



Northern Ireland
Assembly

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

New Clause

After clause 16 insert -

‘Just Transition Principles

16B.—(1) In deciding its proposals and policies for the purposes of section 16, each Northern Ireland department must have regard to the following principles which will be known in this Act as the “Just Transition Principles”—

- (a) support jobs and growth of jobs that are climate resilient, environmentally and socially sustainable;
- (b) support net-zero carbon investment and infrastructure;
- (c) engage with workers and representatives of trade unions, communities, non-governmental organisations;
- (d) create work which is high-value, fair and sustainable;
- (e) reduce inequality as far as possible;
- (f) ensure that gender inequality is eliminated and advance equality of opportunity between men and women;
- (g) reduce, with a view to eliminating, poverty and social deprivation;
- (h) support the social and economic needs of people in rural areas;
- (i) take into account the future generations principle; and
- (j) achieve the proposals set out in the sectoral plans within a timeframe which shall be specified in the sectoral plans.

(2) In this Act—

- (a) “climate resilient” means the ability of social, economic and environmental systems to adapt to the effects of climate change (and “climate resilience” is defined accordingly);

- (b) “environmentally and socially sustainable”, when used in relation to jobs and job growth, means the creation and promotion of jobs in a way which conserves and improves natural resources, in accordance with the future generations principle; and
- (c) the “future generations principle” means acting in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.’

Ms Clare Bailey

New Clause

After clause 16 insert -

‘Just Transition Fund for Agriculture

16C. The Department must establish a scheme known as the “Just Transition Fund for Agriculture” to provide financial assistance and advice to the agricultural sector to deliver its contribution under proposals and policies for the purposes of section 16.’

Ms Clare Bailey

New Clause

After clause 35 insert -

‘Prohibition of hydrocarbon exploration and extraction

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

(2) In this section, “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 1, Page 1, Line 6

Leave out ‘82% lower than the baseline’ and insert ‘net zero’

Mr John Blair

Mr Andrew Muir

Mr Stewart Dickson

New Clause

Before clause 5 insert -

‘Meaning of “net zero”

4A. In this Act, “net zero” means 100% lower than the baseline.’

Mr John Blair

Mr Andrew Muir

New Clause

After clause 10 insert -

‘Sectoral plans

Sectoral plans

10A.—(1) The Northern Ireland departments must develop and publish plans for areas of the economy, known as sectoral plans, setting out how the targets in sections 1, 2 and 3 will be achieved by sector.

(2) These must include policies and proposals to ensure the targets set out in sections 1, 2 and 3 are achieved.

(3) Interim sectoral reports must be published in line with the targets set out in sections 1, 2 and 3.

(4) Sectoral plans shall also support a just transition by—

- (a) supporting the creation of secure green jobs and build pathways into green careers, in partnership with industry and unions, with workers’ rights, health and safety at the centre;
- (b) ensure that workers and communities dependent on the high carbon economy are supported with the transition;
- (c) support the transition to a green economy with net-zero carbon investment and infrastructure; and
- (d) tackle inequality and breakdown barriers of division.

(5) The Department must make arrangements with other Northern Ireland departments to secure co-operation and the submission of information for subsection (1), including the format and detail of the requirement outlined in subsection (3).’

Mr John Blair

Mr Andrew Muir

Mr Stewart Dickson

New Clause

After clause 10 insert -

‘Sectoral plans for energy

10B.—(1) The Department for the Economy must develop and publish Sectoral Plans for the Energy sector setting out how the sector will contribute to the achievement of the targets in sections 1, 2 and 3 in accordance with section 4A.’

(2) Sectoral Plans for Energy must include policies and proposals for energy production and the supply of private and public heating and cooling systems.’

Mr Stewart Dickson

Mr John Blair

Ms Kellie Armstrong

New Clause

After clause 10 insert -

‘Renewable electricity consumption

10C.—The Department for the Economy must ensure that at least 80% of electricity consumption is from renewable sources by 2030.’

