

# Climate Change Act (Northern Ireland) 2022 - New Legislation on Climate Change Reporting Requirements for Public Bodies in Northern Ireland

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

### Stakeholder Briefing



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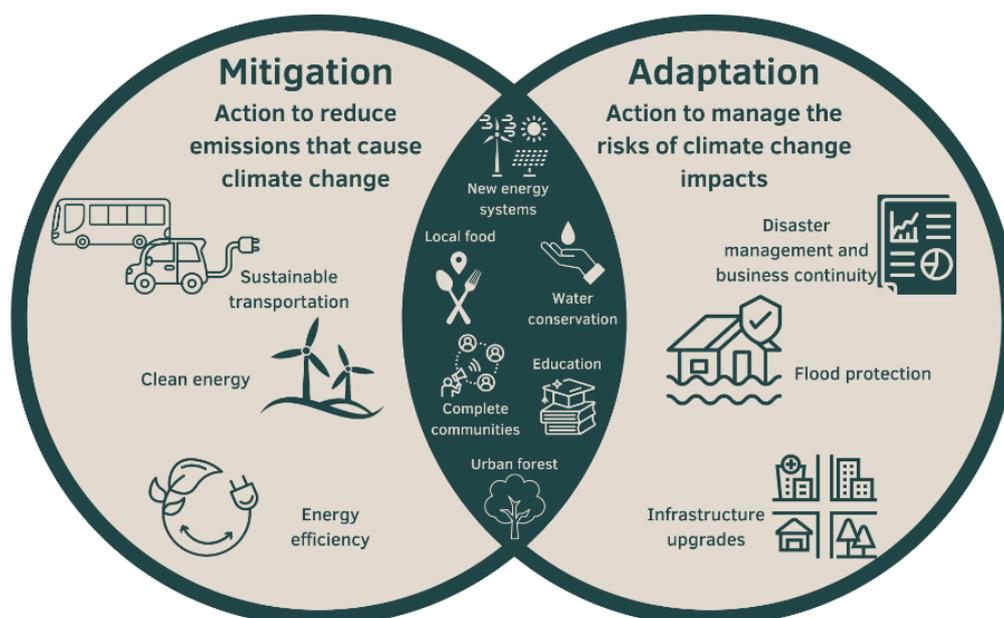


#### What is the Climate Challenge?

Climate change is not only a reality, but an urgent threat to our way of life. We all need to reduce our emissions to limit the changes. However, no matter how much we reduce our emissions, we are locked into a certain amount of change. Therefore, we all need to take rapid action to reduce emissions (mitigation), whilst preparing for the inevitable impacts of climate change (adaptation).

#### What is climate change mitigation and adaptation?

The diagram below shows some examples of the many actions that can be taken to reduce emissions which cause climate change (mitigation) and some of the actions that can be taken to reduce the impacts/risks of climate change (adaptation). The actions in green are examples of actions which can have direct co-benefits for both climate change adaptation and mitigation.



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### What is the Climate Change Act (NI) 2022?

The [Climate Change Act \(Northern Ireland\) 2022](#) ('the Act') received Royal Assent on 6th June 2022. It is an Act to set targets for the years 2050, 2040 and 2030 for the reduction of greenhouse gas emissions; to provide for a system of carbon budgeting; to provide for reporting and statements against those targets and budgets; to confer power to impose climate change reporting duties on public bodies; to provide for reports and advice from the Committee on Climate Change; and for connected purposes.

### What are the new reporting regulations required under the Act which will affect public bodies?

There is a statutory requirement in the Act under [Section 42](#) for DAERA, acting on behalf of the Northern Ireland Executive, to make new legislation (i.e. new regulations), **which will require climate change reporting by specified public bodies**. The new legislation must be made and come into operation before 6<sup>th</sup> December 2023. The Act requires prior consultation with relevant stakeholders before the regulations come into operation.

