1st Groupings of Amendments for Stage 2

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- the text of amendments to be debated on the first day of Stage 2 consideration, set out in the order in which they will be debated. **THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.**

## Groupings of amendments

### Founding principle
75

### 2050 target
76

### Interim target: modification
1, 2, 3, 4, 5, 6, 8, 24, 25, 26, 27, 28, 29, 30, 31, 35

**Notes on amendments in this group**
- Amendments 2 and 3 are direct alternatives
- Amendments 5 and 6 are pre-empted by amendment 79 in the group “Setting annual targets: criteria”
- Amendment 8 is pre-empted by amendment 46 in the group “Power to modify annual targets etc.”

### Setting annual targets: amounts
36, 37, 38, 39, 78

**Notes on amendments in this group**
- Amendment 37 pre-empts amendment 38

### Setting annual targets: criteria
79, 80, 81, 83, 84, 85, 86, 40, 41, 87, 42, 88, 89, 109

**Notes on amendments in this group**
- Amendment 79 pre-empts amendments 5 and 6 in the group “Interim target: notification” and amendment 80 in this group
Role of relevant body in relation to annual targets
82, 90, 91, 92, 93, 97, 49, 106, 107, 108, 110

Notes on amendments in this group
Amendment 97 is pre-empted by amendment 96 in the group “Cases where advice not followed etc.: giving of reasons”
Amendment 49 is pre-empted by amendment 100, also in that group

Deadline for setting annual targets
7

Cases where advice not followed etc.: giving of reasons
94, 95, 96, 98, 99, 100

Notes on amendments in this group
Amendment 96 pre-empts amendment 97 in the group “Role of relevant body in relation to annual targets”
Amendment 100 pre-empts amendment 49, also in that group

Power to modify annual targets etc.
43, 44, 45, 46, 47, 48

Notes on amendments in this group
Amendment 46 pre-empts amendment 8 in the group “Interim target: modification”

Achievement of annual targets: respective contributions of domestic reductions and crediting of carbon units
50, 125, 51, 52, 10, 57, 12, 12A, 12AA, 12AB, 12C, 12D, 12B, 12E, 12F, 13, 14, 60, 19, 61, 62, 63, 65, 68, 69

Notes on amendments in this group
Amendment 60 pre-empts amendment 19

Annual targets: progress towards achievement
9, 101, 111, 20, 112, 21, 64, 22, 115

Notes on amendments in this group
Amendment 9 pre-empt amendment 101
Amendment 111 pre-empt amendment 20
Amendment 112 pre-empt amendment 21
Amendment 64 pre-empt amendment 22

Greenhouse gases
53, 102, 54

Net Scottish emissions account: restriction on use of carbon units
126, 127, 128, 129, 130
Carbon units: source
55, 56

Scottish share of emissions from international aviation and international shipping
58, 11, 11A, 103

Carbon units: carbon offsetting and trading
104

Public engagement strategy
59

Functions of advisory body
105

Relationship between advisory body and Scottish Parliament
131, 132, 134, 135, 136

Minor amendments
15, 16, 17, 18, 32, 33, 34

Electricity generation: advice and reports
133, 137, 138

Power to give directions to advisory body
113, 114

Reports on targets etc.: content
116, 67, 117, 118, 23, 119, 120, 121

Reports on certain kinds of emissions
70, 124

Reports: provision of information to the Scottish Parliament
71, 122, 122A, 72, 73, 123

Charges for supply of carrier bags
74
Amendments in debating order

**Founding principle**

Patrick Harvie

75 Before section 1, insert—

<\PART

FOUNDING PRINCIPLE

**Founding principle**
The founding principle of this Act is to ensure that Scotland makes at least an equitable contribution, in accordance with its international responsibilities and capabilities, to the international goal of stabilising greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference in the climate system.>

**2050 target**

Robin Harper

76 In section 1, page 1, line 12, leave out <80%> and insert <90%>

**Interim target: modification**

Alison McInnes

1 In section 2, page 1, line 17, leave out <2030> and insert <2020>

Stewart Stevenson

2 In section 2, page 1, line 17, leave out <50%> and insert <34%>

Alison McInnes

3 In section 2, page 1, line 17, leave out <50%> and insert <42%>

Stewart Stevenson

4 After section 2, insert—

<Modifying the interim target

(1) The Scottish Ministers may, by order, modify the percentage figure mentioned in section 2(1) so as to substitute a higher figure for the one for the time being mentioned there.

(2) If an appropriate Community instrument comes into force, the Scottish Ministers must, before the expiry of the appropriate period, lay a draft of a statutory instrument containing an appropriate order before the Scottish Parliament.

