

# ENERGY ACT 2013

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1: Decarbonisation**

#### *Section 3: Further duties of the Secretary of State*

69. *Subsection (1)* places a duty on the Secretary of State to lay a report before Parliament, as soon as reasonably practicable after making a decarbonisation order, setting out proposals and policies for meeting a decarbonisation target range that has been set.
70. *Subsection (2)* requires the Secretary of State to consult the Department of Enterprise, Trade and Investment in Northern Ireland, and Scottish and Welsh Ministers before laying a report under *subsection (1)* and to send a copy of the report to them.
71. *Subsection (3)* places a duty on the Secretary of State to lay an annual statement before Parliament on the carbon intensity of electricity generation in the United Kingdom. This duty applies in respect of each year beginning with the year after the setting of a decarbonisation target range and ending with the final year in relation to which a decarbonisation target range has been set.
72. *Subsection (4)* refers to section 4, which defines “carbon intensity of electricity generation in the United Kingdom” and contains further provisions about how carbon intensity is to be calculated – see the commentary on that section for more detail.
73. *Subsection (5)* specifies that the statement must include a summary of the means by which carbon intensity was calculated and, for all statements apart from the first, state whether the carbon intensity has increased or decreased from the previous year.
74. *Subsection (6)* provides that the statement relating to the final target year must also include a statement verifying that the carbon intensity of electricity generation in that year was no greater than the maximum permitted level of the decarbonisation target range. If this is not the case, then this statement must include the reasons why the decarbonisation target range was not met.
75. *Subsection (7)* gives the date by which the statement must be laid before Parliament (no later than 31 March in the second year following the year in respect of which carbon intensity is being reported) and *subsection (8)* requires the Secretary of State to send a copy of the statement to the Department of Enterprise, Trade and Investment in Northern Ireland, and Scottish and Welsh Ministers.