

Climate Change Bill

A BILL TO MAKE PROVISION TO CONTROL EMISSIONS OF CARBON DIOXIDE

Section 1 – Principle aim of the Bill

The Prime Minister shall have the principle aim of restricting emissions of carbon dioxide in any year to the “annual target figure” for that year, for every year from 2010 to 2050.

The “annual target figure” for 2010 shall be 126 MtC (20 per cent below 1990 level) and for each succeeding year shall be reduced by 3 per cent.

Section 2 – Strategies and reports on achieving the principle aim

The Prime Minister shall publish, and may from time to time amend, a strategy to achieve the above aim, which shall include

- Targets for each sector and policies to achieve those targets
- Analysis of the performance of past policies to reduce CO₂
- Analysis of Government tax and spend on CO₂ emissions (including market mechanisms that don't technically count as tax!) and how the polluter pays principle may be used to cut them.

It will also be the duty of the Prime Minister to ensure that the secondary sectoral targets set out in Schedule 1 are met.

The Prime Minister shall report annually (including in years before 2010) to Parliament on progress in implementing the strategy and any amendments proposed. Parliament shall debate and vote on whether to accept the report.

The figures in the report shall be verified by the National Audit Office.

Section 3 – process to be followed if targets are missed

If carbon dioxide emissions are greater than the target value the report above shall include

- an analysis of which policies fell short and why
- additional policies (or extensions to existing policies) needed to reach target in future years.

If carbon dioxide emissions exceed the target by more than 5 per cent, the committees who monitor departments responsible for climate change policy (transport, environment, industry, treasury, public accounts etc) can propose policies or changes to policies to cut CO₂ emissions and can require that these proposals are debated and voted on by both Houses of Parliament.

If carbon dioxide emissions exceed the target by more than 10 per cent, the Prime Minister and any Secretary of State whose department has not met the sector targets for which they were responsible shall have his salary reduced by 10 per cent.

Section 4 – MPs duties to tackle climate change

Every MP shall publish an annual report to constituents (on a website or in a local paper) specifying

- (a) any action they have taken to prevent climate change
- (b) the ways in which they have acted to hold relevant Secretaries of State to account, including through their voting in Parliament

Schedule 1 – Secondary statutory targets

Secondary sectoral targets that shall be made statutory on Government are

- Domestic energy efficiency improvement of 20 per cent by 2020 from 2010 levels (White Paper).
 - Non domestic energy efficiency improvement of 7.9 MtC by 2010 (energy efficiency implementation plan) and an extra 4MtC by 2020
 - Renewable electricity generation (10 per cent by 2010, 20 per cent by 2020),
 - a specific target for microgeneration to be set pursuant to Section 82 of the Energy Act
 - CHP target of 10Gw by 2010 (Manifesto and White Paper)
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Explanatory Notes

Section 1 – principle aim of the Bill

Defines a path that carbon dioxide emissions must follow. The path starts at Labour’s manifesto commitment for a 20 per cent cut in 1990 levels by 2010, with annual cuts of 3 per cent each year through to 2050. (This is approx a 74 per cent cut on the current levels by 2050.)

The clause makes achievement of this path a “principle aim” of the Prime Minister.

Section 2 – Strategies and reports on achieving the principle aim

Require the PM to publish a strategy on how the principle aim will be met, and gives him the power to amend this strategy as required.

It also requires annual reporting by the PM on progress.

Section 3 – process to be followed if targets are missed

This clause comes into effect if there is a failure to keep to the defined path. The clause sets out a progressive response to failure, in recognition that the path is not likely to be a simple straight line, as something as random as a particularly cold winter could cause a temporary rise in CO₂ emissions.

Therefore, if actual emissions are less than 5 per cent above the target, all that is required is for Government to announce the necessary policies to make up the shortfall in future.

If repeated failures or a particularly large failure in any one year leads to emissions exceeding the target level by 5 per cent-10 per cent, those Parliamentary Committees that scrutinise departments responsible for delivering CO₂ cuts will be given the power to suggest additional policies, and require Parliament to vote on them. This could include those Select Committees scrutinising the environment department, the transport department, the Treasury (tax and spending will play a key role in cutting CO₂ emissions), the trade/industry department, and the agriculture department.

In the case of severe failure of more than 10 per cent, the Secretaries of State responsible for delivering CO₂ cuts would see their salaries cut by £5000. (Although this may be considered an unusual reprimand MPs have in the recent past had effectively had their salaries docked for misconduct by being suspended without pay from the Commons for a short period, and a standard opposition “censure” motion for Ministers usually includes a token salary cut).

These mechanisms are additive. In other words, in the case of a major failure, all three mechanisms operate, not merely the salary cut.

Section 4 – MPs duties to tackle climate change

Requires MPs to report on their actions annually to constituents.

Schedule 1 – Initial statutory targets

Makes key Government targets from policy documents such as the Climate Change White Paper legally binding – increasing the priority Ministers must give them. Different views on this have been expressed – see attached paper for discussion.