

# **SL(6)676 – The Climate Change (Net Welsh Emissions Account Credit Limit) (Wales) Regulations 2025**

## **Background and Purpose**

These Regulations form part of a suite of Regulations that are referred to collectively as the Climate Change (Wales) Regulations 2025, which also include the Climate Change (Carbon Budget) (Wales) Regulations (which set a carbon budget, known as Carbon Budget 4, for 2031-2035) and the Carbon Accounting (Wales) (Amendment) Regulations 2025 (which amend the definition of a carbon unit).

These Regulations set a limit on the amount of carbon units that may be credited to the net Welsh emissions account, in accordance with section 33(4) of the Environment (Wales) Act 2016 (the “2016 Act”).

Regulation 3 limits the number of carbon units that may be credited to the net Welsh emissions account for the budgetary period 2026-2030 to 0% of the carbon budget.

Before laying the draft Regulations, the Welsh Ministers obtained and took into account the advice of the Committee on Climate Change, in accordance with section 49(1) of the 2016 Act.

## **Procedure**

Draft Affirmative

The Welsh Ministers have laid a draft of these Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

## **Technical Scrutiny**

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

### **1. Standing Order 21.2(vi) – that its drafting appears to be defective or it fails to fulfil statutory requirements**

In regulation 2, the term “the Act” has been used which has been defined in the preamble of these Regulations. However, it is not possible to define a term in the preamble for the operative provisions in the body of the Regulations – see *Writing Laws for Wales*, paragraph 4.14(5). Therefore, the title of the Environment (Wales) Act 2016 should be repeated in full in regulation 2 of these Regulations.



## Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

## Welsh Government response

A Welsh Government response is required.

### Legal Advisers

**Legislation, Justice and Constitution Committee**

**19 November 2025**



Senedd Cymru

**Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad**

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Welsh Parliament

**Legislation, Justice and Constitution Committee**