

From the Department of Energy and Climate Change

Climate Change Act 2008

The UK has passed legislation which introduces the world's first long-term legally binding framework to tackle the dangers of climate change.

The Climate Change Bill was introduced into Parliament on 14 November 2007 and became law on 26 November 2008.

The Climate Change Act creates a new approach to managing and responding to climate change in the UK, by:

- setting ambitious, legally binding targets
- taking powers to help meet those targets
- strengthening the institutional framework
- enhancing the UK's ability to adapt to the impact of climate change
- establishing clear and regular accountability to the UK Parliament and to the devolved legislatures.

You can read the Act in full on the Office of Public Sector Information (OPSI): UK Statute Law Database - The Climate Change Act 2008 web page.

In March 2009, the Climate Change Act Impact Assessment was updated to reflect the final contents of the Act.

Two key aims of the Act:

- to improve carbon management, helping the transition towards a low-carbon economy in the UK
- to demonstrate UK leadership internationally, signaling that we are committed to taking our share of responsibility for reducing global emissions in the context of developing negotiations on a post-2012 global agreement at Copenhagen in December 2009.

Key provisions of the Act

- A legally binding target of at least an 80 percent cut in greenhouse gas emissions by 2050, to be achieved through action in the UK and abroad. Also a reduction in emissions of at least 34 percent by 2020. Both these targets are against a 1990 baseline.
- A carbon budgeting system which caps emissions over five-year periods, with three budgets set at a time, to help us stay on track for our 2050 target. The first three Carbon budgets will run from 2008-12, 2013-17 and 2018-22, and were set in May 2009. The Government must report to Parliament its policies and proposals to meet the budgets, and this requirement was fulfilled by the UK Low Carbon Transition Plan.
- The creation of the Committee on Climate Change webpage on decc.gov.uk (CCC) - a new independent, expert body to advise the Government on the level of carbon budgets and on where cost-effective savings can be made. The Committee will submit annual reports to Parliament on the UK's progress towards targets and budgets. The Government must respond to these annual reports, ensuring transparency and accountability on an annual basis.
- The inclusion of international aviation and shipping emissions in the Act or an explanation to Parliament why not - by 31 December 2012. The Committee on Climate Change is required to advise the Government on the consequences of including emissions from international aviation and shipping in the Act's targets and budgets.

Projected emissions from international aviation and shipping must be taken into account in making decisions on carbon budgets.

- Limits on International credits. The Government is required to "have regard to the need for UK domestic action on climate change" when considering how to meet the UK's targets and carbon budgets. The independent Committee on Climate Change has a duty to advise on the appropriate balance between action at domestic, European and international level, for each carbon budget. The Government must set a limit on the purchase of credits for each budgetary period – for the first budgetary period, a zero limit was set in May 2009, excluding units bought by UK participants in the EU Emissions Trading System.
- Further measures to reduce emissions, including: powers to introduce domestic emissions trading schemes more quickly and easily through secondary legislation – the first use will be the Carbon Reduction Commitment Energy Efficiency Scheme; measures on biofuels; powers to introduce pilot financial incentive schemes in England for household waste; powers to require a minimum charge for single-use carrier bags (excluding Scotland).
- A requirement for the Government to report at least every five years on the risks to the UK of climate change, and to publish a programme setting out how these will be addressed. The Act also introduces powers for Government to require public bodies and statutory undertakers to carry out their own risk assessment and make plans to address those risks. For further information please see the Defra: Implementing the Climate Change Act 2008 web page.
- An Adaptation Sub-Committee of the Committee on Climate Change, providing advice to, and scrutiny of, the Government's adaptation work. For more information, see the Defra: Adaptation Sub-Committee web page.
- A requirement for the Government to issue guidance by 1 October 2009 on the way companies should report their greenhouse gas emissions, and to review the contribution reporting could make to emissions reductions by 1 December 2010. A requirement also for the Government to use powers under the Companies Act 2008 to make reporting mandatory, or explain to Parliament why it has not done so, by 6 April 2012. Defra published the guidance for UK businesses and organisations on how to measure and report their greenhouse gas (GHG) emissions on 30 September 2009. It published a report, The contribution that reporting of greenhouse gas emissions makes to the UK meeting its climate change objectives on 30 November 2010 (the report appears in this Defra page below the heading **Future decisions being made**).
- New powers to support the creation of a Community Energy Savings Programme by extending the existing Carbon Emissions Reduction Target scheme to electricity generators
- A new requirement for annual publication of a report on the efficiency and sustainability of the Government estate. The first report was published in June 2009 and is available on the OGC: The State of the Estate web page.