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**FROM: PAUL MCGRANAGHAN
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DATE: 05 FEBRUARY 2026

**TO: DR. JANICE THOMPSON
AERA COMMITTEE CLERK**

The Climate Change (Just Transition Commission) Regulations (Northern Ireland) 2026

Summary: The Department of Agriculture, Environment and Rural Affairs intends to make the Climate Change (Just Transition Commission) Regulations (Northern Ireland) 2026 to deliver on the requirements of section 37 of the Climate Change Act (Northern Ireland) 2022¹ (the Act).

Business Area: Climate Change Legislation and Policy Division.

Issue: To advise the AERA Committee of the intention to make new regulations which will establish an advisory Non-Departmental Public Body to be known as the "Just Transition Commission".

Restrictions: None.

¹ [Climate Change Act \(Northern Ireland\) 2022 \(legislation.gov.uk\)](https://legislation.gov.uk)

Action Required: To note the content of this letter.

Officials Attending: Jane Corderoy, Director, Climate Change Legislation and Policy Division.
John Early, Deputy Director, Climate Change Legislation and Policy Division.
Ian Fleming, Grade 7, Head of Carbon Budgets & Just Transition Commission Regulations Branch.

Background

The Department of Agriculture, Environment and Rural Affairs proposes to make the above named Statutory Rule under powers conferred on it by section 37 of the Climate Change Act (Northern Ireland) 2022 (the Act).

The Statutory Rule is subject to affirmative procedure before the Assembly.

It will come into operation on the day after the day on which it is made. A copy of the Statutory Rule is attached at **Annex A** and the associated Explanatory Memorandum is at **Annex B**.

Purpose of legislation/policy background

This Statutory Rule implements the requirements of section 37 of the Act by establishing a Just Transition Commission for Northern Ireland.

The Act has broad requirements in relation to just transition including that all NI departments must have regard to the just transition principle when developing and delivering emissions reduction policies included in sectoral plans and climate action plans.

Applying the just transition principle to Northern Ireland emission reduction policymaking will assist in achieving the just transition objectives that are set out in section 30(3) of the Act, including supporting jobs and the growth of jobs that are climate resilient and environmentally and socially sustainable; contributing to a resource-efficient and sustainable economy; and taking into account the future generations principle by ensuring that the needs of the present are met without compromising the ability of future generations to meet their own needs.

To help departments deliver on just transition, section 37 of the Act places a duty on DAERA to establish a Just Transition Commission for Northern Ireland (the Commission). The Act sets out the functions of the Commission are to oversee the implementation of the just transition elements of the Act and to provide advice to departments on how to ensure that their emission reduction policies required under the Act comply with the just transition principle so far as possible.

Previous Engagement with the Committee

On 4 November 2024 the Committee were provided with a written update on the steps DAERA had taken to establish the Just Transition Commission and the proposed next steps including launching a public consultation on the draft regulations. An advanced copy of the consultation which included an illustrative draft of the regulations was provided to the Committee.

On 23 May 2025 the Committee considered a written briefing on the outcomes of the consultation. The Committee were also provided with an advanced copy of the outcomes of the consultation which was published on the DAERA website.

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Financial Implications

There are no capital costs associated with the Commission.

The Commission's operating resource costs are estimated at approximately £150k per annum, with total overall costs of £318k per annum. These costs include the staffing of the Secretariat team (provided by DAERA) to support the work of the Commission and overheads. This estimate is based on a Commission comprising of 15 members and one Chairperson, and include expenditure on travel and subsistence, IT requirements, website maintenance, research, and engagement activity. Commission members will be remunerated in line with Department of Finance public appointee remuneration levels.

In the first year of operation, it is anticipated there will be additional costs of around £26k. This reflects the expectation that the Commission will meet for an extra 5 days to allow for induction, development of its work plan and priorities, and any initial training or educational needs.

Although the Commission will be providing a service to all departments, it will be DAERA who will be responsible for providing the necessary core funding to maintain the Commission's basic functioning. However, should another department request advice from the Commission that would result in significant additional costs, it would be for the department requesting this advice to bear the additional costs.

Where further core funding resources are identified as being required to support the normal day to day functioning of the Commission these would be bid for by the Department in line with normal bidding processes.

