



Northern Ireland  
Assembly

Climate Change (No. 2) Bill  
Notice of Amendments tabled on  
24 January 2022 for Consideration Stage

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**Clause 1, Page 1, Line 6**

At end insert -

‘(1A) The Northern Ireland departments must ensure that the net Northern Ireland emissions account for carbon dioxide for the year 2050 is at least 100% lower than the baseline for carbon dioxide.’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 4, Page 2, Line 1**

Leave out paragraphs (a) and (b) and insert -

‘specify—

- (a) for a particular emissions target, an earlier year than that for the time being specified,
- (b) for a particular year, a higher percentage than that for the time being specified.’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 5, Page 2, Line 21**

At end insert -

‘(1A) The baseline for carbon dioxide is the amount of net Northern Ireland emissions of carbon dioxide in 1990.’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 5, Page 2, Line 22**

After ‘amend’ insert -

‘(a) ’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 5, Page 2, Line 23**

At end insert -

‘or

(b) subsection (1A) so as to specify a different year in relation to carbon dioxide.’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 6, Page 2, Line 36**

At end insert -

‘(2) Subsection (1) does not apply in relation to the net Northern Ireland emissions account for carbon dioxide for 2050 (see subsection (3)).

(3) The net Northern Ireland emissions account for carbon dioxide for 2050 is determined as follows

- (a) take the amount of net Northern Ireland emissions of carbon dioxide for 2050 (which is to be determined in accordance with sections 7 and 8),
- (b) deduct the amount of carbon units that are to be credited to the net Northern Ireland emissions account for carbon dioxide for 2050 (in accordance with regulations under section 9), and
- (c) add the amount of carbon units that are to be debited from the net Northern Ireland emissions account for carbon dioxide for 2050 (also in accordance with regulations under section 9).’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 9, Page 4, Line 16**

At end insert -

‘(5) The regulations may make provision about the crediting of carbon units to, and the debiting of carbon units from, the net Northern Ireland emissions account for carbon dioxide for 2050.

(6) The amount of carbon units that are to be credited to the net Northern Ireland emissions account for carbon dioxide for 2050 must not be greater than—

$$\text{Total credits} \quad \times \quad \frac{\text{CO}_2 \text{ emissions}}{\text{Total emissions}}$$

(7) If—

- (a) carbon units are credited to the net Northern Ireland emissions account for carbon dioxide for 2050, and
- (b) carbon units are debited from the net Northern Ireland emissions account for 2050,

carbon units must be debited from the net Northern Ireland emissions account for carbon dioxide for 2050; and the amount of carbon units so debited must not be less than—

$$\text{Total debits} \quad \times \quad \frac{\text{CO}_2 \text{ emissions}}{\text{Total emissions}}$$

### Total emissions

(8) In subsections (6) and (7)—

“Total credits” is the amount of carbon units that are credited to the net Northern Ireland emissions account for 2050;

“Total debits” is the amount of carbon units that are debited from the net Northern Ireland emissions account for 2050;

“CO<sub>2</sub> emissions” is the amount of net Northern Ireland emissions of carbon dioxide for 2050;

“Total emissions” is the aggregate amount of net Northern Ireland emissions of each greenhouse gas for 2050.’

*Minister of Agriculture, Environment and Rural Affairs*

### Clause 13, Page 5, Line 24

Leave out ‘target’ and insert ‘targets’

*Minister of Agriculture, Environment and Rural Affairs*

### New Clause

After clause 16 insert -

#### **‘Requirements for proposals and policies under section 16**

**16A.**—(1) In deciding its proposals and policies for the purposes of section 16, each Northern Ireland department must—

- (a) have regard to the desirability of co-ordinating those proposals and policies with corresponding proposals and policies in other parts of the United Kingdom, in the Republic of Ireland or elsewhere;
- (b) consult such persons as it considers appropriate (including, where appropriate, any public body responsible in any other jurisdiction for providing advice or making recommendations in connection with adaptation to, or the mitigation of the effects of, climate change).

