



Department of the
Environment

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Discussion Paper – Proposals for Taking Forward NI Climate Change Legislation

1 December 2015

CONTENTS

1. Minister's Foreword
2. Purpose of this discussion document
3. Introduction
4. Rationale/Context for Northern Ireland Climate Change Legislation
5. Background and developments on climate change action in Northern Ireland
6. Legislative proposals for a future bill
7. The way forward
8. Proposals

1. MINISTER'S FOREWORD

Climate change is one of the most serious threats we face today, not only to our environment, but to our economic prosperity and global security and has the power to affect us no matter where we live. The overwhelming scientific evidence from the Intergovernmental Panel on Climate Change (IPCC) fifth assessment report has highlighted the dramatic changes to our climate and their causes.

Locally we already know that the increased intensity and volume of rainfall has put pressure on drainage and sewerage systems. In recent years, we have seen the devastating effects that flooding has had on our local communities. It has had major consequences for our businesses and infrastructure.

Globally, the worst impacts of climate change have already fallen disproportionately on those living in the poorest and less developed countries, and these are the people who have done the least to cause climate change. Therefore, in addition to the scientific case, there is also a strong moral argument for us to play our part in tackling climate change.

I recently met with my counterpart from the South of Ireland, Alan Kelly, and a delegation of local Church leaders in Armagh, where we held a cross border and cross denominational discussion on the impacts of climate change. It was evident from our discussions that it was the poor who suffer the most and are the last to recover from catastrophic climate change events. The meeting helped to reinforce my belief that we need to consider carefully what kind of world we want to leave our children and also that we have a moral obligation to act now to prevent the worst excesses of climate change.

I will be attending the Conference of Parties 21 (COP21) in Paris and whilst there it is my intention to engage with representatives from local non-governmental organisations, colleagues from the Devolved Administrations, Ireland and other countries to encourage and provide support for a comprehensive global agreement on climate change action and ensure we protect our people and planet from the dangers of climate change.

It is not just on the international stage where action is needed. In my term in office I have been involved in extensive and intensive correspondence and discussions with a wide range of representatives

from a number of sectors and with officials from other jurisdictions about how we could, and should, best progress climate change action.

I firmly believe that it is crucial that we show strong leadership on this issue. That is why I am fully committed to ensuring that the North plays its part in minimising greenhouse gas emissions and that we put in place the necessary measures to allow us to adapt to the effects of the changing climate. In my view this is best achieved through the introduction of Northern Ireland climate change legislation. I am convinced that having our own climate change legislation would provide greater clarity and the long term certainty which business and industry need, creating the environment to drive and encourage innovation, to effectively plan and invest in the technology needed, and to generate employment as we make the transition towards a low carbon economy and a more sustainable and just society.

I have consistently said that my vision is for a better environment – a stronger economy. Given the dynamics of today’s global economy the threat of climate change should not be viewed just as an environmental challenge, but also as an economic opportunity.

I am determined that we, in the North, will play our full part in taking climate change actions. I believe we all need to do our bit to tackle the greatest challenge that the world is facing today. I will use the findings from this discussion paper, the update on the appropriateness of a Northern Ireland Climate Change Bill, which I have requested the Climate Change Committee to complete, and the outcome from the climate change conference in Paris to take forward proposals on climate change legislation to the Executive. It is my firm intention to seek their support for the introduction of a Northern Ireland Climate Change Bill in the next Assembly term.

Signature

Minister of the Environment

2. PURPOSE OF THE DISCUSSION DOCUMENT

The purpose of this discussion document is to seek your views on the possible form and content of Northern Ireland climate change legislation.