Consultation

Whilst not required by the Act, given the important role the Commission will have, DAERA undertook a 10-week public consultation on the establishment of the Commission from 11 November 2024 to 20 January 2025 which sought views on policy options to establish the Commission ([Consultation on the establishment of a Just Transition Commission](#)). The consultation received 100 responses of which 83 were from organisations. The consultation sought views on aspects of the Commission establishment such as the type of body the Commission should be, its membership composition (including additional sectors to be represented), tenure, and the function and remit of the Commission.

The Department, during the consultation, also facilitated 12 engagement events through a number of events including with groups and organisations representing those sectors mandated by the Act for representation on the Commission. A list of the organisations who participated in these events is listed in an annex to the [Summary of the responses to the Consultation on the establishment of a Just Transition Commission](#).

The analysis of responses, which was previously shared with the Committee (link directly above), found that there was strong agreement with the Department's proposals across the consultation questions, particularly regarding the structural and organisation of the Commission. For example, 87% of respondents agreed that the Commission should be formed as an Advisory Non-Departmental Public Body, 82% supported having a membership of between 7 and 20 members and almost two thirds of respondents agreed with the proposed annual time commitment for members and recognised the need for flexibility within this. The vast majority also supported the provision of a secretariat to assist the Commission in its work.

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Approximately three quarters of respondents agreed that the Commission should fulfil its oversight duty by conducting reviews of sectoral plans and climate action plans and deliver its advisory function by providing information to all departments, either upon request or on a proactive basis.

Through the consultation the Department also sought views on the inclusion of representation on the Commission from additional sectors beyond those mandated in the Act. These were the energy, transport, and the financial/green finance sectors. There was strong support for all these sectors with 92% support for transport, 85% support for energy, and 75% support for green finance. The discussions at the engagement events mirrored this support.

In addition to the three sectors put forward by the Department, two further sectors emerged strongly from the consultation, and engagement events, that warranted consideration for inclusion. These were the built environment and a request for specific representation for rural communities separate to that of the agricultural sector already mandated by the Act. Some respondents also recognised that more than one representative may be required for certain sectors due to the size of and diversity within them. Two sectors were prominent in this discussion, the agriculture and environmental groups sectors.

There was a strong focus from the consultation on the need for workers, consumers and communities to be at the heart of the work of the Commission. This was linked to the strong majority support of 95% of respondents agreeing that the Commission should have the ability to establish ad-hoc working groups to facilitate research and learning, and to engage external expertise as needed to supplement the skills and knowledge of its existing members and to support the functions of the Commission.

Suggestions as to the initial priorities for the Commission, once established, centred on the Commission agreeing a Terms of Reference, engaging, communicating and listening to stakeholders, and establishing a clear work programme.

Consultation with the UK Climate Change Committee

In line with section 56(2)(a) of the Act, the Department sought the advice of the UK Climate Change Committee (CCC) about the proposal to make the Climate Change (Just Transition Commission) Regulations (Northern Ireland) 2026. The CCC published their advice on 2 June 2025 ([Link](#)).

The CCC welcomed the development of the draft Regulations and were supportive of the establishment of the Commission. The CCC recognised the role the Commission will bring as Northern Ireland realises the benefits of the transition to net zero.

The CCC, in their advice, made the following four key messages:

- Clarifying that the Commission's goal is to support government in delivering net zero in line with the just transition principle;
- Focusing the Commission's advice on a limited number of relevant economic sectors;
- Limiting its membership to a core number of independent experts; and
- Ensuring the Just Transition Commission for Northern Ireland has an established role to make formal recommendations to government.

The CCC's advice has been considered and addressed in the draft Regulations or will be addressed through non-legislative documents such as the Terms of Reference, a Memorandum of Understanding or a Partnership Agreement. Other elements relating to membership and tenure will be addressed through the appointments process.

In conjunction with the specified requirements of the Act, the Department has taken into account the advice of the CCC, the outcomes of the public consultation, and the feedback from the engagement sessions.

Compliance with Section 24 of the Northern Ireland Act 1998

The Regulations do not have any human rights implications, nor are they incompatible with the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement. The Regulations are therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

Consideration by the Executive

The Statutory Rule is cross-cutting and therefore requires Executive agreement. Agreement was secured at the meeting of the Executive on 22 January 2026 for DAERA to lay the Rule in the Assembly for debate and approval.

Equality Impact

In accordance with the Department's obligations under Section 75 of the Northern Ireland Act 1998, the equality implications of the Statutory Rule have been assessed. No adverse equality impacts of the Regulations to establish the Commission have been identified under the Equality and Human Rights screening procedures. The Department considers that the Statutory Rule will not result in any equality issues amongst Section 75 groups.