(2) In deciding its proposals and policies for the purposes of section 16, each Northern Ireland department must also have regard to—

- (a) the just transition principle (see subsection (3)), and
- (b) the desirability of using and supporting nature-based projects (see subsection (4)), whether alone or together with other types of action.

(3) The just transition principle is the importance, in taking action to reduce Northern Ireland emissions and increase Northern Ireland removals, of doing so in a manner which, so far as possible, achieves the objectives of—

- (a) supporting environmentally and socially sustainable jobs,
- (b) in particular, supporting the agriculture sector and other sectors of the economy in Northern Ireland that are likely to be most affected by action to reduce those emissions and increase those removals,
- (c) supporting low-carbon investment and infrastructure,
- (d) developing and maintaining consensus through engagement with (among others) workers, trade unions, communities, non-governmental organisations and representatives of the interests of business and industry,

- (e) creating decent, fair and high-value work in a way which does not negatively affect the current workforce,
- (f) contributing to a resource-efficient and sustainable economy,
- (g) supporting persons who are most affected by climate change, particularly those who may have done the least to cause it or may be the least equipped to adapt to its effects, and
- (h) reducing poverty and inequality.

(4) “Nature-based projects” are projects to protect, restore or sustainably manage ecosystems in order to promote both human well-being and biodiversity or provide other environmental, social and economic benefits.

(5) The duty under subsection (2) is in addition to, and does not limit, the duty under section 25 of the Northern Ireland (Miscellaneous Provisions) Act 2006 (sustainable development).

(6) Each report under section 16 must explain how the proposals and policies set out in the report take account of the just transition principle.

(7) Each report under section 16 must include an assessment by the Department of the effect of the proposals and policies set out in the report on small businesses.

(8) In subsection (7), “small business” means a business that employs fewer than 50 persons.

(9) The Department may by regulations amend subsection (3) or (8).

(10) Regulations that amend subsection (8) may define a small business by reference to such matters (or combination of matters) as the Department considers appropriate (including, in particular, the number of its employees, its turnover and its balance sheet).’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 20, Page 9, Line 19**

At end insert -

‘(4A) The statement for 2050 must also state—

- (a) the total amount of carbon units (if any) that have been credited to or debited from the net Northern Ireland emissions account for carbon dioxide for that year, and
- (b) the amount of the net Northern Ireland emissions account for carbon dioxide for that year.’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 20, Page 9, Line 20**

After ‘target’ insert ‘(or targets)’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 20, Page 9, Line 20**

After ‘has’ insert ‘(or have)’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 20, Page 9, Line 22**

After ‘target’ insert ‘(or each of the targets) for the year’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 20, Page 9, Line 24**

After ‘target’ insert ‘(or each of the targets)’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 21, Page 9, Line 33**

Leave out ‘may by regulations’ and insert ‘must make regulations that’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 21, Page 10, Line 18**

At end insert -

‘(c) the desirability of co-ordinating the proposals and policies referred to in subsection (3)(b) with corresponding proposals and policies in other parts of the United Kingdom, in the Republic of Ireland or elsewhere.’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 21, Page 10, Line 30**

At end insert -

‘(8) The first regulations made under this section must come into operation before the end of the period of 18 months beginning with the day on which this Act receives Royal Assent.’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 24, Page 11, Line 27**

Leave out ‘either’ and insert ‘any’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 25, Page 11, Line 36**

Leave out ‘target for 2050 is the highest achievable target’ and insert ‘targets for 2050 are the highest achievable targets’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 25, Page 11, Line 37**

Leave out ‘not’ and insert ‘either of them is not the highest achievable target’

*Minister of Agriculture, Environment and Rural Affairs*

**New Clause**

After clause 28 insert -

‘CHAPTER 2

CONSULTATION ON FURTHER OVERSIGHT

**Consultation on Northern Ireland based oversight**

**28A.**—(1) The Department must consult such persons as it considers appropriate as to whether a body should be established, or a person should be appointed, to exercise in Northern Ireland functions that relate to the making of policy, and taking of action, by public bodies in relation to climate change.

