

SL(6)523 – The Vehicle Emissions Trading Schemes (Amendment) Order 2024

Background and Purpose

As part of the transition to zero emission vehicles (“ZEVs”), the Vehicle Emissions Trading Schemes Order 2023 (“the 2023 Order”) established four Great Britain wide trading schemes to limit both the numbers of new non-ZEVs which may be registered in Great Britain (the “ZEV Mandate”), and the carbon dioxide emissions from such vehicles. The Explanatory Memorandum accompanying the 2023 Order explained that it will contribute to Wales’s and the United Kingdom’s emissions reduction targets and Net Zero goal.

This Order extends the territorial scope of the trading schemes established by the 2023 Order to include Northern Ireland from 1 January 2025. It also makes a number of technical amendments and corrections to the 2023 Order and consequential amendments to assimilated law.

Procedure

Draft Affirmative.

A draft of the Order has been laid before Senedd Cymru, the United Kingdom Parliament, the Northern Ireland Assembly and the Scottish Parliament. The draft must be approved by each of those legislatures before it can be made by His Majesty.

Technical Scrutiny

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

1. Standing Order 21.2(ix) – that it is not made or to be made in both English and Welsh.

The Order has been laid before Senedd Cymru, the United Kingdom Parliament, the Northern Ireland Assembly and the Scottish Parliament. The Order has been made in English only. The Welsh Government’s Explanatory Memorandum states as follows (at paragraph 2.2):

“As this instrument will be subject to UK, Scottish and Northern Irish Parliamentary scrutiny, it is not considered reasonably practicable for this instrument to be made or laid bilingually.”



Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

2. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.

We note the following extracts from the Explanatory Memorandum regarding consultation in relation to the ZEV Mandate:

“Between 30 March 2023 and 24 May 2023, the previous UK Government, Scottish Government, Welsh Government, and Northern Ireland’s Department for Infrastructure ran a public consultation ...seeking views on “A zero emission vehicle (ZEV) mandate and CO2 emissions regulation for new cars and vans in the UK”...

This consultation informed the development and eventual coming into force of [the 2023 Order]. Owing to the absence of a sitting Northern Ireland Assembly in the autumn of 2023, even though the consultation proposed a UK-wide implementation of the ZEV Mandate it was not possible for it to apply in Northern Ireland. This was communicated in the consultation response ... alongside a commitment from the Department for Infrastructure (Northern Ireland), the previous UK Government, the Welsh Government, and the Scottish Government that it remained their collective intent that Northern Ireland join the ZEV Mandate should a sitting assembly choose to do so. This amending legislation implements that commitment as well as making technical updates and corrections to bring the legislative framework into closer alignment with this consultation and response.”

Welsh Government response

A Welsh Government response is not required.

Committee Consideration

The Committee considered the instrument at its meeting on 30 September 2024 and reports to the Senedd in line with the reporting points above.

