

Climate Change (Scotland) Act 2009

Briefing on ...

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Introduction

This briefing is on the [Climate Change \(Scotland\) Act 2009](#). The Bill was passed unanimously by the Scottish Parliament on 24 June and received Royal Assent on 4 August. It is one of the first pieces of domestic climate change legislation in the world, following the UK [Climate Change Act 2008](#). With an interim target of reducing greenhouse gas emissions by at least 42% on 1990 levels by 2020 it is, to date, the most progressive climate legislation in the world.

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Background

Global warming is recognised as one of the biggest dangers facing humankind. United Nations talks aim to agree a successor deal to the Kyoto Protocol at final negotiations in Copenhagen in December 2009.

The aim is to reduce greenhouse gas emissions enough to cap global warming at around 2 degrees C to prevent 'runaway' dangerous climate change. UNISON Scotland, as part of the Stop Climate Chaos Scotland (SCCS) coalition, lobbied hard for the draft Bill to be strengthened.

We are pleased that MSPs listened to the thousands of SCCS supporters who

contacted them. The Act contains many of the coalition's priority 'asks'.

SCCS said: **"The Scottish Act demonstrates that a developed country, responsible for climate change, is willing to reduce its emissions in line with science and not bow to political expediency. Scotland's targets are also not contingent on the targets of other countries, like so many developed countries' targets are. The challenge is now for other developed countries to match Scotland's ambition so that we can break the deadlock that currently pervades the UN climate change negotiations."**

Overview of the legislation

SCCS has produced a briefing on how Scotland's world leading legislation can make a difference at Copenhagen. www.stopclimatechaos.org/files/docs/SCCS-Act-Summary.pdf

In brief, key elements of the Scottish Act are:

- A cut of at least 42% in greenhouse gas emissions by 2020 (based on 1990 levels). There is a power for this to be varied based on expert advice, but SCCS will continue to highlight that the science shows that this is the minimum required from developed countries to prevent dangerous climate change becoming irreversible.
- A cut of at least 80% by 2050
- Emissions from international aviation & shipping are included from the start.
- A commitment to report annually on consumption-based emissions (emissions produced anywhere in the world that result from Scotland's consumption of goods and services).
- A strong duty across the public sector to play a full part in tackling Scotland's greenhouse gas emissions.
- Annual targets must be set by ministers. From 2020 these must

reduce emissions by at least 3% per year. And because the annual targets will have to deliver a 42% reduction by 2020, those between 2010 and 2020 will also have to be about 3% or higher.

Other important elements of the Act include: that at least 80% of the emissions reductions must be from sources in Scotland rather than from buying international carbon credits (although the EU Emissions Trading Scheme credits are exempt from this limit); all targets should be set with a view to not exceeding the 'fair and safe'

emissions budget (the amount that would prevent dangerous climate change. This is because it is cumulative emissions, the build up year on year, not emissions in any one year, that cause dangerous climate change); Scottish Ministers must act in a way that contributes to the achievement of sustainable development, when delivering on their climate change commitments; a range of radical measures to deliver the emissions cuts, including setting a European precedent by giving Ministers powers to require building owners to carry out the recommendations in a building's energy performance certificate.

Public Sector Climate Change Duty

The Act places [a statutory climate change duty on public bodies](#). UNISON and SCCS lobbied hard for this and were pleased that Transport, Infrastructure and Climate Change Committee member Cathy Peattie successfully tabled strong amendments on it, with the support of Alison McInnes, Patrick Harvie and members of their three political parties.

Under the Act, a public body must, in exercising its functions, act:

- in the way best calculated to contribute to delivery of the

Bill's emissions reduction targets;

- in the way best calculated to deliver any statutory adaptation programme; and
- in a way that it considers most sustainable.

The Scottish Government will consult on guidance for the duty, which comes into force within 18 months. The duty means that the public sector will lead by example in areas including energy efficiency, procurement (incl food), transport and workplace policies.



Action for Branches

Branches can use the Act and the public bodies duty to inform negotiations on green workplace agreements. Also useful, is the Scottish Government and STUC 2009 [joint communiqué on climate change](#). They agree to work together to green Scottish workplaces and agree that the transition to a sustainable economy must be socially just.

Branches can mobilise for, run buses to, and provide stewards for the [SCCS](#) march in Glasgow on Saturday 5 December. Titled 'The Wave – Come together to stop climate chaos', it coincides with the Copenhagen talks.

Branches can support coming lobbying campaigns on the UN talks. More details on SCCS and UNISON websites soon.

Further Information

UNISON Scotland Green Workplace www.unison-scotland.org.uk/greenworkplace

UNISON UK Green Issues, incl Workplace www.unison.org.uk/green

UNISON Climate Change Policy 2009 www.unison-scotland.org.uk/greenworkplace/climatechangemotion2009.html

UNISON Organising around Climate Change Branch Toolkit www.unison.org.uk/acrobat/17353.pdf

UNISON UK Countdown to Copenhagen www.unison.org.uk/green/copenhagen.asp (incl. lobby on Just Transition)