



Summary of the key provisions of the 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 26th November 2008.

The UK Government is committed to addressing both the causes and consequences of climate change. The Act will create a new approach to managing and responding to climate change in the UK through: setting ambitious targets, assuming powers to help achieve them, strengthening the institutional framework, enhancing the UK's ability to adapt to the impact of climate change and establishing clear and regular accountability to the UK, Parliament and devolved legislatures. As the largest public sector emitter of Carbon emissions, the NHS has a duty to respond to meet these new targets which are now entrenched in law.

Rationale

Two key aims underpinning the Act:

1. Improve carbon management and help the transition towards a low carbon economy in the UK
2. Demonstrate strong 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 2009.

Key Provisions

1. **Legally binding targets:** Green house gas emission reductions through action in the UK and abroad of at least 80% by 2050, and reductions in CO₂ emissions of at least 26% by 2020, against a 1990 baseline.
2. **A carbon budgeting system** which caps emissions over five year periods, with three budgets set at a time, to set out our trajectory to 2050. The first three carbon budgets will run from 2008-2012, 2013-2017 and 2018-2022, and must be set by 1 June 2009. The Government must report to Parliament its policies and proposals to meet the budgets as soon as practical after that.
3. The creation of the **Committee on Climate Change**, a new independent, expert body to advise Government on the level of carbon budgets and where cost effective savings could be made. The Committee will submit

annual reports to Parliament on the UK's progress towards targets and budgets to which the Government must respond, thereby ensuring transparency and accountability on an annual basis.

4. International **aviation and shipping emissions** - the Government will include international aviation and shipping emissions in the Act or explain why not to Parliament 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 Bill's targets and budgets. Projected emissions from international aviation and shipping must be taken into account in making decisions on carbon budgets.
5. Use of **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 also amended the Bill in its final stages to require a limit to be set on the purchase of credits for each budgetary period, by secondary legislation requiring debate in both Houses of Parliament, and taking into account the Committee's advice.
6. **Further measures** to reduce emissions include powers to introduce domestic emissions trading schemes more quickly and easily through secondary legislation; 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).
7. On **adaptation** the Government must report at least every five years on the risks to the UK of climate change, and publish a program setting out how these impacts will be addressed. The Act also introduces powers for the Government to require public bodies and statutory undertakers to carry out their own risk assessment and make plans to address those risks.
8. An **Adaptation Sub-Committee** of the Committee on Climate Change, in order to provide advice to and scrutiny of the Government's adaptation work.
9. A **requirement for the Government** to issue guidance next year on the way companies should report their greenhouse gas emissions, and to review the contribution reporting could make to emissions reductions by 1st December 2010. Requirement also that the Government must, by 6th April 2012, use powers under the Companies Act to mandate reporting, or explain to Parliament why it has not done so.
10. New powers to support the creation of a **Community Energy Savings Programme**, as announced by the Prime Minister on 11 September 2008 (by extending the existing Carbon Emissions Reduction Target scheme to electricity generators).

11. New requirement for annual publication of a report on the efficiency and sustainability of the Government estate.

What this means for the NHS

There are two main ways in which this new piece of legislation will affect the NHS.

1. The new 80% targets for carbon reduction by 2050 will be a challenge for all sectors, including the NHS, which has set out targets in the NHS Carbon Reduction Strategy to help meet the 2050 target.
2. The second way this legislation will affect the NHS is through the powers which have been granted to set up emissions trading schemes. This, in the case of the NHS, will be the **Carbon Reduction Commitment** (see background briefing for more information in resource pack). The NHS's exact involvement in this will be decided following the third consultation stage this year and the scheme will officially start in Spring 2010.