

2018

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION (PRINCIPAL TARGET)
AMENDMENT BILL 2018**

EXPLANATORY STATEMENT

**Presented by
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Minister for Climate Change and Sustainability**

EXPLANATORY STATEMENT

This explanatory statement relates to the *Climate Change and Greenhouse Gas Reduction (Principal Target) Amendment Bill 2018* (the Bill) as presented to the ACT Legislative Assembly. It has been prepared in order to assist the reader of the Bill and to help inform debate on the Bill. It does not form part of the Bill and has not been endorsed by the Legislative Assembly.

The explanatory statement must be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the Bill. 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.

Background

The *Climate Change and Greenhouse Gas Reduction Act 2010* (the Act) sets targets to reduce greenhouse gas emissions in the ACT.

Section 6(1) of the Act sets the principal target of reducing greenhouse gas emissions to achieve net zero emissions by 30 June 2050. Section 7(1) of the Act sets an interim target of reducing greenhouse gas emissions to 40% less than 1990 emissions by 30 June 2020. Section 7(2) of the Act allows the Minister to determine additional interim targets by disallowable instrument.

In October 2017, the ACT Climate Change Council (the Council) submitted advice to the ACT Government on the greenhouse gas emissions targets in sections 6 and 7 of the Act. The Council recommended bringing forward the principal target for reaching net zero emissions in section 6(1) of the Act from 30 June 2050 to 30 June 2045, and adopting additional interim targets to set a pathway to achieving net zero emissions by that date.

The Council's advice is based on:

- (i) The latest scientific evidence of the impacts and risks of climate change both globally and in the ACT;
- (ii) The ambition to limit the impacts of climate change to a 2 degrees warming scenario;
- (iii) The latest information and analysis on the ACT's emissions and technical options for emissions reductions; and
- (iv) The ACT's ability to reduce emissions as a relatively prosperous and well-educated region.

In December 2017, the ACT Government released a discussion paper titled ‘ACT’s Climate Strategy to a Net Zero Emissions Territory’ (the Discussion Paper). The purpose of the Discussion Paper was to inform the development of the ACT’s next climate change strategy. As part of this process, community feedback was sought on the targets proposed by the Council. During the public consultation period for the Discussion Paper, which occurred between December 2017 and April 2018, strong support was expressed for bringing forward the ACT’s principal target date for achieving net zero emissions.

In this context, the Council’s advice to implement new emissions reduction targets is being adopted by the ACT Government. The new emissions reduction targets will set the framework for future development of climate change policy in the ACT, and ensure the ACT remains a world-leading jurisdiction in tackling climate change.

A Regulatory Impact Statement (RIS) is not required for this bill 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. Any specific initiatives that are developed to achieve the reductions in emissions will be subject to a RIS and/or Triple Bottom Line Assessment as they are developed in the future.

Overview of the Bill

The Bill amends section 6(1) of the Act to bring forward the principal target date for achieving net zero emissions from 30 June 2050 to 30 June 2045.

A series of additional interim targets to set a pathway to the principal target date have also been publicly announced by the Minister and will be implemented through a disallowable instrument. These interim targets will be:

- (i) 50-60% below 1990 levels by 2025;
- (ii) 65-75% below 1990 levels by 2030; and
- (iii) 90-95% below 1990 levels by 2040.

Provisions in detail

Clause 1 **Name of Act**

This clause sets out the name of the Act as the *Climate Change and Greenhouse Gas Reduction (Principal Target) Amendment Act 2018*.

Clause 2 **Commencement**

This clause sets out that the *Climate Change and Greenhouse Gas Reduction (Principal Target) Amendment Act 2018* will commence on the day after its notification day.

Clause 3 **Legislation amended**

This clause specifies that the *Climate Change and Greenhouse Gas Reduction Act 2010* is being amended.

Clause 4 **ACT greenhouse gas emissions target Section 6(1)**

This clause sets out the amendment being made to the *Climate Change and Greenhouse Gas Reduction Act 2010*, being the omission of '30 June 2050' and inclusion of '30 June 2045'.