(3) An “appropriate order” means an order under subsection (1) modifying the percentage figure mentioned in section 2(1) so as to substitute a figure of at least 42%.

(4) An “appropriate Community instrument” means a Community instrument—
(a) which contains a commitment to reduce greenhouse gas emissions by at least 30% compared to 1990 levels by 2020; and

(b) which amends the Decision of 26 March 2009 of the European Parliament and of the Council on the effort of Member States to reduce their greenhouse gas emissions to meet the Community’s greenhouse gas emission reduction commitments up to 2020 in the manner envisaged in Article 8(2) of the Decision.

(5) The “appropriate period” means the period of 3 months beginning with the day on which the appropriate Community instrument comes into force.

(6) If a draft of an appropriate order is not laid before the expiry of the appropriate period, the Scottish Ministers must lay the draft as soon as reasonably practicable afterwards.

Stewart Stevenson
5  In section 4, page 2, line 26, leave out <2030> and insert <2020>

Stewart Stevenson
6  In section 4, page 2, line 28, leave out <2031> and insert <2021>

Stewart Stevenson
8  In section 6, page 3, line 38, leave out <significant changes> and insert—

   <(  ) a modification of the interim target; or
   (  ) another significant change>

Stewart Stevenson
24 In section 32, page 13, line 39, leave out <2030> and insert <2020>

Stewart Stevenson
25 In section 32, page 14, line 4, leave out <2030> and insert <2020>

Stewart Stevenson
26 In section 32, page 14, line 6, leave out <2030> and insert <2020>

Stewart Stevenson
27 In section 32, page 14, line 9, leave out <2030> and insert <2020>

Stewart Stevenson
28 In section 32, page 14, line 10, leave out <2030> and insert <2020>

Stewart Stevenson
29 In section 32, page 14, line 11, leave out <2030> and insert <2020>

Stewart Stevenson
30 In section 32, page 14, line 13, leave out <2030> and insert <2020>

Stewart Stevenson
31 In section 32, page 14, line 18, leave out <2032> and insert <2022>
Setting annual targets: amounts

Alison McInnes
36 In section 3, page 2, line 1, after <is> insert <at least 3%>

Alison McInnes
Supported by: Robin Harper

Des McNulty
38 In section 3, page 2, line 3, leave out from <less> to end of line 4 and insert <consistent with a reduction over time of the net Scottish emissions account which would allow the interim target to be met>

Alison McInnes
Supported by: Robin Harper

Robin Harper
78 In section 3, page 2, line 5, leave out <3%> and insert <4.5%>

Setting annual targets: criteria

Patrick Harvie
79 In section 4, page 2, line 25, leave out subsection (3)

Alison McInnes
80 In section 4, page 2, line 29, at end insert—

Patrick Harvie
81 In section 4, page 2, line 30, leave out <also>

Patrick Harvie
83 In section 4, page 2, line 31, at end insert—

<(  ) to the objective of not exceeding the fair and safe Scottish emissions budget;>

<(  ) in relation to each year in the period 2010-2020, to the achievement of the interim target and the 2050 target;>

<(  ) in relation to each year in the period 2021-2050, to the achievement of the 2050 target;>
Patrick Harvie

84 In section 4, page 2, line 31, at end insert—

<( ) the objective of not exceeding the fair and safe Scottish emissions budget;>

Patrick Harvie

85 In section 4, page 2, line 34, leave out <in particular> and insert <including>

Patrick Harvie

86 In section 4, page 2, leave out lines 36 and 37

Des McNulty

40 In section 4, page 2, line 37, at end insert—

<( ) jobs and employment opportunities;>

Des McNulty

41 In section 4, page 3, line 2, leave out <poverty> and insert <poorer or deprived communities>

Patrick Harvie

87 In section 4, page 3, line 2, after <poverty> insert <, those discriminated against on grounds of gender and other disadvantaged or minority groups living in Scotland or elsewhere;>

Des McNulty

42 In section 4, page 3, line 3, leave out <and rural> and insert <rural communities and island>

Patrick Harvie

88 In section 4, page 3, line 6, at end insert—

<( ) environmental considerations and, in particular, the likely impact of the targets on biodiversity;>

Patrick Harvie

89 In section 4, page 3, line 7, at end insert—

<( ) In this Act, the “fair and safe Scottish emissions budget” is the aggregate amount of net Scottish emissions for the period 2010-2050 recommended by the relevant body as being consistent with Scotland contributing appropriately to stabilisation of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.>

Patrick Harvie

109 In section 22, page 10, line 14, at end insert—

<( ) the objective of not exceeding the fair and safe Scottish emissions budget.>
Role of relevant body in relation to annual targets

