

Climate Change and Greenhouse Gas Reduction (Climate Change Council Member) Appointment 2019 (No 1)

Disallowable instrument DI2019–151

made under the

Climate Change and Greenhouse Gas Reduction Act 2010, s 20 (Membership)

EXPLANATORY STATEMENT

Introduction

This explanatory statement relates to the *Climate Change and Greenhouse Gas Reduction (Climate Change Council Member) Appointment 2019 (No 1)* as presented to the Legislative Assembly. It has been prepared in order to assist the reader of the disallowable instrument and to help inform debate on it. It does not form part of the disallowable instrument and has not been endorsed by the Assembly.

The Statement must be read in conjunction with the disallowable instrument. It is not, and is not meant to be, a comprehensive description of the disallowable instrument. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

Overview

The *Climate Change and Greenhouse Gas Reduction Act 2010* (the Act) section 20 (Membership) provides for the appointment to the ACT Climate Change Council (Council) of suitably qualified members of the community to provide advice to the Minister on matters relating to the reduction of greenhouse gas emissions and adaptation to climate change. The appointment for the non-public employee members of the Council is by way of a disallowable instrument which must be notified on the Legislation Register and tabled in the Legislative Assembly under the *Legislation Act 2001* (Legislation Act).

Section 20(3) of the Act provides that the Minister may appoint a person as a member to the Council only if satisfied that the person is committed to addressing climate change and has knowledge and experience in an area relevant to the operation of the Act.

Appointment

The disallowable instrument appoints Professor Mark Howden as a member of the Council. Professor Howden is not a public servant. Professor Howden is appointed for the period 1 July 2019 until 30 June 2022.

Professor Howden is Director of the Climate Change Institute at the Australian National University. He is also an Honorary Professor at Melbourne University, a

Vice Chair of the Intergovernmental Panel on Climate Change (IPCC) and a member of the Australian National Climate Science Advisory Committee. He was on the US Federal Advisory Committee for the 3rd National Climate Assessment and contributes to several major national and international science and policy advisory bodies. Professor Howden has worked on climate variability, climate change, innovation and adaptation issues for over 30 years in partnership with many industry, community and policy groups via both research and science-policy roles. Issues he has addressed include agriculture and food security, the natural resource base, ecosystems and biodiversity, energy, water and urban systems. Professor Howden has over 420 publications of different types. He helped develop both the national and international greenhouse gas inventories that are a fundamental part of the Paris Agreement and has assessed sustainable ways to reduce emissions. He has been a major contributor to the IPCC since 1991, with roles in the Second, Third, Fourth, Fifth and now Sixth Assessment Reports, sharing the 2007 Nobel Peace Prize with other IPCC participants and Al Gore.

Professor Howden is appointed to the Council to represent climate change science.

The appointment has been made by the Minister for Climate Change and Sustainability. The Minister consulted the Standing Committee on Environment and Transport and City Services in accordance with section 228 (Consultation with appropriate Assembly committee) of the Legislation Act. Any response from the Standing Committee was incorporated as appropriate.

A Regulatory Impact Statement (RIS) is not required for this disallowable instrument as it is unlikely to impose appreciable costs on the community (section 34(1) of the Legislation Act). Further, in accordance with section 36(1)(b) of the Legislation Act, a RIS is not necessary as the matter does not operate to the disadvantage of anyone by adversely affecting the person's rights or imposing liabilities on the person.

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.

Outline of provisions

Section 1 – Name of instrument

This section names the instrument.

Section 2 – Commencement of appointment

This section provides for the commencement of the instrument. The instrument commences on 1 July 2019.

Section 3 – Climate Change Council member appointment

By this section the Minister appoints Professor Mark Howden as a member of the Council.

Section 4 – Term of appointment

This section provides that the appointment of the member ends on 30 June 2022.