Draft Order laid before Parliament under sections 8(3) and 91(1) of the Climate Change Act 2008, for approval by resolution of each House of Parliament.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2026 No. XX

CLIMATE CHANGE

The Carbon Budget Order 2026

Made - - - -	***
Coming into force - - - -	***

The Secretary of State makes this Order in exercise of the powers conferred by section 8(1) of the Climate Change Act 2008 ("the Act")(**a**).

A draft of this instrument was laid before and approved by a resolution of each House of Parliament, in accordance with sections 8(3) and 91(1) of the Act.

Before the draft was laid, the Secretary of State took into account—

(a) the advice of the Committee on Climate Change under section 34 of the Act, in accordance with section 9(1)(a) of the Act; and

(b) any representations made by the Scottish Ministers, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, in accordance with section 9(1)(b) of the Act(**b**).

This Order is made in accordance with the duty to set carbon budgets for budgetary periods imposed by sections 4(1)(a) and 8(1) of the Act, and is made with a view to—

(a) meeting the target in section 1 (the target for 2050), and the requirements of section 5 (requirements as to level of carbon budgets), of the Act(**c**); and

(b) complying with the European and international obligations of the United Kingdom.

The Secretary of State has taken into account the matters mentioned in section 10(2) of the Act.

Citation, commencement and extent

1.—(1) This Order may be cited as the Carbon Budget Order 2026.

(2) This Order comes into force on the day after the day on which it is made.

(3) This Order extends to the United Kingdom.

(**a**) 2008 c. 27.
(**b**) See the definitions of "national authority" and "the relevant Northern Ireland department" in sections 95(1) and 96(1).
(**c**) Section 1 was amended by the Climate Change Act 2008 (2050 Target Amendment) Order 2019 (S.I. 2019/1056), article 2. Section 5 was amended by the Climate Change Act 2008 (2020 Target, Credit Limit and Definitions) Order 2009 (S.I. 2009/1258), article 2(2) and 2(3).

Carbon budget

2. The carbon budget for the 2038-2042 budgetary period is 535,000,000 tonnes of carbon dioxide equivalent(**a**).

Name
Minister of State
Date Department for Energy Security and Net Zero

EXPLANATORY NOTE

(This note is not part of the Order)

This Order sets the carbon budget for the 2038-2042 budgetary period at 535 million tonnes of carbon dioxide equivalent. Carbon budgets set a cap on the maximum level of the net UK carbon account for each five-year budgetary period. The net UK carbon account is defined in section 27 of the Climate Change Act 2008.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Department for Energy Security and Net Zero at 3-8 Whitehall Place, London, SW1A 2AW and is published with its Explanatory Memorandum alongside this instrument on www.legislation.gov.uk.

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(**a**) See the definition of "tonne of carbon dioxide equivalent" in section 93(2).

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