

CLIMATE CHANGE ACT 2008

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Carbon Target and Budgeting

Proposals and policies for meeting carbon budgets

Section 13: Duty to prepare proposals and policies for meeting carbon budgets

72. This section places a duty on the Secretary of State to prepare such proposals and policies as the Secretary of State considers will enable carbon budgets that have been set to be met. The proposals and policies must also be prepared with a view to meeting the target for 2050 (under section 1) and any target set for later years (under section 5(1)(c)).
73. *Subsection (3)* imposes a requirement that the proposals and policies, taken as a whole, must contribute to sustainable development. *Subsection (4)* allows the Secretary of State to take into account proposals and policies which he considers may be prepared by the other national authorities.

Section 14: Duty to report on proposals and policies for meeting carbon budgets

74. This section places a duty on the Secretary of State to lay a report before Parliament setting out proposals and policies for meeting the current and future carbon budgets. This section will ensure that Parliament is clear about how the Government intends to meet its obligations under the Act.
75. *Subsection (2)* requires the report to set out the Secretary of State's current proposals and policies for meeting carbon budgets (which must be prepared under section 13). The report must also explain how the proposals and policies affect different sectors of the economy (*subsection (3)*).
76. *Subsection (4)* provides that the report must set out what implications the proposals and policies in the report have as regards the use that will be made of carbon units in meeting the carbon budgets covered by the report. See also section 34(1)(b), which requires the Committee on Climate Change to advise on the use of carbon units, and section 11, which requires the Secretary of State to set a limit on the use of carbon units for each budgetary period.
77. *Subsection (5)* places the Secretary of State under a duty to consult the Scottish Ministers, the Welsh Ministers and the relevant Northern Ireland department in relation to any part of the report covering their proposals and policies. *Subsection (6)* requires the Secretary of State to send a copy of the report to each of the devolved administrations.

Section 15: Duty to have regard to need for UK domestic action on climate change

78. *Subsection (1)* of this section requires the Secretary of State to have regard to the need for "UK domestic action on climate change" when exercising any functions under Part 1 of the Act involving consideration of how to meet the 2050 target (under section 1)

*These notes refer to the Climate Change Act 2008 (c.27)
which received Royal Assent on 26th November 2008*

and any carbon budget. So, in particular, the Secretary of State must have regard to the need for UK domestic action on climate change when preparing proposals and policies for meeting carbon budgets (with a view to meeting the 2050 target) as required by section 13.

79. *Subsection (2)* defines the term “UK domestic action on climate change” as covering both reductions in UK emissions of targeted greenhouse gases and increases in UK removals of those gases. The terms “UK emissions” and “UK removals” are defined in section 29 – see the commentary on that section for more detail.