Patrick Harvie

82 In section 4, page 2, line 30, after <the> insert <advice of the relevant body in relation to the>

Patrick Harvie

90 In section 5, page 3, line 10, after <request> insert <and publish>

Patrick Harvie

91 In section 5, page 3, line 11, at end insert <in relation to the target-setting criteria>

Alison McInnes

92 In section 5, page 3, line 11, at end insert—

<(1) When providing advice under this section, the relevant body must—
(a) express a view as to whether the annual targets are appropriate; and
(b) explain that view by reference to the target-setting criteria.>

Patrick Harvie

Supported by: Alison McInnes

93 In section 5, page 3, line 11, at end insert—

<(1A) When providing advice under subsection (1), the relevant body must also express a view as to—
(a) the extent to which the annual targets should be met by—
(i) taking action to reduce net Scottish emissions;
(ii) the use of carbon units that in accordance with regulations under section 12(2) may be credited to the net Scottish emissions account;
(b) the respective contributions towards meeting the annual targets that should be made—
(i) by the traded sector of the Scottish economy;
(ii) by the other sectors of the Scottish economy;
(c) the sectors of the Scottish economy in which there are particular opportunities for contributions to be made towards meeting the targets through reductions in emissions of greenhouse gases.

(1B) In subsection (1A)(b)(i), “traded sector” means the sectors of the Scottish economy which are covered by trading schemes within the meaning of section 44 of the 2008 Act.>

Patrick Harvie

97 In section 5, page 3, line 19, at beginning insert <Advice requested under subsection (1) or>

Patrick Harvie

49 In section 7, page 4, line 17, at end insert—

<( ) must be laid before the Scottish Parliament>
Patrick Harvie

106 In section 22, page 10, line 8, leave out subsection (1) and insert—

<( ) The Scottish Ministers must, before laying an order under section 4(1), request and publish advice from the advisory body on the target-setting criteria set out under section 4(4).>

Patrick Harvie

107 In section 22, page 10, line 12, leave out <(1)(a)> and insert <(1)>

Patrick Harvie

108 In section 22, page 10, line 13, leave out <whether the> and insert <what>

Patrick Harvie

110 In section 22, page 10, line 15, leave out <(1)(a)> and insert <(1)>

Deadline for setting annual targets

Stewart Stevenson

7 In section 4, page 3, line 7, at end insert—

<( ) If annual targets for a period are not set by the corresponding date mentioned in paragraphs (a) to (g) of subsection (2), the Scottish Ministers must set the annual targets as soon as reasonably practicable afterwards.>

Cases where advice not followed etc.: giving of reasons

Alison McInnes

94 In section 5, page 3, line 13, leave out <publish a statement> and insert <lay before the Scottish Parliament a report>

Alison McInnes

95 In section 5, page 3, line 17, leave out <publish a statement> and insert <lay before the Scottish Parliament a report>

Alison McInnes

96 In section 5, page 3, line 19, leave out subsection (4) and insert—

<(4) The Scottish Ministers must, as soon as reasonably practicable after laying a report before the Scottish Parliament under subsection (2) or (3), and in so far as reasonably practicable, make a statement to the Parliament relating to the report.>

Alison McInnes

98 In section 6, page 3, line 33, at end insert—
<(1A) The Scottish Ministers must, at the same time as laying a draft of a statutory instrument containing an order under subsection (1)(a) before the Scottish Parliament, lay before the Parliament a report explaining why the modification is being proposed.

(1B) The Scottish Ministers must, as soon as reasonably practicable after laying a report before the Scottish Parliament under subsection (1A), and in so far as reasonably practicable, make a statement to the Parliament relating to the report.>

Alison McInnes

99 In section 7, page 4, line 14, leave out <publish a statement> and insert <lay before the Scottish Parliament a report>

Alison McInnes

100 In section 7, page 4, line 16, leave out subsection (3) and insert—

<(3) The Scottish Ministers must, as soon as reasonably practicable after laying a report before the Scottish Parliament under subsection (2), and in so far as reasonably practicable, make a statement to the Parliament relating to the report.>

**Power to modify annual targets etc.**

Patrick Harvie

43 In section 6, page 3, leave out line 30

Patrick Harvie

44 In section 6, page 3, line 31, at end insert <but only if the modification results in the revised target being set at an amount that is less than the original target>

Patrick Harvie

45 In section 6, page 3, line 34, leave out subsection (2)

Patrick Harvie

46 In section 6, page 3, line 37, leave out subsection (3)

Patrick Harvie

47 In section 6, page 4, line 1, leave out subsection (4)

Patrick Harvie

48 In section 6, page 4, line 3, leave out subsection (5)

**Achievement of annual targets: respective contributions of domestic reductions and crediting of carbon units**

Des McNulty

50 After section 7, insert—
<Achievement of annual targets: domestic effort target

(1) The Scottish Ministers must ensure that reductions in net Scottish emissions of greenhouse gases account for at least 80% of the reduction in the net Scottish emissions account in any target year.

