each of the following sectors—

- (a) transport,
- (b) energy consumption,
- (c) land use,
- (d) aviation,
- (e) shipping.>

#### Maurice Golden

2 In section 1, page 2, line 13, at end insert—

<( ) The budget for a period may not be increased on account of the Scottish carbon budget target for a previous period having been met.>

#### Graham Simpson

3 In section 1, page 2, leave out lines 14 to 17 and insert—

<( ) The periods covered by Scottish carbon budgets must be in line with budgetary periods set by the Secretary of State under section 4 of the Climate Change Act 2008.>

#### Graham Simpson

4 In section 1, page 2, line 24, after <publish> insert <—

- ( ) a detailed plan in respect of each Scottish carbon budget that would be set by the regulations, and
- ( )>

#### Mark Ruskell

5 In section 1, page 2, line 30, at end insert—

- <( ) details of the views mentioned in A4A(b), and
- ( ) the changes (if any) they have made to the regulations in response to such views and the reasons for those changes.>

#### Mark Ruskell

6 In section 1, page 2, line 30, at end insert—

<(c) the contribution towards reducing emissions that each of the sectors mentioned in subsection (6) can be expected to make during the period covered by the Scottish carbon budget.

- (6) The sectors referred to in subsection (5)(c) are—
- (a) the energy sector,
  - (b) transports (including international aviation and shipping),
  - (c) business and industrial process,
  - (d) residential and public (in relation to buildings in those sectors),
  - (e) waste management,
  - (f) land use, land use change and forestry,
  - (g) agriculture.>

**Mark Ruskell**

7 In section 1, page 2, line 30, at end insert—

- <( ) A statement published under subsection (5) must set out, if relevant, that the proposed budget would deliver during, or by the end of, the period to be covered by the proposed budget a net Scottish emissions account of (as the case may be)—
- (a) 70% lower than the baseline,
  - (b) 90% lower than the baseline.>

**Mark Ruskell**

8 In section 1, page 2, line 30, at end insert—

**<A4A Budget-setting regulations: further procedure**

Before laying before the Scottish Parliament for approval a draft of regulations under section A4, the Scottish Ministers must—

- (a) lay a draft of the regulations before the Scottish Parliament for a period of 120 days, of which no fewer than 60 days must be days which the Scottish Parliament is not dissolved or in recess, and
- (b) before finalising the regulations, seek the views of a committee of the Scottish Parliament whose remit includes matters relating to climate change for the time being appointed by virtue of the standing orders.>

**Graham Simpson**

9 In section 1, page 2, line 36, leave out from <similar> to end of line 37 and insert <budgetary periods set by the Secretary of State under section 4 of the Climate Change Act 2008.>

**Section 2**

**Maurice Golden**

10 In section 2, page 4, line 2, at end insert—

- <( ) In section 13, after subsection (6) insert—

“(7) The regulations must not provide for any carbon units that are credited to the net Scottish emissions account for the period to be carried over to the next period.”>

**Maurice Golden**

11 In section 2, page 6, line 18, at end insert—

- <( ) Where the report is the third report during the period which has stated that the carbon budget target for the period is not likely to be met, the Scottish Ministers must, as soon as reasonably practicable after laying the report before the Parliament, make a statement to the Parliament setting out—
- (a) the reasons why the target is not likely to be met, and
  - (b) the steps they intend to take to compensate for the excess emissions.>

**Maurice Golden**

12 In section 2, page 6, line 38, after <why> insert <and set out what measures will be put in place to compensate for the excess emissions>

**After section 2**

**Mark Ruskell**

13 After section 2, insert—

**<Reports on proposals and policies where emissions reduction targets not met**

- (1) The Climate Change (Scotland) Act 2009 is modified as follows.
- (2) In section 36—
  - (a) in subsection (2), for the words “As soon as reasonably practicable after” substitute “Before the expiry of the period of six months beginning with the day on which”,
  - (b) after subsection (2) insert—
    - “(3) The policies and proposals referred to in subsection (2) must be in addition to the policies and proposals set out in the most recent climate change plan laid under section 35.
    - (4) The report must set the respective contribution towards reducing emissions that each policy and proposal can be expected to make.”>

**Mark Ruskell**

14 After section 2, insert—

**<Reports by Climate Change Committee**

- (1) The Climate Change (Scotland) Act 2009 is modified as follows.
- (2) In schedule 1, after paragraph 9 insert—

*“Resources*

9A(1) The Scottish Ministers must seek to ensure that the amount of resources allocated for use by the Committee is reasonably sufficient to enable it to perform its functions in relation to provision about Scottish carbon budgets under this Act.

- (2) Each report prepared under paragraph 9 must include an assessment by the Committee of whether the amount of resources allocated for use by it in the financial year to which the report relates was sufficient to enable it to perform its functions in relation to provision about Scottish carbon budgets under this Act.”.>

**Maurice Golden**

**15** After section 2, insert—

**<The 2030 target**

- (1) The Climate Change (Scotland) Act 2009 is modified as follows.
- (2) After section A1, insert—

**“A1A The 2030 target**

The Scottish Ministers must ensure that the net Scottish emissions for the year 2030 is at least 68% lower than the baseline.”.>

**Maurice Golden**

**16** After section 2, insert—

**<The 2040 target**

- (1) The Climate Change (Scotland) Act 2009 is modified as follows.
- (2) After section A1, insert—

**“A1B The 2040 target**

The Scottish Ministers must ensure that the net Scottish emissions for the year 2040 is at least 90% lower than the baseline.”.>

