

PUBLIC BODY SECTORAL WORKSHOPS - TO INFORM THE DEVELOPMENT OF FUTURE CLIMATE CHANGE (PUBLIC BODY REPORTING) REGULATIONS



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FREQUENTLY ASKED QUESTIONS AND ANSWERS

Q1. When did the Climate Change Act (Northern Ireland Act) 2022 become operational?

A: The Climate Change Act (Northern Ireland) 2022 ('the Act') received Royal Assent on 6th June 2022, coming into operation the following day. The Act can be found here: [Climate Change Act \(Northern Ireland\) 2022 \(legislation.gov.uk\)](https://legislation.gov.uk/uk/acts/2022/12).

Q2. What does section 42 of the Climate Change Act (Northern Ireland) 2022 require?

A: Section 42 of the Climate Change Act (Northern Ireland) 2022 requires the Department of Agriculture, Environment and Rural Affairs (DAERA) on behalf of the Northern Ireland Executive, to make new legislation (i.e. regulations*), within 18 months of the Act receiving Royal Assent, to impose climate change reporting duties on public bodies. The Public Body Reporting regulations will specify which bodies will have to report and what they have to report on.

**For the purposes of this document these regulations are now referred to as 'Public Body Reporting regulations'.*

Q3. Will the new Public Body Reporting regulations require public bodies to carry out their functions in a certain way?

A: Section 42 of the Climate Change Act (Northern Ireland) 2022 gives powers to make new regulations which set duties on specified public bodies to require climate change reporting by them, but it does not contain any powers nor duties to require public bodies to deliver their functions in a certain way. The new regulations therefore,

will require climate change reporting by certain specified public bodies only. They will not require those named bodies to take any other specific action(s).

Q4. What are the climate change reporting duties to be set in the new regulations on specified public bodies?

A: The climate change reporting duties to be set in the new regulations, for specified public bodies, are currently under development, and this will require agreement by the Northern Ireland Executive. To help inform the development of the regulations, views will be collected from public body stakeholder engagement in 2022 (through workshops), and through a later public consultation exercise to be carried out by DAERA in early 2023. Climate change duties set within the new regulations will, be within the scope of section 42 of the Climate Change Act (Northern Ireland) 2022.

Section 42 of the Act 2022 directs that climate change reporting duties, are duties for specified public bodies, to prepare reports which can contain the following:

- a) an assessment of the current and predicted impact of climate change in relation to the body's functions;
- b) a statement of the body's proposals and policies for adapting to, or mitigating the effects of, climate change in the exercise of its functions;
- c) a statement of the timescales for implementing those proposals and policies;
- d) an assessment of the progress made by the body towards implementing the proposals and policies set out in any previous reports prepared under the regulations.

The regulations will specify in further detail the climate change reporting duties required, within scope of section 42 of the Act.

Q5. Who will have to report under the new public body reporting regulations, and how often will they have to report?

A: Section 42 of the Climate Change Act (Northern Ireland) 2022 defines what a public body is, but it does not list who those bodies are, nor which of those bodies should be specified as having climate change reporting duties under the new Public Body Reporting regulations.

The Public Bodies who will be listed (i.e. specified) in the new regulations as having climate change reporting duties, and how often they will have to report under these regulations, will be a future Northern Ireland Executive decision.

To help inform this Northern Ireland Executive decision, DAERA is collecting views and information from targeted public body stakeholder engagement through a series of workshops before the end of 2022, and through a future public consultation exercise to be carried out by DAERA in early 2023.

Q6. What else will the Public Body Reporting regulations require public bodies to do?

A: The climate change reporting duties to be required by the new regulations are currently under development. Also, the regulations will be subject to public consultation, and will require agreement by the Northern Ireland Executive before they are made and become operational.

The Act allows the regulations to require specified public bodies to have (so far as relevant) regard to the following matters, in developing their reports under their climate change reporting duties:

- (a) the most recent report under section 56 of the UK Climate Change Act 2008 (i.e. the UK Climate Change Risk Assessment (the UK's report on the *impact* of climate change));
- (b) the most recent programme under section 60 of that Act (programme for *adaptation* to climate change for Northern Ireland);
- (c) the desirability of co-ordinating the proposals and policies with corresponding proposals and policies in other parts of the United Kingdom, in the Republic of Ireland or elsewhere.

Q7. Will reporting be mandatory or voluntary?

A: It is not yet known if reporting will be fully mandatory, or partially mandatory and/or voluntary under the new regulations. To help inform the Northern Ireland Executive decision on this, DAERA is collecting views and information from targeted public body stakeholder engagement through a series of workshops, which are expected to be undertaken before the end of 2022. It will also be informed through a public consultation exercise, to be undertaken by DAERA in early 2023.

Q8. Will there be a public consultation?

A: Yes, DAERA will carry out a public consultation on the proposed content of regulations, likely before the end of March 2023.

Q9. How will the information collected under the new regulations be used by government?

A: What will be reported by specified public bodies under the new Public Body Reporting regulations has yet to be decided by the Northern Ireland Executive. To help inform the development of the regulations, stakeholder views will be collected, through targeted stakeholder (public bodies) engagement workshops and a separate public consultation. How government will best use the information collected from public body reporting under the new regulations, is therefore still being considered.

Government recognises the importance of collecting high quality, proportional, relevant, and useful information from outside government in relation to climate change. The information collected under the new regulations may be used to inform future government climate change policy and related decisions.

As climate change understanding, data availability and collection capabilities improve in the future for public bodies, the reporting requirements on the public bodies will likely also evolve. The list of the specified bodies who are required to report under the regulations, is expected to be regularly reviewed.

Q10. What are the benefits of climate change reporting by public bodies?

A: There are multiple benefits to climate change data collection and reporting by public bodies, including:

- bodies can gain a better understanding of their exposure to the risks and any potential opportunities within their business planning and modelling;
- the information collected may allow a body to make better-informed decisions on where and when to allocate the body's capital in relation to its climate change risks, adaptation requirements and emissions reductions; and
- it can also improve transparency, provide better, higher quality climate change data outside of government, which may help inform government policies, and related decisions in the future, etc. For example, such climate change reporting and action can be an important part of our Green Growth and recovery. It may therefore assist Northern Ireland in delivering on a future Green Growth strategy. DAERA is currently leading on this Strategy's development on behalf of the Northern Ireland Executive through collaboration with other departments, local government and key stakeholders.

Find out more about the [benefits of climate change reporting by public bodies in this paper](#).

Q11. Will public bodies be supported by government in meeting their duties under the new regulations?

A: It is intended that the new Public Body Reporting regulations will be supported by detailed guidance, to help inform the specified public bodies on how they meet their climate change reporting duties. It is expected that the guidance will be developed and published by government (likely DAERA) at a time after the regulations have been made. Support such as training for public bodies to help the relevant bodies meet their climate change reporting duties under the new regulations is also under consideration.

Q12. When will the first reports be required under the new regulations?

A: The date when the specified public bodies will have to provide their first reports under the new regulations, has yet to be decided by the Northern Ireland Executive. Views collected from public body stakeholder engagement in 2022 (i.e. through workshops), and through a later public consultation exercise to be carried out by DAERA in early 2023 will help inform the Executives decision on this.