

# Climate Change and Greenhouse Gas Reduction Act (Council Member) Appointment 2022 (No 3)

Disallowable instrument DI2022–97

made under the

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

## EXPLANATORY STATEMENT

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### Introduction

This explanatory statement relates to the *Climate Change and Greenhouse Gas Reduction (Council Member) Appointment 2022 (No 3)*. 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.

## **Appointment**

The disallowable instrument reappoints Dr Paul Bannister as a member of the Council. Dr Bannister is not a public servant. Dr Bannister is appointed for the period 1 July 2022 until 30 June 2025.

Dr Bannister is reappointed 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 Bannister has previously served a three-year term on the Council and is eligible to serve a second three-year term.

Dr Bannister has over 30 years' experience in the renewable energy and building energy efficiency industry. Dr Bannister holds a PhD in the field of solar thermal energy and has experience providing consulting services on environmental and climate-related matters. Dr Bannister's experience in energy efficiency has included energy audits of more than a hundred buildings, and the review and advocacy in relation to energy efficiency in new building developments notable Canberra projects: Scarborough House, Sirius Building, 120 Marcus Clarke, Caroline Chisholm Building, Louise Lawson Building, and the National Portrait Gallery.

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.