



Climate Change (Scotland) Act 2009

2009 asp 12

PART 1

EMISSIONS REDUCTION TARGETS

Annual targets

6 Modifying annual targets etc.

- (1) The Scottish Ministers may, by order, modify—
 - (a) the percentage figure mentioned in section 3(2)(c)(ii);
 - (b) an annual target set by virtue of section 4(1);
 - (c) any date mentioned in paragraphs (a) to (g) of section 4(2);
 - (d) the target-setting criteria in section 4(4).
- (2) 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.
- (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.
- (4) The Scottish Ministers may make an order under subsection (1)(a) only if they consider that it is no longer necessary for annual targets to be set by reference to that percentage figure.
- (5) The Scottish Ministers may make an order under subsection (1)(b) 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 annual target was set.
- (6) The Scottish Ministers may make an order under subsection (1)(c) or (d) only if they consider it appropriate to do so.
- (7) The power in subsection (1)(a) may not be exercised so as to substitute a percentage of less than zero.

Status: This is the original version (as it was originally enacted).

- (8) The power in subsection (1)(b)—
- (a) may be exercised only before the beginning of the year to which the target relates;
 - (b) may not be exercised if the effect of doing so would be that the target for the year would be greater than the target for the preceding year.