(2) In this Act, the target set out in subsection (1) is known as the “domestic effort target”.

(3) The Scottish Ministers may, by order, modify the percentage figure mentioned in subsection (1) so as to substitute a higher figure for the one for the time being mentioned there.

(4) Before making an order under subsection (3) the Scottish Ministers must request advice from the relevant body.

(5) If the order under subsection (3) makes provision different from that recommended by the relevant body, the Scottish Ministers must publish a statement setting out the reasons why.

(6) A statement under subsection (5) may be published in such manner as the Scottish Ministers consider appropriate.>

Robin Harper

125 After section 7, insert—

<Achievement of annual targets: reduction in net Scottish emissions

(1) The Scottish Ministers must ensure that reductions in net Scottish emissions of greenhouse gases account for—

(a) in the period 2010-2019, at least 80%;
(b) in the period 2020-2039, at least 90%;
(c) in the period 2040-2050, 100%,

of the reduction in the net Scottish emissions account in any target year.

(2) The Scottish Ministers may by order increase the percentage figures mentioned in subsection (1)(a) and (b).

(3) Before making an order under subsection (5) the Scottish Ministers must seek advice from the relevant body.>

Des McNulty

51 In section 8, page 4, line 33, at end insert—

<(  ) whether the domestic effort target was met in that target year;>

Des McNulty

52 In section 8, page 4, line 34, leave out <way in which that target was or was> and insert <ways in which those targets were or were>

Stewart Stevenson

10 In section 12, page 6, line 20, at end insert—

<(1A) The net amount of carbon units credited to the net Scottish emissions account for a year for which an annual target has been set (a “target year”) must not exceed the allowable amount.>
(1B) The “allowable amount” is—
   (a) the amount equal to the limit, set by virtue of section (Limits on use of carbon units)(1), on the net amount of carbon units that may be credited to net Scottish emissions accounts during the period which includes the target year; or
   (b) where a net amount of carbon units has been credited to the net Scottish emissions account for any other target year in that period, the balance (if any) remaining of the amount referred to in paragraph (a).

(1C) In subsections (1A) and (1B), the “net amount of carbon units” has the meaning given by section (Limits on use of carbon units)(3).

Des McNulty

57 After section 12, insert—

   Restriction on use in 2010-2012 of carbon units purchased by Scottish Ministers

   (1) The Scottish Ministers may not, where subsection (2) applies, credit to the net Scottish emissions account for a year in the period 2010-2012 any carbon units purchased by them.

   (2) This subsection applies provided the percentage figure mentioned in section 2(1) is 34%.

Stewart Stevenson

12 After section 18, insert—

   Limits on use of carbon units

   (1) The Scottish Ministers must, by order, set a limit on the net amount of carbon units that may be credited to net Scottish emissions accounts during the periods mentioned in paragraphs (a) to (i) of subsection (2).

   (2) The Scottish Ministers must set the limit—
      (a) for the period 2010-2012, no later than 1 June 2010;
      (b) for the period 2013-2017, no later than 31 December 2011;
      (c) for the period 2018-2022, no later than 31 December 2016;
      (d) for the period 2023-2027, no later than 31 December 2021;
      (e) for the period 2028-2032, no later than 31 December 2026;
      (f) for the period 2033-2037, no later than 31 December 2031;
      (g) for the period 2038-2042, no later than 31 December 2036;
      (h) for the period 2043-2047, no later than 31 December 2041;
      (i) for the period 2048-2050, no later than 31 December 2046.

   (3) The “net amount of carbon units” means C minus D, where—
      “C” is the amount of carbon units credited to net Scottish emissions accounts during the period in accordance with regulations under section 12(2);
      “D” is the amount of carbon units debited from net Scottish emissions accounts during the period in accordance with such regulations.
(4) An order under subsection (1) may provide that carbon units of a description specified in the order do not count towards the limit.

(5) If the limit for a period is not set by the corresponding date mentioned in paragraphs (a) to (i) of subsection (2), the Scottish Ministers must set the limit as soon as reasonably practicable afterwards.

