

Draft Regulations laid before Senedd Cymru under section 48(3) of the Environment (Wales) Act 2016, for approval by resolution of Senedd Cymru.

DRAFT WELSH STATUTORY
INSTRUMENTS

2021 No. (W.)

CLIMATE CHANGE, WALES

**The Climate Change (Carbon
Budgets) (Wales) (Amendment)
Regulations 2021**

EXPLANATORY NOTE

(This note is not part of the Regulations)

The purpose of Part 2 of the Environment (Wales) Act 2016 (“the Act”) is to require the Welsh Ministers to meet targets for reducing net Welsh emissions of greenhouse gases from Wales. Section 29 places a duty upon the Welsh Ministers to ensure that net Welsh emissions for the year 2050 are at least 100% lower than the baseline emissions figures.

Section 31(1) of the Act requires that the Welsh Ministers set carbon budgets for each 5-year budgetary period between 2016 and 2050. Section 32(1)(b) requires that each carbon budget set by the Welsh Ministers is set at a level consistent with meeting the 2050 emissions target and the interim emissions target for any interim target year that falls within or after that budgetary period.

Regulation 2 amends the carbon budget for the budgetary period 2021-2025 so it is limited to an average of 37% lower than the baseline.

Regulation 3 sets the carbon budget for the budgetary period 2026-2030 so it is limited to an average of 58% lower than the baseline.

In accordance with section 32 of the Act, the Welsh Ministers in drafting these Regulations have had regard to the factors listed in section 32(3).

In accordance with section 49 of the Act, the Welsh Ministers have obtained and taken into account the advice of the advisory body before laying draft regulations.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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Made

Coming into force

12 March 2021

In accordance with section 48(3) of the Environment (Wales) Act 2016⁽¹⁾ (“the Act”), a draft of this instrument was laid before and approved by a resolution of the Senedd Cymru⁽²⁾.

Before the draft was laid the Welsh Ministers—

- (a) satisfied themselves that each carbon budget is set at a level consistent with meeting the 2050 emissions target and the interim emissions target for any interim target year that falls within or after that budgetary period, in accordance with section 32(1)(b) of the Act,
- (b) had regard to the matters listed in section 32(3) of the Act, and
- (c) obtained and took into account the advice of the Committee on Climate Change⁽³⁾, in accordance with section 49(1) of the Act.

The Committee on Climate Change has recommended that the carbon budget for the budgetary period 2021-

(1) 2016 anaw 3.

(2) The reference in the Environment (Wales) Act 2016 to the National Assembly for Wales now has effect as a reference to Senedd Cymru, by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32).

(3) The Committee on Climate Change is the relevant advisory body to the Welsh Ministers by virtue of section 44(3) of the Environment (Wales) Act 2016.

2025 be amended, and that the carbon budget for the budgetary period 2026-2030 be set.

Accordingly, the Welsh Ministers, in exercise of the powers conferred by section 31(1) of the Act, and in accordance with section 32(2)(b) of the Act, make the following Regulations.

Title and commencement

1.—(1) The title of these Regulations is the Climate Change (Carbon Budgets) (Wales) (Amendment) Regulations 2021.

(2) These Regulations come into force on 12 March 2021.

Amendment to carbon budget for 2021 to 2025 budgetary period

2. In regulation 2(2) of the Climate Change (Carbon Budgets) (Wales) Regulations 2018⁽¹⁾, for “33%” substitute “37%”.

Carbon budget for 2026 to 2030 budgetary period

3. The carbon budget for the 2026-2030 budgetary period is limited to an average of 58% lower than the baseline.

Name

Minister for Environment, Energy and Rural Affairs,
one of the Welsh Ministers

Date

(1) S.I. 2018/1303 (W. 257).