Section 42 of the Act gives powers to make new regulations which set duties on specified public bodies to report on climate change. However, it does not contain any powers or duties to require public bodies to deliver their functions in a certain way or to take any other specific actions beyond fulfilling their climate reporting duty.

The climate change reporting duties that the regulations may impose, on specified public bodies, include preparing reports containing any of 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 time-scales for implementing those proposals and policies; and
- 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.

### What public bodies may have to consider when preparing reports

The Act gives powers to DAERA to include in the regulations a requirement for the specified bodies, when preparing the reports, to have regard for:

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

### Importance of stakeholder engagement and input

By taking part in the pre-consultation workshops and information gathering exercises, you will provide your organisational perspective on:

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1. Which public bodies should report under the new regulations;
2. What should be reported on - i.e. questions which could be asked as a part of climate change reporting;
3. The timeline for public bodies providing their completed reports;
4. Whether reporting should be mandatory, or voluntary, or a combination of both;
5. How the reporting information collected could be used; and
6. What type of support organisations might need in order to help them produce their report.

More information on the Climate Change Act (NI) 2022, Section 42 can be found in the [Frequently Asked Questions for Stakeholders paper](#).

### What is Adaptation Reporting?

Climate Change 'Adaptation' means taking action to reduce vulnerability to the impacts of climate change, minimise or offset risks and to benefit from any associated opportunities where possible. Public body functions, supply chains and assets are already at risk, both in Northern Ireland and internationally. It is therefore critical that they recognise and understand their vulnerabilities from climate change, and also implement and demonstrate sufficiently well-informed and timely actions, policies and plans, to help reduce the negative impacts and risks from climate change. Adaptation reporting by those bodies will also enable them to monitor and evaluate their progress.

### What is Mitigation Reporting?

Everyone has a responsibility to contribute to reducing greenhouse emissions to tackle the global climate change crisis. Reporting on greenhouse gas emissions by organisations enables them to identify the sources of, and measure the levels of, their greenhouse gas emissions. Such reporting therefore can help inform effective emissions reduction plans including identifying and implementing any actions that can be taken to reduce emissions, and to enable the monitoring of progress.

### Is there Climate Change Reporting by Public Bodies elsewhere?

Public body reporting requirements in other government jurisdictions are highly varied. Some require reporting by public bodies on only adaptation, others only on mitigation, while others again have a mixture of both mitigation and adaptation reporting requirements. Also, these requirements in some cases, are mandatory or voluntary, or a mixture of both, and there is even a variety of approaches on selecting the bodies who report under these reporting regimes.

Some jurisdictions require reporting through setting those requirements in legislation, and some set the reporting requirements on public bodies through a policy. Even across jurisdictions which have made this type of reporting a legal requirement, there is no standardised approach.

Some main reporting themes that arise (although not included in every reporting regime, in every jurisdiction) include the provision of a range of data, on:

- Sources and levels of greenhouse gas emissions (*further information on this is below*);
- Actions and progress on reducing their greenhouse gas emissions (mitigation);
- Identifying and understanding how a body is at risk from the impacts of climate change (climate risk assessment); and

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- Actions, plans and policies by the body, to reduce its identified risks, impacts and vulnerability to climate change (adaptation).

[Appendix 1](#) to this document is available, which gives some high-level tabled examples of reporting requirements on public bodies in jurisdictions outside of Northern Ireland, set by the respective legislation or policy.

### **ADDITIONAL INFORMATION – WHICH MAY BE USEFUL TO KNOW**

#### **ADAPTATION**

##### **Where do we find information on current and predicted climate risks specific to Northern Ireland?**

Information, in relation to current and predicted climate risks specific to Northern Ireland, is contained in the independent assessment of the climate risk to the UK, which is referred to as the 'UK Climate Change Risk Assessment', or 'CCRA'. The CCRA is produced by the UK Climate Change Committee, as required by section 57 of the UK Climate Change Act 2008. The latest CCRA, which was published in 2021, features specific National Summary reports, including one for [Northern Ireland](#).