Des McNulty

12A As an amendment to amendment 12, line 2, at end insert—

<( ) The Scottish Ministers may only credit to the net Scottish emissions account for a year in the period 2013-2017 carbon units purchased by them up to a limit of 20% of the reduction in the amount of the net Scottish emissions account planned for that year.>

Alison McInnes

12AA As an amendment to amendment 12A, line 3, leave out <2013> and insert <2010>

Alison McInnes

12AB As an amendment to amendment 12A, line 3, leave out <2017> and insert <2020>

Alison McInnes

12C As an amendment to amendment 12, line 5, at end insert—

<( ) The limit set under subsection (1) for the period 2020-2022 and subsequent periods must be set with a view to ensuring that the net amount of carbon units credited to the net Scottish emissions account in any year is no greater than 20% of the reduction in the amount of the net Scottish emissions account planned for that year.>

Alison McInnes

12D As an amendment to amendment 12, leave out line 7

Des McNulty

12B As an amendment to amendment 12, leave out line 8

Alison McInnes

12E As an amendment to amendment 12, line 9, leave out <2018> and insert <2020>

Alison McInnes

12F As an amendment to amendment 12, line 25, at end insert—

<(6) The Scottish Ministers must, before laying a draft of a statutory instrument containing an order under subsection (1) before the Scottish Parliament, request advice from the relevant body.

(7) If the order under subsection (1) makes provision different from that recommended by the relevant body, the Scottish Ministers must lay before the Scottish Parliament a report explaining why.

(8) The Scottish Ministers must, as soon as reasonably practicable after laying a report before the Scottish Parliament under subsection (7), and in so far as reasonably practicable, make a statement to the Parliament relating to the report.>
After section 18, insert—

<Modifying limits on use of carbon units etc.

(1) The Scottish Ministers may, by order, modify—

(a) a limit on the use of carbon units set by virtue of section (Limits on use of carbon units)(1);

(b) any date mentioned in paragraphs (a) to (i) of section (Limits on use of carbon units)(2).

(2) The Scottish Ministers may make an order under subsection (1)(a) only if they consider that it is appropriate to do so as a result of—

(a) a modification of the interim target; or

(b) another significant change to the basis on which the limit on the use of carbon units was set.

(3) The Scottish Ministers may make an order under subsection (1)(b) only if they consider it appropriate to do so.

(4) An order under subsection (1)(a) may provide that carbon units of a description specified in the order do not count towards the limit.>

Advice before setting or modifying limits on use of carbon units etc.

(1) The Scottish Ministers must, before laying a draft of a statutory instrument containing an order under section (Limits on use of carbon units)(1) or (Modifying limits on use of carbon units etc.)(1) before the Scottish Parliament, request advice from the relevant body.

(2) If the order under section (Limits on use of carbon units)(1) or (Modifying limits on use of carbon units etc.)(1) makes provision different from that recommended by the relevant body, the Scottish Ministers must publish a statement setting out the reasons why.

(3) A statement under subsection (2) may be published in such manner as the Scottish Ministers consider appropriate.>

In section 22, page 10, leave out lines 17 to 20

In section 22, page 10, line 19, after <with> insert <section 12(1A) and>

In section 22, page 10, line 21, after <targets> insert <and the domestic effort target>

In section 23, page 11, line 9, at end insert—
<(. ) whether the domestic effort target was met in that target year;

Des McNulty

63 In section 23, page 11, line 10, leave out <way in which that target was or was> and insert <ways in which those targets were or were>

Des McNulty

65 In section 28, page 12, line 16, at end insert—

<(. ) The report must also state whether the domestic effort target has been met in the target year to which the report relates.

( ) If the domestic effort target has not been met, the report must explain why.>

Des McNulty

68 In section 30, page 13, line 20, leave out <and the 2050 target> and insert <, the 2050 target and, in each target year, the domestic effort target>

Des McNulty

69 In section 31, page 13, line 32, at end insert <or that the domestic effort target has not been met in the target year to which the report relates>

Annual targets: progress towards achievement

Stewart Stevenson

9 In section 8, page 4, line 30, leave out <In> and insert <No later than the end of>

Alison McInnes

101 In section 8, page 4, line 30, leave out from beginning to <prepare> in line 31 and insert <The Scottish Ministers must in each year, beginning with the year 2011, request the relevant body to prepare, as soon as reasonably practicable after data relating to a year for which an annual target has been set (“a target year”) becomes available,>

Alison McInnes

111 In section 23, page 11, line 7, leave out from beginning to <year”),> in line 8 and insert <The first report under this section prepared after data relating to a year for which an annual target has been set (a “target year”) becomes available>

Stewart Stevenson

20 In section 23, page 11, line 7, leave out from <the> to <on> in line 8 and insert <a relevant year must also set out the advisory body’s views on the matters mentioned in subsection (3C).>

(3A) In subsection (3), the “relevant year” means such year as the Scottish Ministers may, by order, designate in accordance with subsection (3B).

(3B) The year which may be designated under subsection (3A) is the first year following a year for which an annual target has been set (a “target year”) or the second year following a target year.