Invitation to respond

Your views and comments are invited on the proposals set out in this discussion paper. Responses should be forwarded to reach the Department on or before 29th January 2016 and should be sent by post to:

Climate Change Unit
Department of the Environment
Environmental Policy Division
6th Floor
Goodwood House
44-58 May Street
Town Parks
Belfast
BT1 4NN

Or by e-mail to climate.change@doeni.gov.uk

When you are responding please state whether you are responding as an individual or representing the views of an organisation. The discussion document can also be viewed at www.doeni.gov.uk/consultations/proposals-taking-forward-ni-climate-change-legislation.

It would be very helpful if you could present your views following the format of the proposals set out on page 24.

Further Information

This document may be made available in alternative formats; please contact us to discuss your requirements. The Department's text phone number (028 9054 0642) has been included to assist the hearing impaired.

Confidentiality & Data Protection

The Department will publish a summary of responses following completion of the exercise. If you do not want all or part of your

response or name made public, please state this clearly in writing in the response by marking your response as '**CONFIDENTIAL**'. Any confidentiality disclaimer that may be generated by your organisation's IT system will be taken to apply only to information for which confidentiality has been specifically requested.

Information provided in response to this paper, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 1998 (DPA). If you want other information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals amongst other things with obligations of confidence.

In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality generated by IT system will not, of itself, be regarded as binding on the Department.

For further information about confidentiality of responses please contact the Information Commissioner's Office (or see website at: www.ico.gov.uk or email: ni@ico.gsi.gov.uk).

3. INTRODUCTION

In March 2013, the Department of the Environment issued a pre-consultation paper seeking views on the need for Northern Ireland climate change legislation. The paper invited comment on the value of an overall Bill in the context of its potential elements including a statutory target (or targets) to reduce greenhouse gas emissions; the creation of a new independent climate change committee; and the introduction of new statutory duties on public authorities to promote and report actions to reduce emissions and on their adaptation measures.

The responses to the pre-consultation document represented a wide spectrum of organisations and individuals which showed a broad support for climate change legislation specific to the North. However, concerns were also raised including the robustness of the data which might be used to set a target in legislation and the possible adverse impacts on our economy.

The purpose of this discussion paper is to update stakeholders and the public on developments since the 2013 pre-consultation exercise seeking views on the need for climate change legislation here and to provide the Department's current thinking on a future Northern Ireland Climate Change Bill. The paper

- provides a background to the climate change debate;
- gives an overview of the outcome and concerns raised as part of the pre-consultation exercise;
- gives an overview of the progress and developments since the pre-consultation exercise;
- presents the latest rationale and policy proposals for Northern Ireland climate change legislation; and
- invites further comments on the need for a Climate Change Bill and its content.

Views on the issue of introducing climate change legislation for Northern Ireland are plentiful and varied. There is wide interest in the subject with many organisations from across the spectrum of central and local government, environmental non-governmental organisations, social development organisations and bodies representing the interests of business and industry, agriculture, etc. having already expressed policy positions. While there is a general consensus among these groups that reducing greenhouse emissions is an important issue, there are differing views on how this may be achieved.

The Department values the input from all of these organisations and sees the consideration of their views as a very important aspect of creating the right set of policy proposals for any future agreed Bill. This paper is your opportunity to give your views on the Department's current thinking on what should be included in a future Northern Ireland Climate Change Bill, which the Department believes should be introduced in the next Assembly mandate.

The Department will continue to collect evidence and engage with stakeholders throughout the policy development process to ensure that its considerations take full account of both what is needed and what is possible.

The outcome of this exercise will contribute towards the development and delivery of a paper from the Minister of the Environment to his Ministerial colleagues in the new year, seeking their support for the introduction of a Northern Ireland Climate Change Bill in the next Assembly term.

4. RATIONALE/CONTEXT FOR NI CLIMATE CHANGE LEGISLATION

Climate change has the potential to have significant negative impacts on the daily lives of the people in the North through disruption to business, agriculture and services and through effects on health. We should therefore do all that is possible to minimise these risks by ensuring that we take steps to reduce our greenhouse gas emissions and put in place the necessary measures to help us to adapt to the effects of changing climate. It is the view of the Department that this will be best achieved through the introduction of Northern Ireland climate change legislation.

