

Climate Change and Greenhouse Gas Reduction (Council Member) Appointment 2025 (No 10)

Disallowable instrument DI2025–205

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 (Council Member) Appointment 2025 (No 10)* as presented to the Legislative Assembly. It has been prepared 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

Section 16 of the *Climate Change and Greenhouse Gas Reduction Act 2010* (the **Act**) establishes the Climate Change Council (the **council**). Section 20 of the Act provides for the appointment to the 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.

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.

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* (the **Legislation Act**).

Appointment

The disallowable instrument appoints Mr Stephen Mudford as a member of the council.

Mr Mudford is appointed for the period 21 July 2025 until 20 July 2028.

Mr Mudford is appointed to the council for his expertise in Ngunnawal perspectives and practices.

Mr Mudford is a Ngunnawal Elder who has actively participated in the Dhawura Ngunnawal Caring for Country Committee and ACT Climate Change Council (as an observer) by providing ideas and knowledge of how people, culture, heritage, and Country are impacted by climate change. Mr Mudford is an active member of the ACT Aboriginal and Torres Strait Islander community and has previously led discussions with Ministers on behalf of the Ngunnawal Community.

Mr Mudford is not a public servant.

Consultation

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

Regulatory Impact Statement (RIS)

A 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.

Remuneration

As the role of member is a statutory appointment, remuneration arrangements have been determined by the ACT Remuneration Tribunal. Council members will be paid in accordance with Determination 15 of 2024 Part-time Statutory Office Holders.

Scrutiny Committee terms of reference

The instrument is consistent with the Legislative Assembly's Scrutiny of Bills Committee Terms of Reference. In particular, the instrument:

1. Is made under a ministerial power found in the Act (see section 20 of the Act).
2. Is in accordance with the general objects of the Act under which it is made. The appointment of a member to the council is integral to the operation of the council and achieving the objects of the Act.
3. Does not unduly trespass on rights previously established by law.
4. Does not make rights, liberties and/or obligations unduly dependent on non-reviewable decisions. The instrument enables formal appointment of a member of the council.