

Climate Change and Greenhouse Gas Reduction (Council Member) Appointment 2021 (No 1)

Disallowable instrument DI2021–290

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 2021 (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 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 Dr Aparna Lal as a member of the Council. Dr Lal is not a public servant. Dr Lal is appointed for the period 1 February 2022 until 31 January 2025.

Dr Lal is appointed to the Council to represent the community's interest in climate change and has a broad range of skills and knowledge relating to addressing, or adapting to, climate change.

Dr Aparna Lal has a multidisciplinary science background, with two postgraduate degrees in Wildlife Science and Ecology, a PhD in Public Health and qualifications in Environmental Law and Zoology. A large part of Dr Lal's current work focuses on populations that are disproportionately vulnerable to a variety of health impacts associated with climate change. In Australia, these include Indigenous and rural communities. Dr Lal has published numerous studies on the health impacts of droughts and floods, and has written on the health impacts of bushfires, including relating to air quality issues. Dr Lal also brings expertise in high level statistical modelling and best-practice open science to her work that considers how a focus on human well-being can improve outcomes of ecological restoration.

The appointment has been made by the Minister for Water, Energy and Emissions Reduction. The Minister consulted the Standing Committee on Environment, Climate Change and Biodiversity 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.