The aim of a Bill would be to create a framework addressing multiple aspects and issues of both climate change mitigation and adaptation in a holistic, overarching manner.

The rationale for introducing a NI Climate Change Bill would be to:

- demonstrate political and moral leadership;
- create a clear and coherent framework for managing the transition to a low carbon economy;
- maximise social and economic benefits of new technologies;
- provide greater direction for the private and public sectors to plan for investment; and
- help Northern Ireland to adapt and be better prepared for the impacts of unavoidable climate change.

A Climate Change Bill would also support Programme for Government policies on Growing a Sustainable Economy and working towards a 35% reduction in greenhouse gas emissions by 2025 in relation to 1990 levels.

Conference of the Parties (COP21)

The 21st annual Conference of the Parties of the United Nations Framework Convention on Climate Change is taking place in Paris from November 30th to December 11th 2015. Its aim is to achieve a legally binding and universal agreement on climate change that will enable countries to combat climate change effectively and boost their transition towards resilient, low-carbon societies and economies. The proposed agreement will focus equally on ambitious efforts to reduce greenhouse gas emissions in order to limit global warming to below 2°C, as well as societies' ability to adapt to existing climate changes. A Northern Ireland Climate Change Bill would help to underpin efforts to present Northern

Ireland as a world leader in carbon reduction and provide the means for the Executive to demonstrate greater ambition and moral leadership on this important global issue.

Current performance

The latest greenhouse gas inventory published in June 2015, based on 2013 figures, noted that Northern Ireland emissions had reduced by 16% from 1990 to 2013. The largest sources of emissions in 2013 were agriculture (29%), transport (18%), energy supply (18%) and residential (13%). The latest projection forecasts a 33.3% reduction in emissions in Northern Ireland by 2025. There is therefore a predicted shortfall in achieving the Executive's Programme for Government (PfG) target of working towards a 35% reduction in greenhouse gas emissions by 2025, from a 1990 baseline.

Comparison of UK Devolved Administrations and Ireland's performance

It is difficult to compare emission reduction performance between countries due to uncertainty surrounding greenhouse gas reduction estimates and due to variances in the sector make up of greenhouse gas emissions between countries. For example Northern Ireland has a large agriculture sector, which produces a large proportion of our emissions, whilst England and Scotland have a large energy supply sector which provides 31% and 32% of their total emissions respectively. In 2013 greenhouse gas emissions in the UK reduced by 30% from the 1990 base year. Scotland and England have the greatest percentage reductions of 35% and 32% respectively; Northern Ireland and Wales have lower reductions with 16% and 12% respectively. Data for 2013 indicate that Ireland's greenhouse gas emissions were estimated to be equivalent to 57.8 million tonnes of CO₂ which is 0.7% lower than 2012.

Current Legislative Context

The following table seeks to set out the main provisions of EU, UK and ROI climate change legislation.

