

## Appendix 2: Overview of the United Kingdom Climate Change Act 2008

### *Summary*

1. The Climate Change Act 2008 is an Act of the Parliament of the United Kingdom (UK). The Act makes it the duty of the Secretary of State to ensure that the net UK carbon account for all six Kyoto greenhouse gases for the year 2050 is at least 80% lower than the 1990 baseline, toward avoiding dangerous climate change.
2. The Act aims to enable the UK to become a low-carbon economy and gives ministers powers to introduce the measures necessary to achieve a range of greenhouse gas reduction targets. An independent Committee on Climate Change has been created under the Act to provide advice to UK Government on these targets and related policies.
3. The previous Parliamentary Commissioner for the Environment, Dr Jan Wright, recommended that New Zealand implement a new Act that is similar to the UK Act. This means:
  - having targets in legislation;
  - carbon budgets (or similar) to guide progress towards targets and avoid the need for abrupt transitions;
  - policies developed by Government to reach the targets;
  - independence and transparency in advice and/or monitoring.
4. At least nine other countries and 12 states or provinces in the United States of America, Canada and Australia have these features in law.

### *The UK Climate Change Act has six parts*

5. **Part 1: Carbon target and budgeting** – this Part sets a target for the year 2050 for the reduction of targeted greenhouse gas emissions and to provide for a system of carbon budgeting.
6. A carbon budget is a cap on the amount of greenhouse gases emitted in the UK over a five-year period. Budgets must be set at least 12 years in advance to allow policy-makers, businesses and individuals enough time to prepare. The Committee on Climate Change (see Part 2) advises on the appropriate level of each carbon budget. The budgets are designed to reflect a cost-effective way of achieving the UK's long-term climate change objectives.
7. The first five carbon budgets have been put into legislation and run up to 2032. Once a carbon budget has been set, the Climate Change Act places an obligation on the Government to prepare policies to ensure the budget is met.
8. **Part 2: Committee on Climate Change** – this Part establishes a Committee on Climate Change to provide independent advice on emissions targets, reports on progress made in reducing greenhouse gas emissions and in preparing for climate change. The Adaptation Sub-Committee reports to Parliament every two

years on progress on delivering the actions in the National Adaptation Programme (see Part 4).

9. **Part 3: Trading scheme** – this Part confers powers to establish trading schemes for the purpose of limiting greenhouse gas emissions or encouraging activities that reduce such emissions or remove greenhouse gas from the atmosphere.
10. **Part 4: Impact of, and adaptation to, climate change** – this Part makes provision about adaptation to climate change. This Part puts in place a policy framework to promote adaptation action, consisting of the:
  - UK Climate Change Risk Assessment; a five yearly assessment of the major risks and opportunities from climate change to the UK;
  - National Adaptation Programme; the Government’s strategy to address the main risks and opportunities as identified by the Climate Change Risk Assessment. Also produced every five years. Progress is reported back to Parliament every two years. The devolved administrations (e.g. Wales and Scotland) also have their own adaptation programmes;
  - UK Adaptation Reporting Power; requires public service organisations to produce reports on what they are doing to adapt to climate change.
11. **Part 5: Other provisions** – this Part confers powers to make schemes for providing financial incentives to produce less domestic waste and to recycle more of what is produced; to make provision about the collection of household waste; to confer powers to make provision about charging for single use carrier bags; to amend the provisions of the Energy Act 2004 about renewable transport fuel obligations; to make provision about carbon emissions reduction targets; to make other provision about climate change; and for connected purposes.
12. **Part 6: General supplementary provisions** – this Part provides for the territorial scope of provisions relating to greenhouse gases; orders and regulations; interpretation; and final provisions related to commencement and short titles.

### ***Outputs / Reports to date***

13. As required by this legislation, the UK Government has produced several reports, some of which are set to be updated at regular intervals. These reports include:
  - Climate Change Risk Assessment, first report published in 2012, second report published in 2017;
  - National Adaptation Programme, first report published in 2013;
  - Adaptation Reporting Power, first comprehensive set of reports published in 2011 (from over 100 key organisations), second round of reports published in 2015.