(2) In this section, references to a “climate adviser” are to any such body or person.

(3) The consultation must include consultation as to the functions that a climate adviser should exercise, including in particular consultation as to whether the adviser should—

(a) provide advice or make recommendations to public bodies in connection with adaptation to, and the mitigation of the effects of, climate change in Northern Ireland;

(b) report on—

(i) the operation of this Act,

(ii) the exercise of functions under it, or

(iii) the outcome of the exercise (or the failure to exercise) such functions.

(4) The consultation must also include consultation as to—

(a) how a climate adviser should, in the exercise of its functions, co-operate with other public bodies that exercise functions that relate to climate change or the environment;

(b) the status of a climate adviser (and, in the case of a body, its membership);

(c) the staff and resources that should be made available to a climate adviser;

(d) whether the establishment or appointment of a climate adviser would be an effective and efficient use of resources in connection with adaptation to, and the mitigation of the effects of, climate change in Northern Ireland.

(5) The consultation must also include consultation as to whether—

(a) an office for any of the staff of the Committee on Climate Change should be located in Northern Ireland;

(b) what functions of the Committee should be exercised by any staff based at such an office.

(6) The Department must prepare a report on the consultation and—

(a) lay the report before the Assembly, and

(b) publish it in such manner as the Department considers appropriate.

(7) The Department must lay and publish the report under subsection (6) before the end of the period of 2 years beginning with the day on which this Act receives Royal Assent.’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 29**, Page 12, Line 33

After ‘amount’ insert ‘and that the net Northern Ireland emissions account for carbon dioxide for 2050 is below a certain amount’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 30**, Page 13, Line 18

After ‘7(4)’ insert ‘, 16A(9)’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 33**, Page 14, Line 20

After ‘made’ insert ‘under section 16A(9) (meaning of “just transition principle” and “small business”) or’

*Minister of Agriculture, Environment and Rural Affairs*

**Clause 1**, Page 1, Line 6

Leave out ‘2050’ and insert ‘2045’

*Ms Clare Bailey*

**Clause 1**, Page 1, Line 6

Leave out ‘82%’ and insert ‘100%’

*Ms Clare Bailey*

**Clause 2**, Page 1, Line 9

Leave out ‘69%’ and insert ‘75%’

*Ms Clare Bailey*

**Clause 3**, Page 1, Line 12

Leave out ‘48%’ and insert ‘50%’

*Ms Clare Bailey*

## **New Clause**

After clause 35 insert -

### **‘Prohibition of hydraulic fracturing**

**35A.**—(1) It shall not be lawful for a person to search for, to include exploration, get, raise, take, carry away or work (petroleum) hydrocarbons by (means of hydraulic fracturing) any means.

(2) In this section—

“hydraulic fracturing” means the generation of mechanical fractures in rock below the surface by means of the physical process of pumping fluid at high pressure into the rock via a petroleum wellbore for the purpose of enhancing the flow of petroleum between the rock and petroleum wellbore.

“petroleum wellbore” means a boring or other excavation in the earth’s crust made for the purpose of searching for or extracting petroleum.

“hydrocarbons” means a compound of hydrogen and carbon, such as any of those which are the chief components of petroleum and natural gas.’

*Miss Rachel Woods*

## **Clause 16, Page 7, Line 7**

At end insert -

‘(6) The Department must conduct a citizens assembly once per budgetary period to—

- (a) consider how to prevent or minimise, or remedy or mitigate the effects of, climate change,
- (b) make recommendations on measures proposed to achieve the emissions reduction targets,
- (c) make recommendations about such other matters in relation to climate change as the Department considers appropriate to refer to the citizens assembly.

(7) The citizens assembly is to—

- (a) set out its recommendations in a report;
- (b) lay the report before the Assembly; and
- (c) send a copy of the report to Northern Ireland Ministers.

(8) The Department must, within 6 months of receiving a copy of the report, publish a statement setting out how it intends to respond to the recommendations made in it and lay this statement before the Assembly.’

*Ms Clare Bailey*

*Miss Rachel Woods*