Climate Change Legislation – EU/ UK/ ROI Legal Requirements		
JURISDICTION	LEGISLATION	DETAIL
EU	2030 Climate & Energy Framework	<p>The 2030 climate and energy framework sets three key targets for the year 2030:</p> <ul style="list-style-type: none"> • At least 40% cuts in GREENHOUSE GAS emissions (from 1990 levels) • At least 27% share for renewable energy • At least 27% improvement in energy efficiency <p>The framework was adopted by EU leaders in October 2014.</p>
UK (4 states)	UK Climate Change Act 2008	<p>The UK Climate Change Act 2008 places the following legal requirements for all of the UK:</p> <ul style="list-style-type: none"> • GHG emission reductions target in UK and abroad of at least 80% by 2050. The 80% target includes GHG emissions from the devolved administrations, which currently accounts for around 20% of the UK's total emissions; • Interim GHG targets of 34% reductions in GHG emissions by 2020; • Provisions for 5 year carbon budgets; • Provides for the establishment of the Committee on Climate Change (CCC) and its powers; • Sets requirements for UK Climate Change Risk Assessment, National Adaptation Report and adaptation reporting powers
Scotland	UK Climate Change Act 2008 The Climate Change (Scotland) Act 2009	<p>In addition to commitments under the UK Climate Change Act 2008, the Climate Change (Scotland) Act 2009 commits Scotland to:</p> <ul style="list-style-type: none"> • A 42% reduction in GHG emissions by 2020; • Annual reductions targets from 2010 to 2022 and reporting duties; • Duties on public bodies relating to climate change; • Powers to establish a Scottish CCC; • Development of a Scottish climate change adaptation programme.
Wales	UK Climate Change Act 2008 Environment (Wales) Bill	<p>In addition to the UK wide requirements under the UK Climate Change Act 2008, the Act places a possible additional adaptation reporting requirement for Welsh reporting authorities.</p> <p>The Environment (Wales) Bill, to be enacted in spring 2016 will contain a long term GHG emissions reduction target of 80% by 2050 on 1990 baseline levels. Interim targets will guide the setting of carbon budgets to assist in evaluating progress made towards the long term target.</p>
Northern Ireland	UK Climate Change Act 2008	<p>In addition to the UK wide requirements under the UK Climate Change Act 2008, the Act places an additional requirement for Northern Ireland to produce a climate change adaptation programme that addresses the latest climate change risks and opportunities.</p> <p>Northern Ireland also has an Executive Programme for Government target of a 35% reduction in GHG emissions by 2025 from a 1990 base year. This is driven through a Cross Departmental Working Group, who publish a Mitigation Action Plan which is reviewed and progress reported to the Assembly annually.</p>
Republic Of Ireland	Climate Action and Low Carbon Development Bill 2015	<p>The Climate Action and Low Carbon Development Bill was published on 19th January and passed by Dail Eireann on 8 October 2015. It is now to be considered by Seanad Eireann prior to enactment. The General Scheme of the Bill;</p> <ul style="list-style-type: none"> • Sets no explicit targets but obliges the State to “take into

		<p>account any existing obligation of the State under the law of the European Union or any international agreement”.</p> <ul style="list-style-type: none">• Includes provision for a National Low Carbon roadmap including sectoral roadmaps;• Proposes a National Climate Change Adaptation Framework; and• Provides for the establishment of an Expert Advisory Body.
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5. BACKGROUND AND DEVELOPMENTS ON CLIMATE CHANGE ACTION IN NORTHERN IRELAND

In 2013 officials undertook a review of the existing climate change policy and legislation across the rest of the UK and the Republic of Ireland in order to help inform the options for policy proposals for a draft Northern Ireland Climate Change Bill. These were set out in a pre-consultation document which issued to consultees in February 2013.

Following the pre-consultation exercise, Lord Deben, Chair of the Climate Change Committee, made a visit to Northern Ireland in December 2013, meeting with the Minister of the Environment, the Minister for Enterprise, Trade and Investment, the Environment Committee and a wide range of stakeholders from key sectors. Lord Deben highlighted the potential economic opportunities climate change legislation could bring to the various sectors here.

Minister of the Environment Mark H. Durkan chaired a further round of discussions with key stakeholders (Agriculture, Business, Energy and eNGO's) at the end of January 2014 to get their views on how we might proceed with climate change legislation.

On the 24 February 2014, during the Private Members' Motion on Climate Change and Flooding, an amendment by Stephen Agnew MLA calling for an NI Climate Change Bill was passed by the Assembly by 45 votes to 33.

