

*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 56: Requirement to obtain advice about proposals to make regulations

This section sets out requirements on the Department in relation to obtaining advice from the Committee on Climate Change when making regulations under any provision in the Act, with the exception of regulations being made in accordance with section 54(2)(b).

Subsection (2) places a duty on the Department, when making regulations under section 9(4) or 43(1) or laying draft regulations under section 53(3), to request advice from the Committee on Climate Change and to take this advice into account.

Subsection (3) places a duty on the Department to specify a reasonable period as to when the advice should be provided. Under subsections (4) and (5) the Committee has to provide the advice within the prescribed timescale and to provide reasons as to why particular advice has been recommended.

Subsection (6) requires the advice supplied by the Committee to be published by the Department.

Subsections (7) to (9) apply if the Department intends to make regulations that differ from what the Committee has recommended. The Department must either publish or lay in the Assembly (depending on the process through which the regulations in question are being made) a statement setting out the reasons for the difference.