

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

# CLIMATE CHANGE ACT 2008

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1: Carbon Target and Budgeting**

#### **Carbon units, carbon accounting and the net UK carbon account**

#### *Section 28: Procedure for regulations under section 26 or 27*

144. This section sets out the procedure that must be followed when carbon accounting regulations are made under section 26 or section 27.
145. *Subsection (2)* provides that the affirmative resolution procedure must be used in the following cases:
  - for the first set of carbon accounting regulations;
  - if the regulations specify a new kind of carbon unit;
  - if the regulations alter the value of a carbon unit;
  - if the regulations modify primary legislation.
146. *Subsection (3)* provides that the negative resolution procedure applies in all other situations.
147. *Subsection (4)* requires the Secretary of State to consult the devolved administrations before laying or making the regulations (depending on which Parliamentary process is being used).
148. *Subsection (5)* requires the Secretary of State to consult the Committee on Climate Change on the first set of regulations and whenever subsequent regulations specify a new kind of carbon unit or alter the value of a carbon unit.