The debate, like the responses to the pre consultation exercise and subsequent meetings with stakeholders, showed a broad support for Northern Ireland specific climate change legislation but also raised a number of concerns, the two main ones being the robustness of the data which might be used to set a target in legislation, and the possible impacts on the Northern Ireland economy. Responses to the pre consultation also identified:

- Some people were sceptical of the value of legislation at this time;
- All sectors welcomed working in partnership with the department, and government generally, on the climate change agenda;
- There was support for developing improved NI data and research to inform measurements that would be recognised and accepted across all sectors;
- There was an acknowledgment of the need for a joined up approach and support for the green agenda across all of

government. This included clear leadership, procurement policy and practice and management of the government estate; and

- There was recognition of the need to be supportive of NI green business and development of technologies, including the facilitation of access to EU and other funding.

Progress on climate change action

The pre-consultation exercise and ensuing engagements and developments have helped moved forward climate change action in the North and have assisted in addressing some of the concerns expressed by stakeholders. Examples of progress to date include:

Prosperity Agreements

In August 2014 the Environment Minister Mark H Durkan introduced Prosperity Agreements, an internationally acclaimed world first. Prosperity Agreements are voluntary agreements through which the Northern Ireland Environment Agency (NIEA) and an organisation can explore opportunities for reducing environment and heritage impacts in ways that create prosperity and well-being. In essence, the NIEA, whilst regulating firmly, work to make regulation better directed, with an increased focus on delivering better environmental and economic outcomes in partnership with business.

The voluntary agreements explored opportunities for reducing environment and heritage impacts in ways that create prosperity and well-being. To date three prosperity agreements have been signed off with Linden Foods/ Linergy, Lafarge Tarmac and Thompson Feeds. The agreements have resulted in a more harmonious regulatory regime for the companies and reductions in greenhouse gas emissions.

Prosperity Panel

In order to help implement his vision to develop “A Better Environment - A Stronger Economy” Minister Durkan also established a Prosperity Panel in 2014. The Prosperity Panel members are leaders in their diverse fields and have been selected for their knowledge, expertise and proven record of success. The Panel is comprised of eleven local members and thirteen international members.

Cross Border Cooperation

Climate change is an area where both administrations in the North and South of Ireland have recognised that they should work together to develop additional practical and innovative measures to address the challenges of climate change. The Department is exploring the potential to develop joint research work that could bridge climate change knowledge gaps within the island of Ireland, and provide an exemplary standard for Europe, on matters of mutual interest for both climate change adaptation and mitigation including:

- Identifying the scope for a set of Carbon Intensity Indicators that could be used and potentially adapted for use in other EU regions;
- Developing international accounting measures, and addressing those which do not capture the full potential for carbon sinks through agriculture and the protection of existing peatlands and forests;
- Researching and assessing climate change risks and opportunities where there are large gaps in evidence or where there is limited information available.

In October 2015 DOE Climate Change officials met with their counterparts in Dublin to explore ways to take forward these various options.

Committee on Climate Change Update Paper

In 2011, the then Environment Minister Alex Attwood asked the Committee on Climate Change to undertake an analysis of the appropriateness of a Northern Ireland Climate Change Act. The Chair of the Committee on Climate Change wrote to the Minister at that time advising that their analysis had indicated that legislation would be useful in underpinning low carbon programmes and in providing certainty to business, and could be helpful in harnessing significant opportunities to reduce emissions in Northern Ireland. The Committee on Climate Change is currently working to update the original analysis and will provide its findings to Minister Durkan by January 2016.

Robustness of Data

Following the pre consultation exercise and the subsequent meetings with stakeholders a number of concerns were expressed regarding the

robustness of the data to be used to set a climate change target in legislation, and the impacts any target would have on the economy.

An important element of the current climate change data is the Northern Ireland emissions reduction projection that assesses our performance against the Programme for Government target on greenhouse gas emissions to 2025. The 'projection tool' uses the data produced in the annual UK wide greenhouse gas inventory to help model and assess the impacts of a range of actions and policies, producing an annual update on the expected emissions reduction projection for the year 2025.