##### **What is the government response to current and predicted climate risks specific to Northern Ireland?**

The five-year Northern Ireland Climate Change Adaptation Programme(s) (known as 'NICCAP') set out the policies, actions and plans (including reporting) from Northern Ireland Executive Departments, to respond to the current and predicted climate risks for Northern Ireland. This is required under section 60 of the UK Climate Change Act 2008.

The NICCAP for the current period (2019-2024) is the [second Northern Ireland Climate Change Adaptation Programme](#) ('NICCAP2') which addresses the risks and impacts identified in the 2017 UK CCRA.

Adapting to a changing climate is a collective challenge with a shared responsibility for all sectors. Government has worked with a range of external stakeholders in delivering adaptation programmes and strategies which will address our climate change risks and opportunities. Adaptation action is also undertaken, outside of government involvement. In recognition of this, the Climate NI team within Northern Ireland Environment Link was commissioned by the Department of Agriculture Environment and Rural Affairs to work with stakeholders outside of government to develop a chapter in NICCAP2 which contained those organisations' (some of which were public bodies) response to the climate change risks and opportunities identified in the 2017 UK Climate Change Risk Assessment.

#### **MITIGATION**

##### **Greenhouse Gas Emissions Reporting - metrics and categorisation by 'scope'.**

The [Greenhouse Gas \(GHG\) Protocol standards](#) are recognised as the international standard for reporting. The standard metric used to report GHG emissions is carbon dioxide equivalent ('CO<sub>2e</sub>') in tonnes. Use of this metric allows for the capture of information related to the seven greenhouse gases covered by the Kyoto Protocol, to be converted into CO<sub>2e</sub> figures based on their global warming potential.

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Reporting requirements can be categorised under “Scopes”:

- Scope 1 emissions are direct emissions, from owned or controlled sources.
- Scope 2 emissions are indirect emissions, from the generation of purchased energy.
- Scope 3 emissions are the result of activities from assets not owned or controlled by the reporting organisation, but that the organisation indirectly impacts in its supply chain. Scope 3 emissions include all sources which are not within an organisation's scope 1 and 2 boundary.

Provided purely to illustrate these principles, below is a summary table (‘Table 1’), setting out examples of all three scopes, which are set out as ‘mandatory organisational emissions’ under the [UK Sustainability Reporting Guidelines 2021-2022](#).

**Table 1. Organisational emissions (Minimum requirement for public sector emissions accounting- based on UK Sustainability Reporting Guidelines 2021-2022)**

Scopes	Emission Sources	Mandatory	Voluntary/Best Practice
Scope 1	<ul style="list-style-type: none"> <li>• Fuel Combustion (e.g. gas/ oil burnt in boilers, furnaces or turbines)</li> <li>• Owned transport (e.g. trucks, cars, trains, ships, aeroplanes, etc.)</li> <li>• Physical or chemical processing (e.g., from organisation’s own manufacture or processing of chemicals, such as cement, ammonia and in waste disposal)</li> <li>• Fugitive emissions (e.g. air conditioning and refrigeration emissions, methane leaks from pipelines)</li> </ul>	x	
Scope 2	<ul style="list-style-type: none"> <li>• Purchased electricity (purchased directly from generating suppliers)</li> <li>• Purchased heat, steam and cooling (e.g. Combined Heat and Power - purchased directly from generating suppliers)</li> </ul>	x	
Scope 3	<ul style="list-style-type: none"> <li>• Business travel (via transport not owned by the organisation)</li> </ul>	x	
	<ul style="list-style-type: none"> <li>• Delivery and distribution (via transport not owned by the organisation)</li> <li>• Use of purchased materials and consumables (e.g. water, paper, aggregates, metal, wood, etc.)</li> <li>• Use of owned and leased assets</li> <li>• Contracted out activities</li> <li>• Waste disposal</li> </ul>		x