Mr Stewart Dickson

Mr John Blair

Mr Andrew Muir

New Clause

After clause 10 insert -

‘Sectoral plans for transport

10D.—(1) The Department for the Economy must develop and publish Sectoral Plans for the Transport sector setting out how the sector will contribute to the achievement of the targets in sections 1, 2 and 3.

(2) Sectoral Plans for Transport must include policies and proposals for public and private transport.’

Mr Andrew Muir

Mr John Blair

Ms Kellie Armstrong

New Clause

After clause 10 insert -

‘Sectoral plans for infrastructure

10E.—(1) The Department for Infrastructure must develop and publish Sectoral Plans for the Infrastructure sector setting out how the sector will contribute to the achievement of the targets in Sections 1, 2 and 3.

(2) Sectoral Plans for Infrastructure must include policies and proposals for planning and construction.’

Mr Andrew Muir

Ms Kellie Armstrong

Mr John Blair

New Clause

After clause 10 insert -

‘Sectoral plans for industrial processes

10F. The Department for the Economy must develop and publish Sectoral Plans for the Industrial Processes setting out how the sector will contribute to the achievement of the targets in Sections 1, 2 and 3.’

Mr Stewart Dickson
Mr John Blair
Mr Andrew Muir

New Clause

After clause 10 insert -

‘Sectoral plans for waste management

10G.—(1) The Department must ensure that at least 70% of waste is recycled by 2030.

(2) The Department must develop and publish a plan for the waste management sector setting out how the sector will contribute to the achievement of the targets in sections 1, 2 and 3 and in subsection (1) of this section in accordance with section 4A.’

Mr John Blair
Mr Andrew Muir
Ms Kellie Armstrong

New Clause

After clause 10 insert -

‘Sectoral plan for agriculture

10H.—(1) The Department must develop and publish Sectoral Plans for the Agricultural sector setting out how the sector will contribute to the achievement of the targets in Sections 1, 2 and 3 of this Act.

(2) Sectoral Plans for Agriculture must contain proposals for carrying out fully funded carbon audits of farms to assess where performance improvements and savings can be made.

(3) As part of the carbon auditing process, carbon sequestration measures already being conducted by the sector should be calculated.’

Mr John Blair
Mr Andrew Muir
Ms Kellie Armstrong

New Clause

After clause 10 insert -

‘Sectoral plan for fisheries

10I.—(1) The Department must develop and publish Sectoral Plans for the Fisheries sector setting out how the sector will contribute to the achievement of the targets in Sections 1, 2 and 3 of this Act.

(2) Sectoral Plans for Fisheries must include policies and proposals for sea fisheries and the inland fisheries industry.’

Mr John Blair
Ms Kellie Armstrong

New Clause

After clause 10 insert -

‘Just Transition Fund

10J. The Department bring forward regulations to establish a Fund, to be known as the ‘Just Transition Fund’ to provide financial support and re-training for people whose livelihoods and jobs will be affected by the proposed measures, including those measures that require transitioning out of industries characterised by high emissions and high impacts on ecosystems.’

Mr John Blair
Ms Kellie Armstrong
Mr Andrew Muir

Clause 21, Page 10, Line 30

At end insert -

‘(8) The Department must—

- (a) carry out a health assessment of ecosystems and consult with relevant authorities in the Republic of Ireland on the protection and restoration of carbon stores;
- (b) consult with the relevant authorities in the Republic of Ireland on areas of natural environmental protection with relevance to achieving the targets set out in sections 1, 2 and 3.’

Mr John Blair
Mr Andrew Muir
Mr Stewart Dickson

New Clause

After clause 28 insert -

‘Northern Ireland-based oversight

28B. The Northern Ireland Executive must establish an Independent Office of Climate Change and Environmental Protection by 2025.’

Mr John Blair
Mr Andrew Muir
Mr Stewart Dickson

New Clause

After clause 28 insert -

‘Public involvement

28C.—(1) No later than two months from the date on which this Act receives Royal Assent, the Department must commence an open tender exercise to procure an expert independent body to establish a Climate and Nature Assembly comprising a representative sample of the Northern Ireland population.