A review of the Northern Ireland greenhouse gas Projection Tool was completed in 2013. This involved more use of Northern Ireland specific data, the inclusion of additional local policies and further refining of analytical methodologies to provide more robust NI projections out to 2030. This and other refinements are reflected in improvements to the latest Northern Ireland greenhouse gas inventory where data confidence levels have improved from +/-42% to +/-15%.

Impact on the Economy

A further concern of stakeholders was the need to produce analysis that demonstrates we can continue to meet the PFG greenhouse gas emissions target and support any other legislative targets, whilst still growing a strong economy.

To this end, work has been ongoing on the initial development of carbon intensity indicators that will complement the emissions data available from the historic greenhouse gas Inventory and Projection Tool. The value of such an approach is that it takes greater account of economic concerns. While overall emissions for a particular sector may be seen to increase due to economic growth, the carbon intensity of a product or process may actually be decreasing due to carbon efficiencies or effective policy implementation.

NI Climate Change Adaptation Programme

In January 2014, Minister Mark H Durkan published the North's first Climate Change Adaptation Programme (NICCAP) which sets out the Government's response to address the priority risks and opportunities identified in the NI Climate Change Risk Assessment (published in January 2012), as part of the overall UK CCRA. Progress on the high level actions and key activities is being reported to the Executive through

the Cross Departmental Working Group Annual Progress Report. An evaluation of performance of this programme will be included in the next NICCAP which will be produced in 2019.

Building the Climate Change Adaptation Evidence Base

We have continued to draw together evidence and analysis that will enable us to understand the level of risk as well as opportunities posed by climate change, and which will enable us to prioritise adaptation action. DOE is continuing to work with all Departments and Climate NI on obtaining Northern Ireland adaptation information and data that will be used in the development of the next UK CCRA and which will help in the development of the next NICCAP due in 2019. The findings of this work will also be used help identify Northern Ireland gaps in evidence and identify possible projects that could bridge these gaps.

6. LEGISLATIVE PROPOSALS FOR A FUTURE BILL

A Northern Ireland Climate Change Bill would support efforts to present Northern Ireland as a world leader in carbon reduction, deliver a framework to suit our specific circumstances and provide the means for the Executive to demonstrate greater ambition and moral leadership on this important issue. It would provide clarity and longer term certainty for both business and industry, creating an environment that encourages innovation, supporting effective planning for and investment in green technology and generating employment as we make the transition towards a low carbon economy.

Analysis of the responses to the pre-consultation document issued in 2013 showed 64% of respondents supported Northern Ireland climate change legislation with only 24% not supporting legislation. Using the responses to the pre consultation exercise and feedback from stakeholder groups as a guide, the following are the department's proposals for future Northern Ireland climate change legislation:-

Long Term Target

Setting a target of an 80% reduction in greenhouse gas emissions by 2050 on a 1990 baseline in a Northern Ireland Climate Change Bill would be consistent with existing UK and Scottish climate change targets and the Environment (Wales) Bill. It would also be line with the EU commitment to collectively reduce emissions by between 80% and 95% by 2050 on 1990 baselines.

Analysis of the responses to the pre-consultation exercise show that 59% of respondents supported a long term target, 7% disagreed and 34% had no preference.

Proposal 1- To ensure that Northern Ireland contributes to the reduction of greenhouse gas emissions, the Bill will make provisions to ensure that in 2050 greenhouse gas emissions are at least 80% lower than the 1990 baseline.

Interim Targets

The purpose of interim targets is to ensure that there is a trajectory that will ensure the long-term greenhouse gas target is achieved within the agreed timescales. The UK Climate Change Act contains an interim target to reduce emissions, net of trading in allowances, by 34% in 2020 relative to 1990 baselines. This target ensures that the UK is on the

correct pathway to meet the 2050 target. The UK is also subject to contributing towards the EU 40% emissions reduction target which was set under the 2030 Climate and Energy Framework.