(3C) The matters referred to in subsection (3) are>
Alison McInnes
112* In section 23, page 11, line 13, leave out from <no> to end of line 16 and insert <as soon as reasonably practicable after the data relating to the target year becomes available and in any case no later than 31 January in the third year following the target year.>

Stewart Stevenson
21 In section 23, page 11, line 16, leave out <later>

Alison McInnes
64 In section 24, page 11, leave out lines 22 to 24 and insert <2 months after the report was so laid.>

Stewart Stevenson
22 In section 24, page 11, line 24, leave out <later> and insert <other>

Alison McInnes
115 In section 28, page 12, line 18, leave out <31 October in the second> and insert <the first 31 October after the data relating to the target year becomes available and in any case no later than 31 January in the third>

Greenhouse gases
Elaine Murray
53 In section 9, page 5, line 9, at end insert—

<(  ) chlorofluorocarbons;
(  ) hydrochlorofluorocarbons.>

Patrick Harvie
102 In section 9, page 5, line 9, at end insert—

<(  ) The Scottish Ministers must monitor the impact on climate change of those gases in the atmosphere not listed in subsection (1), and report to the Scottish Parliament from time to time as to whether it would, in their view, be desirable for any such gas to be added to subsection (1) in the event that subsection (3) was satisfied in respect of such a gas.>

Elaine Murray
54 In section 10, page 5, line 35, at end insert—

<(  ) for chlorofluorocarbons, 2009;
(  ) for hydrochlorofluorocarbons, 2009.>

Net Scottish emissions account: restriction on use of carbon units
Robin Harper
126 In section 12, page 6, line 17, after <units> insert <purchased by the Scottish Ministers and>
Robin Harper
127 In section 12, page 6, leave out lines 19 and 20

Robin Harper
128 In section 12, page 6, line 22, after <units> insert <purchased by the Scottish Ministers>

Robin Harper
129 In section 12, page 6, leave out lines 24 to 26

Robin Harper
130 In section 18, page 8, line 23, after second <unit> insert <, purchased by the Scottish Ministers,>

Carbon units: source
Des McNulty
55 In section 12, page 6, line 28, after <period> insert—

<(a)>  

Des McNulty
56 In section 12, page 6, line 29, at end insert <;

(b) deliver a reduction in greenhouse gas emissions (or a removal of greenhouse gas from the atmosphere) that would not otherwise have occurred; and

(c) relate to projects which benefit, and promote sustainable development in, the country in which the reduction in emissions referred to in paragraph (b) is taking place (or in which the activities giving rise to the removal of greenhouse gases referred to in that paragraph are taking place)>

Scottish share of emissions from international aviation and international shipping
Patrick Harvie
58 In section 14, page 6, line 36, leave out <may> and insert <must>

Stewart Stevenson
11 In section 14, page 7, line 6, at end insert—

<(2A) A draft of a statutory instrument containing the first order under subsection (1) must be laid before the Scottish Parliament no later than 1 June 2010.>

(2B) If a draft of the first order is not laid by the date mentioned in subsection (2A), the Scottish Ministers must lay the draft as soon as reasonably practicable afterwards.>

Alison McInnes
11A* As an amendment to amendment 11, leave out lines 4 and 5
Patrick Harvie

103 In section 14, page 7, line 6, at end insert—

<(  ) In making an order under subsection (1) the Scottish Ministers must have regard to the extent to which the impact of emissions on climate change may vary according to the altitude at which such emissions are made.>

Carbon units: carbon offsetting and trading

Patrick Harvie

104 In section 18, page 8, line 22, at end insert—

<(  ) Regulations under subsection (1) may not include provision for any scheme whereby carbon units may be traded or offset to mitigate greenhouse gas emissions made in Scotland.>

Public engagement strategy

Brian Adam
Supported by: Des McNulty

59 After section 18, insert—

<Public engagement strategy

(1) As soon as reasonably practicable after making an order under section 4(1) setting annual targets, the Scottish Ministers must prepare and publish a strategy (a “public engagement strategy”) setting out the proposals and policies which they intend to adopt in order to—

(a) inform individuals and communities about the targets specified in or by virtue of this Part;
(b) encourage individuals and communities to make contributions towards the meeting of those targets.

(2) In particular, the strategy under subsection (1) must identify actions which may be taken by individuals and communities in order to contribute towards the meeting of the targets specified in or by virtue of this Part.

(3) The second and each subsequent strategy published under this section—

(a) must contain an assessment of the progress towards implementing proposals and policies set out in earlier strategies;
(b) may make such adjustments to those proposals and policies as the Scottish Ministers consider appropriate.