(2) The Climate and Nature Assembly must consider expert advice including, but not limited to, the Independent Office of Climate Change and Environmental Protection as set out in section 28B and recommend measures to be included in plans to achieve the targets set out in Sections 1, 2 and 3 of this Act and sectoral plans established under this Act.

(3) If a recommendation is supported by at least 80% of the Climate and Nature Assembly, and by the UK Climate Change Committee, the relevant Northern Ireland department must include the recommendation in its relevant plans.’

Mr John Blair
Mr Stewart Dickson
Ms Kellie Armstrong

Clause 29, Page 13, Line 3

At end insert -

‘(d) the Department must develop a Nature Strategy in line with the duties under this Act.’

Mr John Blair
Mr Andrew Muir
Ms Kellie Armstrong

New Clause

After clause 35 insert -

‘Prohibition of exploration, extraction or exploitation of fossil fuels

35B.—(1) The Minister for the Economy shall not issue, renew, reinstate, or extend any licence or other exploitation of rights for the exploration, extraction, production or prospecting of fossil fuels.

(2) Any land or waters in Northern Ireland should be managed with regard to—

- (a) targets in clauses 1, 2 and 3;
- (b) principle of climate justice;
- (c) the need to avoid the dangerous impacts of climate change; and
- (d) the need to support a rapid and just transition to a safe climate.

(3) “fossil fuel” means peat, mineral coal, oil and gas, including unconventional gas and oil from sources such as coal seams or shale, and also ocean methane clathrate deposits.

(4) “principle of climate justice” means safeguarding the rights of the most vulnerable and sharing the burdens and benefits of climate change and its resolution equitably and fairly.

(5) In this section, “just transition” means the bringing together of workers, communities, employers and government in social dialogue to drive the business changes and investments needed for a fast and fair transformation to a low carbon economy and to ensure that employment in the new economy are as decent, secure and as well-paid as those left behind.

(6) “safe climate” means climate and ocean acidity levels that are optimal for the maintenance of ecosystem services, the protection of the human population, the survival of all living species, the maintenance of human food production, and the maintenance of civilisation, that is, conditions comparable to those prior to industrialisation.’

Mr Stewart Dickson

Mr John Blair

Mr Andrew Muir

Clause 39, Page 17, Line 20

At end insert -

“‘Energy Order” means the Energy (Northern Ireland) Order 2003.’

Mr Stewart Dickson

Mr John Blair

Mr Andrew Muir

New Clause

After clause 39 insert -

‘Supplementary matters: amendments to the Energy Order

39A.—(1) In Article 12(1) of the Energy Order, after “consumers” there shall be inserted “and future consumers”.

(2) In Article 12(5)(d) of the Energy Order, the word “and” shall be removed.

(3) In Article 12 of the Energy Order, after sub-paragraph (5)(e) there shall be inserted a new subparagraph —

“(f) to promote the use of renewable, sustainable or alternative forms of energy.”

Mr Stewart Dickson

Mr John Blair

Mr Andrew Muir

New Clause

After clause 15 insert -

‘Nitrogen balance sheets

15A.—(1) The Department must, no later than 18 months after this Act receives Royal Assent, create a balance sheet to quantify all major nitrogen flows across all sectors in Northern Ireland, including its coastal waters, the atmosphere and soil and flows across these boundaries, to be known as a “nitrogen balance sheet” for the purpose mentioned in subsection (2).

(2) The purpose of a nitrogen balance sheet is to record how nitrogen use efficiency contributes to achieving the targets in this Act.

(3) In this Act, “nitrogen use efficiency” is the ratio of nitrogen removed from the environment compared to the total nitrogen added to the environment and is calculated having regard to sources of nitrogen pollution including—

- (a) agriculture, food production and waste;
- (b) transport; and
- (c) energy.

(4) The department must by regulations make provision for—

- (a) a baseline figure for nitrogen use efficiency,
- (b) how nitrogen use efficiency is to be calculated,
- (c) the timescale in which the nitrogen balance sheet is to be reviewed,
- (d) monitoring and reporting upon the nitrogen balance sheet,
- (e) such other matters as they consider appropriate.