The Scottish Climate Change Act sets an interim emissions target of a 42% greenhouse gas emissions reduction by 2020. The Environment (Wales) Bill has a long term target of an 80% reduction in greenhouse gas by 2050 but as yet has no interim targets set. When setting an interim target for Northern Ireland it is important to set a sustainable trajectory to achieve the required Northern Ireland emissions reduction target by 2050. This should take into account independent advice and based on analytical methodologies, scientific evidence, economic factors and existing international agreements to provide an achievable reduction pathway. It is important that interim targets are challenging, however, it is equally important that they are realistic and achievable.

Analysis of the responses to the pre-consultation exercise show that 58% of respondents supported interim targets, 7% disagreed and 35% had no preference

Proposal 2 - Interim emission targets will be introduced that are consistent with achieving the 2050 target. Interim targets would help guide the setting of possible carbon budgets in the medium term and assist in evaluating progress being made towards meeting the long-term target whilst ensuring that Northern Ireland remains competitive in a global economic market.

Carbon Budgets

To ensure that regular progress is made towards any long-term greenhouse gas emissions target, the UK and Scottish Climate Change Acts both established a system of five-yearly carbon budgets, which serve as stepping stones on the way to meeting their targets. By providing timely benchmarks, carbon budgets will help provide a level of predictability for businesses and households to plan and invest for a low-carbon economy.

Proposal 3- The Bill will place a duty to set limits in carbon budgets on the total amount of greenhouse gas emissions that can be emitted in Northern Ireland. Carbon budgets will be set for specified periods of five years. For each five year period Ministers will publish a report in advance setting out their policies for meeting the carbon budget for that period. Carbon budgets would need to be consistent with meeting any

2050 target and any interim targets whilst ensuring that Northern Ireland remains competitive in a global economic market.

Mitigation/ Adaptation Reporting Duties

A review of cross-departmental action on climate change is currently carried out through the Cross-Departmental Working Group on Climate Change, chaired by the Minister of the Environment. The group and its mitigation, adaptation and analytical sub-groups report annually to the Executive on voluntary actions taken by departments to enable delivery of the 35% GHG emissions reduction target set out in the Northern Ireland Executive's Programme for Government and in meeting the adaptation requirements of the UK Climate Change Act. However, in addition to the existing reporting on climate change there could be an option of requesting specified public sector organisations to report on the actions that they are taking to mitigate and adapt to climate change. This reporting duty would improve the quality and consistency of climate change information available to Northern Ireland Ministers, Northern Ireland policy officials and the public sector itself.

Proposal 4- The Bill will provide powers to request specified public bodies to report on their transition towards a low carbon economy and their plans to adapt to the effects of climate change.

Advisory Body

The Committee on Climate Change is a non-departmental public body established under the UK Climate Change Act, it:

- (a) provides independent advice to the UK Government and devolved administrations on setting and meeting targets and carbon budgets where appropriate;
- (b) monitors progress in reducing emissions and achieving carbon budgets;
- (c) conducts independent research and analysis into climate change; and
- (d) engages with representatives interested in climate change from across the UK in order to share research and information on climate change and gain input into the Committee on Climate Change analysis.

A Northern Ireland Climate Change Act could make the provision for independent advice and a challenge function, a point reinforced by the Chief Executive of the Committee on Climate Change when recommending the introduction of a Northern Ireland Bill.

Independent advice on climate change could be provided through one of the following options:

(a) the continued provision of this function by the Committee on Climate Change;

(b) the creation of a separate Northern Ireland Committee on Climate Change to carry out such functions as necessary in order to ensure that the Executive receives advice which is best suited for our needs ; or

(c) allow an existing Northern Ireland public body to carry out this function, although it is unlikely that the high-quality expertise required to provide advice on reducing emissions while protecting the economy is held by any one public body .

Currently the Committee provides us with robust advice. Along with England, Scotland and Wales we contribute towards its running cost. Costing for each country is based on an agreed population formula. Setting up and maintaining a NI Committee on Climate Change could have significant financial implications.