(4) A public engagement strategy may be published in such manner as the Scottish Ministers consider appropriate.

(5) As soon as reasonably practicable after publishing a public engagement strategy, the Scottish Ministers must lay the strategy before the Scottish Parliament.>
Functions of advisory body

Patrick Harvie

105 In section 19, page 9, line 4, at end insert—

<(  ) the function of providing advice, analysis, information and other assistance on climate change to any member of the Scottish Parliament;>

Relationship between advisory body and Scottish Parliament

Cathy Peattie

131 In section 20, page 9, line 36, at end insert—

<(  ) Before making an order under subsection (1), the Scottish Ministers must consult the Scottish Parliament.>

Cathy Peattie

132 In schedule 1, page 34, line 17, at end insert—

<(  ) Before appointing members of the Committee, the Scottish Ministers must consult the Scottish Parliament.>

Cathy Peattie

134 In section 23, page 10, line 33, leave out <prepare> and insert <lay before the Scottish Parliament>

Cathy Peattie

135 In section 23, page 11, line 16, at end insert—

<(  ) Before specifying a year under subsection (2) or appointing a date under subsection (4)(b), the Scottish Ministers must consult the Scottish Parliament.>

Cathy Peattie

136 In section 27, page 12, line 3, at end insert—

<(  ) Before giving any directions under subsection (1), the Scottish Ministers must consult the Scottish Parliament.>

Minor amendments

Stewart Stevenson

15 In schedule 1, page 36, line 19, after <payment> insert <of>

Stewart Stevenson

16 In schedule 1, page 36, line 20, after <provision> insert <of>

Stewart Stevenson

17 In schedule 1, page 36, line 21, after <payment> insert <of>
Stewart Stevenson

18 In schedule 1, page 36, line 22, leave out first <of>

Stewart Stevenson

32 In section 65, page 32, line 8, leave out <section 10(2)> and insert <subsection (2) of section 10>

Stewart Stevenson

33 In section 65, page 32, line 9, leave out <subsection (2)(a)> and insert <paragraph (a)>

Stewart Stevenson

34 In section 65, page 32, line 9, at end insert <of that subsection>

Electricity generation: advice and reports

Liam McArthur

133 In section 22, page 10, line 27, at end insert—

<( ) the proportion of the fair and safe Scottish emissions budget available for electricity generation and in particular as to—

(i) an appropriate total lifetime greenhouse gas budget per megawatt hour of generating capacity;

(ii) appropriate initial levels of greenhouse gas emissions per megawatt hour.>

Liam McArthur

137 In section 29, page 13, line 4, at end insert—

<( ) state the average greenhouse gas emissions per megawatt hour of electricity generated in Scotland in the target year;

( ) state the average greenhouse gas emissions per megawatt hour, and the estimated lifetime cumulative emissions, of any new electricity generation capacity greater than 50 megawatts approved in Scotland in the target year.>

Liam McArthur

138 In section 29, page 13, line 4, at end insert—

<( ) in relation to any electricity generation permission granted in respect of a plant with average per megawatt greenhouse gas emissions which exceed—

(i) those achievable by a modern combined cycle gas turbine; or

(ii) any level specified in guidance issued in relation to consents granted under section 36 of the Electricity Act 1989 (c.29),

give reasons as to why such permission was granted and how such permission will be compatible over the plant’s lifetime with achievement of the targets set out in this Act.>
Power to give directions to advisory body

Patrick Harvie
113 In section 27, page 12, line 2, leave out subsection (1)

Patrick Harvie
114 In section 27, page 12, line 6, leave out subsections (3) and (4)

Reports on targets etc.: content

Patrick Harvie
116 In section 29, page 12, line 23, at end insert—
<\(\text{ba) state the cumulative amount of net Scottish emissions in the period from the baseline year to the target year;}\)>

Des McNulty
67 In section 29, page 12, line 31, at end insert—
<\(\text{) state the proportion of the reduction in the net Scottish emissions account which is accounted for by reductions in net Scottish emissions,}\)>

Patrick Harvie
117 In section 29, page 12, line 31, at end insert—
<\(\text{) state the cumulative amount of net Scottish emissions reported under subsection (1)(ba);}\)>

Cathy Peattie
118 In section 29, page 13, line 4, at end insert—
<\(\text{The report for each year in the period 2011-2050 must—}\)
\(\text{(a) state the amount of the net Scottish emissions account for each preceding target year;}\)
\(\text{(b) state the cumulative amount of the net Scottish emissions account for the target year and all preceding target years.}\)>

