



# Climate Change (Scotland) Act 2009

## 2009 asp 12

### CLIMATE CHANGE (SCOTLAND) ACT 2009

#### PART 1

#### EMISSIONS REDUCTION TARGETS

##### *The 2050 target*

- 1 The 2050 target

##### *The interim target*

- 2 The interim target

##### *Annual targets*

- 3 Annual targets
- 4 Setting annual targets
- 5 Advice before setting annual targets
- 6 Modifying annual targets etc.
- 7 Advice before modifying annual targets etc.

##### *The domestic effort target*

- 8 The domestic effort target

##### *Advice on progress*

- 9 Progress towards targets

##### *Greenhouse gases*

- 10 Greenhouse gases

##### *Baseline*

- 11 The baseline
- 12 Baselines for additional greenhouses gases

*Supplementary*

- 13 The net Scottish emissions account
- 14 Restriction on use in 2010–2017 of carbon units purchased by Scottish Ministers
- 15 Attribution of emissions to Scotland
- 16 Scottish share of emissions from international aviation and international shipping
- 17 Scottish emissions and removals
- 18 Measurement of emissions etc.
- 19 International carbon reporting practice
- 20 Carbon units and carbon accounting
- 21 Limits on use of carbon units
- 22 Modifying limits on use of carbon units etc.
- 23 Advice before setting or modifying limits on use of carbon units etc.

**PART 2**

## ADVISORY FUNCTIONS

*Advisory body*

- 24 Meaning of advisory body

*Scottish Committee on Climate Change*

- 25 Scottish Committee on Climate Change
- 26 Application of sections 27 to 32 and 56
- 27 Advice on annual targets etc.
- 28 Reporting on progress towards targets
- 29 Scottish Ministers' response to reports on progress
- 30 Duty of advisory body to provide advice or other assistance
- 31 Guidance to advisory body
- 32 Power to give directions to advisory body

**PART 3**

## REPORTING DUTIES

- 33 Reports on annual targets
- 34 Reports on annual targets: content
- 35 Reports on proposals and policies for meeting annual targets
- 36 Reports on proposals and policies where annual targets not met
- 37 Reports on emissions attributable to Scottish consumption of goods and services
- 38 Reports on impact on emissions of exercise of electricity generation related functions
- 39 Report on progress towards meeting the interim target
- 40 Report on the interim target
- 41 Report on the 2050 target
- 42 Reports: provision of further information to the Scottish Parliament
- 43 Further provision about reporting duties

**PART 4**

## DUTIES OF PUBLIC BODIES RELATING TO CLIMATE CHANGE

*Duties of public bodies*

- 44 Duties of public bodies relating to climate change
- 45 Guidance to relevant public bodies
- 46 Reporting on climate change duties

*Monitoring body*

- 47 Appointment of monitoring body

*Investigations*

- 48 Investigations
- 49 Investigations: investigators' powers
- 50 Reporting by monitoring body
- 51 Guidance to monitoring body
- 52 Power to direct monitoring body

**PART 5**

OTHER CLIMATE CHANGE PROVISIONS

**CHAPTER 1**

ADAPTATION

*Adaptation programmes*

- 53 Programmes for adaptation to climate change
- 54 Reports on progress towards implementation of programmes for adaptation
- 55 Progress towards implementation of programmes for adaptation
- 56 Reports on programmes for adaptation

**CHAPTER 2**

LAND USE

*Land use strategy*

- 57 Duty to produce a land use strategy

*Muirburn*

- 58 Variation of permitted times for making muirburn

*Forestry*

- 59 Power to modify functions of Forestry Commissioners

**CHAPTER 3**

ENERGY EFFICIENCY

*Promotion of energy efficiency and renewable heat*

- 60 Duty of Scottish Ministers to promote energy efficiency
- 61 Duty of Scottish Ministers to promote renewable heat

*Status: This is the original version (as it was originally enacted).*

---

62 Laying of plans and reports

*Energy performance of non-domestic buildings*

63 Non-domestic buildings: assessment of energy performance and emissions

*Energy performance of living accommodation*

64 Living accommodation: assessment of energy performance and emissions

*Energy efficiency discount schemes*

65 Duty of local authorities to establish energy efficiency discount schemes

66 Review of energy efficiency discount schemes

67 Non-domestic rates: discounts for energy efficiency etc.

*Climate change burdens*

68 Climate change burdens

*Tenement Management Scheme*

69 Tenement Management Scheme: definition of “maintenance”

*Permitted development rights*

70 Air source heat pumps and micro wind turbines in domestic properties

71 Microgeneration in non-domestic buildings

*Development plans*

72 Development plans: inclusion of greenhouse gas emissions policies

73 Annual report on operation of section 72

*Promotion of water conservation and water-use efficiency*

74 Duty of Scottish Water to promote water conservation and water-use efficiency

## CHAPTER 4

### THE SCOTTISH CIVIL ESTATE

75 Energy performance of buildings procured for the Scottish civil estate

76 Report on the Scottish civil estate

77 Scottish civil estate: supplementary

## CHAPTER 5

### WASTE REDUCTION AND RECYCLING

*Waste prevention and management plans*

78 Waste prevention and management plans

*Waste data*

79 Information on waste

*Deposit of recyclable waste etc.*

80 Recyclable waste: facilities for deposit etc.

81 Recyclable waste: facilities for deposit at events etc.

*Procurement of recycle*

82 Procurement of recycle

*Reduction of packaging*

83 Targets for reduction of packaging etc.

*Deposit and return*

84 Deposit and return schemes

85 Deposit and return schemes: designation of scheme administrator

86 Power to establish scheme administrator

87 Finance of scheme administrator

*Carrier bag charges*

88 Charges for supply of carrier bags

*General provision*

89 Enforcement authorities

90 Penalties

**PART 6**

GENERAL AND MISCELLANEOUS

91 Public engagement

92 Sustainable development

93 Equal opportunities

94 Impact of budget proposals on emissions

95 Crown application

96 Subordinate legislation

97 Subordinate legislation: pre-laying procedure

98 Interpretation

99 Minor and consequential modifications

100 Short title and commencement

---

SCHEDULE 1 — The Scottish Committee on Climate Change

1 Status

2 Membership of the Committee

3 Period, and conditions, of appointment of members

4 Persons not eligible for appointment

5 Removal of members of Committee

6 Remuneration, allowances and pensions of members

*Status: This is the original version (as it was originally enacted).*

---

- 7 Chief executive and other employees
- 8 Accounts
- 9 Reports
- 10 Sub-committees
- 11 Proceedings
- 12 Delegation of functions
- 13 General powers

SCHEDULE 2 — Minor and consequential modifications

- 1 Hill Farming Act 1946 (c. 73)
- 2 Environment Act 1995 (c. 25)
- 3 Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7)
- 4 Scottish Public Services Ombudsman Act 2002 (asp 11)
- 5 Freedom of Information (Scotland) Act 2002 (asp 13)
- 6 Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)
- 7 Housing (Scotland) Act 2006 (asp 1)