Analysis of the responses to the pre-consultation exercise show that 29% of respondents supported provision for an independent advisory body in a Northern Ireland Climate Change Bill, 20% disagreed and 51% had no preference.

Proposal 5 - The Bill will contain provisions to establish a Northern Ireland Committee on Climate Change or to designate an existing body to exercise advisory functions should it be decided that this is appropriate.

Provision for Adaptation Programme Reporting

The UK Climate Change Act 2008 and the Scottish Climate Change Act both provide for the Committee on Climate Change to produce an assessment of the progress made towards implementing the objectives, proposals and programmes for adaptation set out in their Adaptation Programmes.

There is currently no requirement for Northern Ireland to obtain an independent assessment on the progress made towards implementing the objectives, proposals and policies set out in the Northern Ireland Climate Change Adaptation Programme.

Analysis of the responses to the pre-consultation exercise show that 42% of respondents supported provision for independent reporting to the Assembly on the Northern Ireland Adaptation programme, 2% disagreed and 56% had no preference.

Proposal 6 – The Bill will contain a requirement for Northern Ireland to obtain an independent assessment for progress made towards implementing the objectives, proposals and policies set out in the Northern Ireland Climate Change Adaptation Programme.

7. WAY FORWARD

The purpose of this discussion paper is to encourage recipients to express their views on the appropriateness of Northern Ireland climate change legislation and its proposed contents with a view to rebuilding the momentum for a Northern Ireland Climate Change Bill.

In parallel with this exercise, at the Department's request, the Committee on Climate Change is working on an update on its 2011 report "The Appropriateness of a Northern Ireland Climate Change Act". The results of this are expected in January.

The United Nations Climate Change conference in Paris (COP 21) will take place from 30th November to 11th December 2015. The conference will aim to achieve a new international agreement to create the vital framework that the world needs to limit the average global temperature increase to below 2°C.

The views and advice motivated by these exercises and the outcome of COP 21 will be considered by the Department in conjunction with previous and ongoing efforts to identify what further actions can be taken to ensure we play our part in tackling the threat of climate change. Collectively, these will assist the Department in producing a greater evidence base and develop firm proposals to take forward to the Executive, early in the new year, with the aim of getting agreement to introduce a Northern Ireland Climate Change Bill in the next Assembly mandate.

In the meantime, it is essential that we work together and map out an approach that will be beneficial to the whole community. The Department will continue to collect evidence and engage with stakeholders to ensure that its considerations take full account of both what is needed and what is possible.

Climate change does not respect border; it does not respect who you are - rich and poor, small and big. Therefore, this is what we call 'global challenges,' which require global solidarity. [Ban Ki-moon](#)

8. PROPOSALS

This paper has set out the Department's current thinking on proposals for a Northern Ireland Climate Change Bill. Your comments and views on the proposals would be welcome and it would be helpful if these are presented following the format below. When responding, please state whether you are responding as an individual or representing the views of an organisation. A NI Climate Change Bill will:

1. Make provisions for a long term target to reduce greenhouse gas emissions;
2. Make provisions for interim targets to reduce greenhouse gas emissions;
3. Place a duty to set limits in carbon budgets on the total amount of greenhouse gas emissions that can be emitted in Northern Ireland.
4. Provide powers to request specified public bodies to report on their transition towards a low carbon economy and their plans to adapt to the effects of climate change.
5. Contain provisions to establish a Northern Ireland Committee on Climate Change or to designate an existing body to exercise advisory functions should it be decided that this is appropriate.
6. Contain a requirement for Northern Ireland to obtain an independent assessment for progress made towards implementing the objectives, proposals and policies set out in the Northern Ireland Climate Change Adaptation Programme.

In addition, the Department values and respects your views and would ask you to:

7. Provide any other comments you may have in respect of the above proposals or on any other important issues you feel may have not been adequately covered in this paper.