(5) Before laying the draft regulations under subsection (4), the department must—

- (a) take into account the transboundary nature of nitrogen flows;
- (b) consult with such other persons as the Department considers appropriate.’

Ms Clare Bailey
Miss Rachel Woods

Clause 16, Page 7, Line 7

At end insert -

‘(6) The Department must publish the report for public consultation for a period of not less than 12 weeks ending on a period which is not less than 10 working days before that report is laid before the Assembly.

(7) The Department must lay the results of the public consultation in subsection (6) before the Assembly at the same time as it lays the report.’

Ms Clare Bailey
Miss Rachel Woods

New Clause

After clause 16 insert -

‘Policies and proposals: targets

16B.—(1) Policies and proposals under section 16 shall contain targets to be achieved during the relevant budgetary period in the following areas—

- (a) soil quality; and
- (b) biodiversity

but these targets are subject to subsection (2) of this section.

(2) Targets under subsection (1) must be set in a way best calculated to achieve the relevant carbon budget after taking the following matters into account—

- (a) international law, including, in particular, the UNFCCC;
- (b) the impact of such targets on the environment of Northern Ireland;
- (c) the impact of such targets on public health and well-being;
- (d) the impact of such targets on fiscal, economic and social circumstances specific to Northern Ireland;
- (e) the just transition principles;
- (f) the transboundary impact.’

Ms Clare Bailey
Miss Rachel Woods

New Clause

After clause 16 insert -

‘Policies and proposals: further provision

16C.—(1) Policies and proposals under section 16 must ensure that the relevant carbon budget is achieved in the following sectors—

- (a) energy production and supply (including for residential, public and district heating and cooling purposes);
- (b) transport (including shipping and aviation);
- (c) infrastructure (including infrastructure for electric vehicular transport);
- (d) business and industrial processes;
- (e) residential and public (in relation to buildings in these sectors);
- (f) waste management;
- (g) agriculture;
- (h) land use and land-use change, including forestry;
- (i) fisheries; and
- (j) the provision of financial assistance to any person in connection with:
 - (i) the promotion of economic development in Northern Ireland or any part of Northern Ireland; and
 - (ii) the provision of infrastructure, goods or services in Northern Ireland or any part of Northern Ireland;

provided that, when setting out policies and proposals in respect of energy production and supply, the advices and recommendations of the SEM Committee in relation to the exercise of its functions under Article 6(2) of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007 (No. 913 (N.I. 7)) must be obtained and must be taken into account.’

Ms Clare Bailey
Miss Rachel Woods

New Clause

After clause 16 insert -

‘Policies and proposals: nature based solutions

16D. Policies and proposals under section 16 shall as far as is practicable, support nature based projects that enhance biodiversity; protect and restore ecosystems; and seek to reduce, or increase the removal of, greenhouse gas emissions or support climate resilience.’

Ms Clare Bailey
Miss Rachel Woods

New Clause

After clause 16 insert -

‘Policies and proposals: impact on small businesses

16E. Policies and proposals under section 16 must —

- (a) explain how the proposals set out in the plans are expected to impact on the workforce, employers, including but not limited to small and micro businesses, and communities; and
- (b) set out proposals for supporting the workforce, employers, including but not limited to small and micro businesses, and communities.
- (c) “Small and micro businesses” means businesses with less than 50 employees.’

Ms Clare Bailey
Miss Rachel Woods

New Clause

After clause 16 insert -

‘Policies and proposals: carbon leakage

16F.—(1) In setting out the policies and proposals under section 16, the department must take into account the risk of substantial or unreasonable carbon leakage in pursuit of the targets at sections 1 to 3 in this act and the desirability of eliminating such risk.

(2) “Carbon leakage” means the transfer, as a consequence of the implementation of sectoral plans, of the production of goods (including agricultural goods) and the provision of services to countries with policies of a description specified in subsection (3) of this section.

(3) The policies relate to greenhouse gas emissions which, when assessed against the targets at sections 1 to 3 in this Act, would not achieve those targets.’

Ms Clare Bailey
Miss Rachel Woods