Stewart Stevenson
23 In section 29, page 13, line 9, at end insert—
<\(\text{If the amount of the net Scottish emissions account for an earlier target year requires to be adjusted, the report must—}\)
\(\text{(a) explain why the adjustment is required;}\)
\(\text{(b) specify the adjustment required; and}\)
\(\text{(c) state the adjusted amount.}\)
Alison McInnes

In section 30, page 13, line 23, at end insert—

<(  ) In particular, the report must define and quantify the contribution that the following areas within the Scottish economy are expected to make to the meeting of targets under the Act—
(a) energy efficiency;
(b) energy generation;
(c) land use;
(d) transport.>

Cathy Peattie

In section 32, page 14, line 6, at end insert—

<(  ) state the cumulative amount of the net Scottish emissions account for the period 2010-2020;>

Cathy Peattie

In section 33, page 14, line 27, at end insert—

<(  ) state the cumulative amount of the net Scottish emissions account for the period 2010-2050;>

Reports on certain kinds of emissions

Shirley-Anne Somerville

After section 31, insert—

<Reports on emissions attributable to Scottish consumption of goods and services
(1) The Scottish Ministers must lay before the Scottish Parliament a report in respect of each year in the period 2010-2050 containing the following information.
(2) The report must, in so far as reasonably practicable, set out the emissions of greenhouse gases (whether in Scotland or elsewhere) which are produced by or otherwise associated with the consumption and use of goods and services in Scotland during that year.
(3) The report may also contain such other information as the Scottish Ministers consider appropriate.>

Patrick Harvie

After section 35, insert—

<Reporting on emissions associated with imports: consultation
The Scottish Ministers must, no later than 1 June 2010, consult such persons as they consider appropriate about possible methodologies for recording and reporting on emissions generated outwith Scotland which are associated with the importation of goods and services into Scotland.>
Reports: provision of information to the Scottish Parliament

Des McNulty

71 In section 34, page 15, line 3, after <must> insert—

<(  ) immediately send a copy of the report to the persons who convene and chair such committees of the Scottish Parliament as are for the time being appointed by virtue of standing orders; and

(  )>

Patrick Harvie

122 In section 34, page 15, line 5, at end insert—

<(  ) But a statement in relation to a report mentioned in subsection (2)(a) or (b) must not be made before the period for Parliamentary consideration has expired.

(  ) In this section, the “period for Parliamentary consideration” means the period of 60 days beginning on the day on which the draft is so laid; and in reckoning that period no account is to be taken of any time during which the Scottish Parliament—

(a) is dissolved, or

(b) is in recess for more than 4 days.

(  ) Before making a statement under subsection (1) in relation to a report mentioned in subsection (2)(a) or (b), the Scottish Ministers must have regard to any resolution or report of, or of any committee of, the Scottish Parliament made, during the period for Parliamentary consideration, as regards the report.>

Alison McInnes

122A* As an amendment to amendment 122, line 2, leave out from beginning to <not> and insert <; but no such statement may>

Des McNulty

72 In section 34, page 15, line 15, leave out from <meet> to end of line 16 and insert <attend, if invited, the proceedings of any such committees of the Scottish Parliament as are for the time being appointed by virtue of standing orders, for the purposes of giving evidence on the report.>

Des McNulty

73 In section 34, page 15, line 16, at end insert—

<(  ) The Scottish Ministers must have regard to any resolution or report of, or of any committee of, the Scottish Parliament made following the laying of a report mentioned in subsection (2) as regards the contents of the report and any future reports.>

Alison McInnes

123* In section 34, page 15, line 16, at end insert—

<(4) The Scottish Ministers must not implement the proposals and policies set out in a report mentioned in subsection (2)(c) unless the Scottish Parliament has, by resolution, approved the report.>
WHERE THE SCOTTISH PARLIAMENT DOES NOT APPROVE A REPORT MENTIONED IN SUBSECTION (2)(C), THE SCOTTISH MINISTERS MUST LAY A FURTHER REPORT UNDER SECTION 31(2), CONTAINING AMENDED PROPOSALS AND POLICIES, BEFORE THE PARLIAMENT; AND SUBSECTION (4) AND THIS SUBSECTION APPLY TO SUCH A FURTHER REPORT AS THEY APPLY TO THE REPORT ORIGINALLY LAID BEFORE THE PARLIAMENT.

BEFORE SUBMITTING A FURTHER REPORT BY VIRTUE OF SUBSECTION (5), THE SCOTTISH MINISTERS MUST HAVE REGARD TO ANY RESOLUTION OR REPORT OF, OR ANY COMMITTEE OF, THE SCOTTISH PARLIAMENT IN RELATION TO THE REPORT PREVIOUSLY LAID BEFORE THE PARLIAMENT.

**Charges for supply of carrier bags**

Des McNulty

Leave out section 59