

Status: Point in time view as at 26/01/2009.

Changes to legislation: Climate Change Act 2008, SCHEDULE 8 is up to date with all changes known to be in force on or before 20 April 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)

SCHEDULES

SCHEDULE 8

Section 79

CARBON EMISSIONS REDUCTION TARGETS

Gas Act 1986 (c. 44)

- 1 (1) Section 33BC of the Gas Act 1986 (promotion of reductions in carbon emissions: gas transporters and gas suppliers) is amended as follows.
- (2) After subsection (1) insert—
 - “(1A) The power to make orders under this section may be exercised so as to impose more than one carbon emissions reduction obligation on a person in relation to the same period or to periods that overlap to any extent.”.
- (3) In subsection (5) (provision that may be made by an order under section 33BC in relation to the obligations it imposes), after paragraph (b) insert—
 - “(ba) requiring the whole or any part of a carbon emissions reductions target to be met by action relating to—
 - (i) persons of a specified description,
 - (ii) specified areas or areas of a specified description, or
 - (iii) persons of a specified description in specified areas or areas of a specified description;”.
- (4) In subsection (13) (interpretation), at the appropriate place insert—

““specified” means specified in the order.”.

Electricity Act 1989 (c. 29)

- 2 In section 6(9) of the Electricity Act 1989 (definition of “electricity distributor” and “electricity supplier”), at the appropriate place insert—

““electricity generator” means any person who is authorised by a generation licence to generate electricity except where that person is acting otherwise than for purposes connected with the carrying on of activities authorised by the licence;”.
- 3 (1) Section 41A of that Act (promotion of reductions in carbon emissions: electricity distributors and electricity suppliers) is amended as follows.
- (2) In subsection (1) (power by order to impose obligations on distributors and suppliers to achieve carbon emissions reductions targets)—
 - (a) before paragraph (a) insert—

“(za) on each electricity generator (or each electricity generator of a specified description);” and
 - (b) in the closing words, before “distributor” insert “generator, ”.

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- (3) After that subsection insert—
- “(1A) The power to make orders under this section may be exercised so as to impose more than one carbon emissions reduction obligation on a person in relation to the same period or to periods that overlap to any extent.”.
- (4) In subsection (3) (power for order to specify criteria by reference to which the Gas and Electricity Markets Authority is to determine targets), before “electricity distributors” insert “ electricity generators, ”.
- (5) In subsection (4) (duty of the Secretary of State and the Authority to carry out functions under the section in a way that does not inhibit competition), for the words from “no electricity distributor” to the end of the subsection substitute “—
- (a) no electricity generator is unduly disadvantaged in competing with other electricity generators,
- (b) no electricity distributor is unduly disadvantaged in competing with other electricity distributors, and
- (c) no electricity supplier is unduly disadvantaged in competing with other electricity suppliers.”.
- (6) In subsection (5) (provision that may be made by an order in relation to the obligations it imposes)—
- (a) in paragraph (a), before “electricity distributors” insert “ electricity generators, ”,
- (b) after paragraph (b) insert—
- “(ba) requiring the whole or any part of a carbon emissions reductions target to be met by action relating to—
- (i) persons of a specified description,
- (ii) specified areas or areas of a specified description,
- or
- (iii) persons of a specified description in specified areas or areas of a specified description;”,
- (c) in paragraph (d), before “distributors” insert “ generators, ”, and
- (d) in paragraph (f), before “distributors” insert “ generators, ”.
- (7) In subsection (6) (power for order to authorise the Authority to require the provision of information), before “distributor” insert “ generator, ”.
- (8) In subsection (7)(d) (power for order to make provision for transfer of person's target to another distributor or supplier or to a gas transporter or supplier), before “electricity distributor” insert “ electricity generator, ”.
- (9) In subsection (8)(d) (power for order to make different provision in relation to different distributors or suppliers), before “distributors” insert “ generators, ”.
- (10) In subsection (11) (duty to consult before making order), before “electricity distributors” insert “ electricity generators, ”.
- (11) In subsection (13) (interpretation), at the appropriate place insert—
- ““specified” means specified in the order.”.
- (12) In the heading, before “electricity distributors” insert “ electricity generators, ”.

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- 4 (1) Section 42AA of that Act (publication of statistical information about performance of suppliers and distributors) is amended as follows.
- (2) In subsection (1) (duty of Gas and Electricity Consumer Council to publish information about performance and consumer complaints)—
- (a) in paragraph (a), before “electricity suppliers” insert “ electricity generators, ”, and
- (b) in paragraph (b), before “suppliers” insert “ generators, ”.
- (3) In subsection (2) (definition of “complaints”), before “electricity suppliers” insert “ electricity generators, ”.
- 5 In section 64(1) of that Act (interpretation etc of Part 1), in the definition of “electricity distributor” and “electricity supplier”, after “ “electricity distributor”” insert “ , “electricity generator” .

Utilities Act 2000 (c. 27)

- 6 (1) Section 103 of the Utilities Act 2000 (overall carbon emissions reduction targets) is amended as follows.
- (2) In subsection (1)(b) (power by order to specify overall target for the promotion of measures mentioned in section 41A(2) of the 1989 Act), before “distributors” insert “ generators, ”.
- (3) After subsection (1) insert—
- “(1A) The power conferred by this section may be exercised so as to specify more than one overall target in relation to the same period or to periods that overlap to any extent.”.
- (4) In subsection (2)(b) (power for order to specify criteria for apportionment of overall target between electricity and gas sectors), before “electricity distributors” insert “ electricity generators, ”.
- (5) In subsection (4) (duty to consult before making order), before “electricity distributors” insert “ electricity generators, ”.

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