Draft Regulations laid before the Assembly under section 53(3) of the Climate Change Act (Northern Ireland) 2022 for approval

DRAFT STATUTORY RULES OF NORTHERN IRELAND

2026 No. 0000

CLIMATE CHANGE

The Climate Change (Just Transition Commission) Regulations (Northern Ireland) 2026

Made - - - - xx xxxx 2026

Coming into operation in accordance with Regulation 1(2)

The Department of Agriculture, Environment and Rural Affairs makes these Regulations in exercise of the powers conferred by section 37 of the Climate Change Act (Northern Ireland) 2022(**a**).

Before laying draft Regulations before the Assembly under section 53(3) of that Act, the Department of Agriculture, Environment and Rural Affairs requested advice from the Committee on Climate Change about the proposal to make these Regulations and took the Committee's advice into account.

Introductory

Citation and commencement

1.—(1) These Regulations may be cited as the Climate Change (Just Transition Commission) Regulations (Northern Ireland) 2026.

(2) They come into operation on the day after the day they are made.

Interpretation

2. In these Regulations –

"the Act" means the Climate Change Act (Northern Ireland) 2022;

"the Commission" means the body established by regulation 3.

Just Transition Commission

Establishment of the Commission

3.—(1) There is established a body to be known as the Just Transition Commission.

(2) The Schedule (which makes further provision regarding the Commission) has effect.

(**a**) 2022 c. 31 (N.I.)

Oversight function

Oversight of implementation of just transition elements of the Act

4.—(1) The Commission may review and report on the implementation of the just transition elements of the Act (so far as relevant) by–

(a) any sectoral plan published under sections 13 to 21 of the Act;

(b) any climate action plan published under section 29 or 51 of the Act;

(c) any scheme established by regulations under section 31 of the Act.

(2) The following provisions of the Act are specified as its just transition elements–

(a) section 13(4);

(b) section 30(2)(a), (3) and (6);

(c) section 31;

(d) section 32(2)(e).

Other functions

Provision of advice to Departments

5. Where the Commission is requested by a Northern Ireland department to provide it with advice, the Commission must so far as practicable comply with any timeframe for the provision of the advice set by that department after consultation with the Commission.

Provision of information to the Commission

6.—(1) The Commission may request any public body to provide the Commission so far as practicable with such information as the Commission considers necessary for the discharge of its functions.

(2) The Commission may set a timeframe for the provision of that information after consultation with that body.

(3) In paragraph (1) "public body" means a body established by or under a statutory provision within the meaning of section 1(f) of the Interpretation Act (Northern Ireland) 1954 (**a**).

Supplementary

7.—(1) The Commission has power to do anything which is calculated to facilitate, or is conducive or incidental to, the performance of any of its functions.

(2) Anything authorised or required to be done by the Commission may be done by any person who is authorised for that purpose by the Commission, whether generally or specially, with approval of the Department.

Reports

Annual and other reports

8.—(1) As soon as practicable after the end of each financial year, the Commission must prepare and lay before the Assembly a report on the performance of the Commission's functions.

(2) The Commission must lay before the Assembly a copy of any report prepared and published under regulation 4.

(**a**) 1954 c. 33 (N.I.)

(3) The Commission may prepare and publish other reports and it must lay a copy of any report prepared and published under this paragraph before the Assembly.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on xx xxxx 2026.

Name
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

SCHEDULE

Regulation 3(2)

THE COMMISSION

Appointment of members

1.—(1) The Department may appoint a chairperson and up to 19 other members of the Commission.

(2) The members of the Commission must include a representative of each of the following—

(a) academia;

(b) civic society;

(c) youth groups;

(d) the rural sector;

(e) trade unions;

(f) green finance;

(g) the energy sector;

(h) the transport sector;

(i) the built environment sector;

(j) the fisheries sector.

(3) The members of the Commission must include—

(a) two representatives of environmental groups;

(b) three representatives of the agricultural sector.

