



# Climate Change Act 2008

## 2008 CHAPTER 27

### PART 1

#### CARBON TARGET AND BUDGETING

##### *Other supplementary provisions*

#### **29 UK emissions and removals of greenhouse gases**

(1) In this Part—

- (a) “UK emissions”, in relation to a greenhouse gas, means emissions of that gas from sources in the United Kingdom;
- (b) “UK removals”, in relation to a greenhouse gas, means removals of that gas from the atmosphere due to land use, land-use change or forestry activities in the United Kingdom;
- (c) the “net UK emissions” for a period, in relation to a greenhouse gas, means the amount of UK emissions of that gas for the period reduced by the amount for the period of UK removals of that gas.

- (2) The amount of UK emissions and UK removals of a greenhouse gas for a period must be determined consistently with international carbon reporting practice.

#### **30 Emissions from international aviation or international shipping**

- (1) Emissions of greenhouse gases from international aviation or international shipping do not count as emissions from sources in the United Kingdom for the purposes of this Part, except as provided by regulations made by the Secretary of State.
- (2) The Secretary of State may by order define what is to be regarded for this purpose as international aviation or international shipping.

Any such order is subject to affirmative resolution procedure.

*Status: Point in time view as at 26/11/2008.*

*Changes to legislation: Climate Change Act 2008, Cross Heading: Other supplementary provisions is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (3) The Secretary of State must, before expiry of the period ending with 31st December 2012—
  - (a) make provision by regulations as to the circumstances in which, and the extent to which, emissions from international aviation or international shipping are to be regarded for the purposes of this Part as emissions from sources in the United Kingdom, or
  - (b) lay before Parliament a report explaining why regulations making such provision have not been made.
- (4) The expiry of the period mentioned in subsection (3) does not affect the power of the Secretary of State to make regulations under this section.
- (5) Regulations under this section—
  - (a) may make provision only in relation to emissions of a targeted greenhouse gas;
  - (b) may, in particular, provide for such emissions to be regarded as emissions from sources in the United Kingdom if they relate to the transport of passengers or goods to or from the United Kingdom.
- (6) Regulations under this section may make provision—
  - (a) as to the period or periods (whether past or future) in which emissions of the targeted greenhouse gas are to be taken into account as UK emissions of that gas, and
  - (b) as to the manner in which such emissions are to be taken into account in determining UK emissions of that gas for the year that is the base year for that gas.
- (7) They may, in particular—
  - (a) designate a different base year, or
  - (b) designate a number of base years,and provide for the emissions in that year, or the average amount of emissions in those years, to be treated for the purposes of this Act as UK emissions of that gas for the year that is the base year for that gas.
- (8) For the purposes of this section the base year for carbon dioxide is the year that is the baseline year for the purposes of this Part.

### **31 Procedure for regulations under section 30**

- (1) Before making regulations under section 30, the Secretary of State must obtain, and take into account, the advice of the Committee on Climate Change.
- (2) As soon as is reasonably practicable after giving its advice to the Secretary of State, the Committee must publish that advice in such manner as it considers appropriate.
- (3) If the regulations make provision different from that recommended by the Committee, the Secretary of State must publish a statement setting out the reasons for that decision.
- (4) The statement may be published in such manner as the Secretary of State thinks fit.
- (5) Regulations under section 30 are subject to affirmative resolution procedure.

**Status:**

Point in time view as at 26/11/2008.

**Changes to legislation:**

Climate Change Act 2008, Cross Heading: Other supplementary provisions is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.