Regulatory Impact

A Regulatory Impact Assessment (RIA) was completed by the Department to assess the costs and benefits of the establishment of the Just Transition Commission. A copy of the RIA is attached at **Annex C** for your information.

Rural Needs Impact

As required by the Rural Needs Act (Northern Ireland) 2016, a Rural Needs Impact Assessment has been completed by the Department. While the Regulations to establish the Commission has no specific rural needs impact, specific provision has been made in the Regulations for a representative of the rural community to be on the Commission.

Data Protection Impact

A Data Protection Impact Assessment is not required for these Regulations. Once the Commission is established and members appointed, the Commission supported by the Secreteriat will conduct an assessment to determine the data it handles and ensuring it complies with data protection obligations and meets individuals' expectations of privacy.

Child Rights Impact

A Child Rights Impact Assessment has been completed by the Department. It found that the Commission will form part of a broader governance framework that helps to promote transparency, participation, and accountability, all of which are essential components of a rights-based assessment for children and young people. There is specific provision in the

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Regulations for a youth group representative to be on the Commission which is key given that children will experience the greatest future impacts of climate decisions.

Position in Great Britain

DAERA officials met with counterparts in Scotland and Ireland who were directly involved in setting up their Just Transition Commissions to learn from their experiences and to share best practice.

Wales: Wales does not have a Just Transition Commission. Wales, however, has put responsibility for ensuring a just transition into their “Future Generations Commissioner” remit.

England: England has no Just Transition Commission.

Scotland: The initial Scottish Just Transition Commission was set up by the Scottish Government at the end of 2018 as a non-statutory advisory Just Transition Commission - ([Scottish Just Transition Commission](#)).

The second, and current Scottish Just Transition Commission was established in 2021 and works with Scottish Ministers to provide practical, realistic, and affordable recommendations for climate action.

The Scottish Government provides their Commission with a dedicated secretariat of 3 members of staff, drawn from civil servants working in the Scottish Government. The secretariat acts as the first point of contact for the Commission and co-ordinates its meetings, engagement and research.

The Scottish Just Transition Commission have worked closely with the Scottish Government to provide scrutiny and advice on the ongoing development of their just transition plans, including the application of a Just Transition Planning Framework. A [Memorandum of Understanding is in place between The Just Transition Commission and Scottish Government](#). The Scottish Commission engages and collaborates with other sources of expertise, including other relevant Scottish Government advisory bodies and relevant programmes of work.

The Scottish Commission currently comprises 20 members of which two are co-chairs and two are working group members.

Ireland: A [Just Transition Commission](#) for Ireland, which consists of a chairperson and ten independent experts, was established in 2024 on a non-statutory basis. The Irish Just Transition Commission stated function is to:

- Prepare and analyse strategic evidence-based research in relation to just transition, to anticipate and inform long-term climate policy and investment planning;
- Evaluate, advise, and comment on policy planning, implementation, and progress on the application of Ireland’s Just Transition principles into national and sectoral climate policies, based on high-quality, evidence-based analysis; and
- Provide strategic advice and engagement on the Just Transition; the Commission will support the National Dialogue on Climate Action, as well as any dialogue on climate/ just transition matters within individual sectors.

The Irish Government provides a dedicated secretariat to support the work of the Commission which consists of four staff. The secretariat's role is similar to the Scottish model, providing a support service to the Commission in its functions.

Any other information

N/A

Proposed timing of consideration of the SL1

The Climate Change (Just Transition Commission) Regulations (Northern Ireland) 2026 is scheduled to be considered on 12 March 2026.

Proposed Operational Date

It is proposed that the rule will come into operation on the day after it is made.

The draft of the proposed Statutory Rule and Explanatory Memorandum are attached, and you will wish to bring this matter to the attention of the Committee for Agriculture, Environment and Rural Affairs.

This SL1 is being copied to the Human Rights Commission, Equality Commission and Assembly & Legislation Section of The Executive Office.

Yours sincerely,



Paul McGranaghan
Departmental Assembly Liaison Officer

Cc: Human Rights Commission
Equality Commission
Assembly & Legislation Section (Executive Office)

Annex A: Copy of the Statutory Rule
Annex B: Copy of Explanatory Memorandum
Annex C: Copy of the Regulatory Impact Assessment