Committees

2.—(1) The Commission may, with the approval of the Department, establish committees to provide advice and assistance to the Commission in the discharge by the Commission of its functions.

(2) The members of a committee may include external committee members but at least one member must be a member of the Commission.

(3) In this Schedule—

"committee" means a committee established under this paragraph;

"external committee members" means members of a committee who are not members of the Commission.

Tenure

3.—(1) A member of the Commission holds office in accordance with the member's terms of appointment.

(2) A member of the Commission may resign at any time by notice in writing to the Department.

(3) The Department may dismiss a member of the Commission by notice in writing if satisfied that the member—

(a) has been convicted of a criminal offence,

(b) has become bankrupt or the subject of a bankruptcy restrictions order, a debt relief order or a debt relief restrictions order, or has made a voluntary arrangement,

(c) is unable or unfit to carry out the functions of a member, or

(d) has, for a continuous period of 3 months, without reasonable excuse, failed to attend any meetings of the Commission or a committee or to carry out the functions of that member.

(4) Each of the expressions used in sub-paragraph (3)(b) has the same meaning as in the Insolvency (Northern Ireland) Order 1989(**a**).

(5) This paragraph applies to members of a committee as it applies to members of the Commission except that in sub-paragraph (3)(d) the reference to meetings of the Commission is omitted in the case of an external committee member.

Remuneration and allowances

4.—(1) The Department may pay to a member of the Commission or to an external committee member such remuneration and allowances as the Department may determine.

(2) The Department may pay to a person invited under paragraph 5(3) or (4) to attend meetings of the Commission or a committee such allowances as the Department may determine.

Procedure

5.—(1) The Commission may regulate the procedure of the Commission and its committees (including voting rights).

(2) But the quorum of the Commission must be determined at a meeting of the Commission attended by the chairperson and at least two thirds of the other members of the Commission.

(3) The Commission may invite persons who are not members of the Commission to attend its meetings but this sub-paragraph does not confer any voting rights at the meetings.

(4) A committee may invite persons who are not members of the committee to attend its meetings but this sub-paragraph does not confer any voting rights at the meetings.

Conflicts of interest

6.—(1) The Commission must keep a register of the interests of its members.

(2) The Commission must publish the register or make arrangements to ensure that members of the public have access to the register on request.

(3) The Commission must make arrangements—

(a) for a member of the Commission or an external committee member to declare any conflict or potential conflict of interest that the member has in relation to a decision to be made in the exercise of the functions of the Commission or the committee, as the case may be; and

(b) for any such declaration to be made as soon as practicable after the member becomes aware of the conflict or potential conflict and included in the register.

(4) The Commission must make arrangements for managing conflicts and potential conflicts of interest in such a way as to ensure that they do not, and do not appear to, affect the integrity of the decision-making processes of the Commission and its committees.

(**a**) S.I. 1989/2405 (N.1. 19)

Accounting, reporting and record-keeping

7. The Commission must make appropriate arrangements for accounting, reporting and record-keeping in relation to the Commission and its committees.

Defects in appointment etc.

8. The validity of anything done by the Commission or a committee is not affected by—

(a) any vacancy in the membership of the Commission or the committee, or

(b) any defect in the appointment of a member of the Commission or the committee.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations made under section 37 of the Climate Change Act (Northern Ireland) 2022 (c. 31) make provision about the Just Transition Commission.

Regulation 3 establishes the Commission and the Schedule contains further provision about the Commission.

Regulation 4 provides for the Commission to oversee the implementation of the provisions of the Act specified as its just transition elements in regulation 4(2). Regulations 5 and 6 relate to the provision of advice by the Commission and the provision of information to the Commission. Regulation 7 contains supplementary powers including power to delegate.

Regulation 8 makes provision for the preparation and publication of reports and for them to be laid before the Assembly.

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£8.90

http://www.legislation.gov.uk/id/nidsr/2026/9780338026194

ISBN 978-0-33-802619-4

