

Climate Change and Greenhouse Gas Reduction (Council Member and Chair) Appointment 2022

Disallowable instrument DI2022–94

made under the

Climate Change and Greenhouse Gas Reduction Act 2010, s 20 (Membership) and s 21 (Chair)

EXPLANATORY STATEMENT

Introduction

This explanatory statement relates to the *Climate Change and Greenhouse Gas Reduction (Council Member and Chair) Appointment 2022*. 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 (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. 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*).

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.

Section 21 of the Act requires the Minister to appoint a member of the Council to be the Chair of the Council.

Appointment

The disallowable instrument reappoints Professor Mark Howden as member and Chair of the Council. Professor Howden is not a public servant. Professor Howden is appointed for the period 1 July 2022 until 30 June 2025.

Professor Howden is reappointed as Chair 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. Professor Howden has served one three-year term on the Council and is eligible to serve a second three-year term.

Professor Howden has been working on climate risk management issues and agricultural and environmental innovation for more than 30 years. Professor Howden has a broad range of skills and experience in a variety of sectors and disciplines, in integrating across these sectors and disciplines and in linking users with relevant science. Professor Howden is Director of the Australian National University's Institute for Climate, Energy and Disaster Solutions. He is also a Vice-Chair of the Intergovernmental Panel on Climate Change.

Professor Howden's previous work focused on the relationships of climate with forestry and biodiversity, water resources and energy demand, the built environment and the mining sector. Much of the work has been linking research with partners in industry and policy, focussing on developing adaptation pathways and addressing constraints to adoption. Professor Howden has worked for many years on greenhouse emission inventories and mitigation options and on the underlying climate science and its delivery to stakeholders.

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 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.