

*These notes refer to the Climate Change Act (Northern Ireland)
2022 (c.31) which received Royal Assent on 6 June 2022*

Climate Change Act (Northern Ireland) 2022

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6 - Supplementary

Section 53: Regulations: general

This section provides the Department with a power, when making regulations under the Act, to make consequential or supplementary provisions. This includes a power to amend the Act itself, or a carbon budget before the budgetary period begins.

Subsection (3) requires that regulations made under the Act must be made under the draft affirmative resolution procedure except those regulations referred to in subsection (4) which are to be made under negative resolution. The regulations which can be made under negative resolution by virtue of subsection (4) are those made under section 9(4) or 42(1) (to either amend the definition of Northern Ireland removals or to set out requirements in respect of public body reporting) unless such regulations contain consequential or supplementary provision of the kind mentioned in subsection (2) of this section.

If consequential or supplementary provision is made under subsection (2) to amend an emissions target, add a new target or amend a carbon budget, section 54 will be applicable. If consequential or supplementary provision is made under subsection (2) to specify a different baseline year for a greenhouse gas or change a budgetary period, then section 55 applies.