**After section 3**

**Patrick Harvie**

**17** After section 3, insert—

**<Content of climate change plan**

- (1) The Climate Change (Scotland) Act 2009 is modified as follows.
- (2) In section 35, after subsection (20) insert—

“(20A)The plan must also set out the Scottish Ministers’ proposals and policies for assessing the impact of major capital projects on Scottish carbon budgets.”.>

**Mark Ruskell**

**18** After section 3, insert—

**<Content of climate change plan**

- (1) The Climate Change (Scotland) Act 2009 is modified as follows.
- (2) In section 35(2)—
  - (a) in paragraph (b), the “and” following sub-paragraph (ii) is repealed,

(b) after paragraph (b) insert—

“(ba) the respective contribution that each proposal and policy can be expected to make towards meeting the emissions reduction targets during the plan period, and”,>

**Mark Ruskell**

**19** After section 3, insert—

**<Preparation of climate change plan: public consultation**

- (1) The Climate Change (Scotland) Act 2009 is modified as follows.
- (2) After section 35, insert—

**“35ZA Preparation of climate change plan**

- (1) The Scottish Ministers must carry out a public consultation to inform the proposals and policies to be set out in a climate change plan laid under section 35.
- (2) A consultation under subsection (1) may use deliberative democratic processes.
- (3) Subsection (1) does not apply to the first plan laid under section 35(1).”>

**Mark Ruskell**

**20** After section 3, insert—

**<Preparation of climate change plan: further consultation**

- (1) The Climate Change (Scotland) Act 2009 is amended as follows.
- (2) In section 35A(1)—

- (a) the “and” following paragraph (a) is repealed,
- (b) after paragraph (a) insert—

“(aa) in addition to the views of the relevant body under section 9(1)(d), request the views of such persons as they consider appropriate with—

- (i) knowledge of international law or policy relating to climate change,
- (ii) scientific knowledge about climate change,
- (iii) technical knowledge of about climate, and”

- (c) in paragraph (b), after sub-paragraph (ii), insert—

“(iia) any views on the draft plan set out by a person mentioned in paragraph (aa),”>

**Maurice Golden**

**21** After section 3, insert—

**<Content of climate change plan in relation to carbon budgets**

- (1) The Climate Change (Scotland) Act 2009 is modified as follows.

- (2) In section 35(21), after “plan” the second time it occurs insert “, broken down by reference to the period covered by a Scottish carbon budget in which those costs and benefits are expected to arise”.>

**Maurice Golden**

22 After section 3, insert—

**<Draft of first climate change plan**

- (1) The Climate Change (Scotland) Act 2009 is modified as follows.
- (2) In section 35, after subsection (1) insert—
- “(1A) In the case of the first climate change plan, a draft of the plan must be laid before the Parliament by 26 June 2025.”>.

**Graham Simpson**

23 After section 3, insert—

**<Monitoring and evaluation plan for delivering emissions reduction targets**

- (1) The Climate Change (Scotland) Act 2009 is modified as follows.
- (2) After section 36, insert—
- “36A Monitoring and evaluation plan for delivering emissions reduction targets**
- (1) The Scottish Ministers must prepare a monitoring and evaluation plan to identify any risks which might prevent the delivery of future emissions reduction targets.
- (2) The plan prepared under subsection (1) must take into account the most recent monitoring framework published by the relevant body.”>

**Section 4**

**Graham Simpson**

24 In section 4, page 7, line 36, at end insert—

- <( ) The Scottish Ministers must lay the first draft regulations under section A4 of the 2009 Act before the Scottish Parliament for approval before the expiry of the period of two months beginning with the day on which they receive the advice from the relevant body on setting Scottish carbon budgets.>

**After section 4**

**Mark Ruskell**

25 After section 4, insert—

**<Further provision about setting first budgets: draft climate change plan**

- (1) The Scottish Ministers must, at the same time as laying before the Scottish Parliament for approval a draft of the first regulations setting Scottish carbon budgets under section A4 of the Climate Change (Scotland) Act 2009, publish a draft climate change plan.

- (2) The draft climate change plan published under subsection (1) must set out the Scottish Ministers' indicative proposals and policies to meet the Scottish carbon budget target for each period to be covered by the draft regulations.>

**Mark Ruskell**

26 After section 4, insert—

**<Further provision about setting first budgets: interim climate change plan**

- (1) The Scottish Ministers must lay an interim climate change plan before the Scottish Parliament before the expiry of the period of six months beginning with the day of Royal Assent.
- (2) The interim plan must set out in particular the Scottish Ministers' proposals and policies for reducing emissions during the interim plan period.
- (3) An interim plan under laid under subsection (1) must be approved by resolution of the Scottish Parliament.
- (4) For the purposes of subsection (2), the “interim plan period” means the period beginning with the day of Royal Assent and ending on the day on which the first regulations under section A4 of the Climate Change (Scotland) Act 2009 setting Scottish carbon budgets come into force.>

**Patrick Harvie**

27 After section 4, insert—

**<Impact of budget proposals on emissions**

- (1) The Climate Change (Scotland) Act is modified as follows.
- (2) In section 94—
  - (a) in subsection (1)—
    - (i) the words “the direct and indirect impact on greenhouse gas emissions of the activities to be funded by virtue of the proposals” become paragraph (a),
    - (ii) after that paragraph insert—

“(b) the financial resources being made available by virtue of the proposals to ensure that the Scottish carbon budget target for that period will be met.”,
  - (b) after subsection (1) insert—
    - “(2) The Scottish Ministers must take steps to ensure that the document laid under subsection (1) has been independently reviewed by a person with appropriate financial expertise.”.>