



[Click here for
Explanatory Memorandum](#)

**AN BILLE UM SPRIOCANNA MAIDIR LE hATHRÚ
AERÁIDE 2005
CLIMATE CHANGE TARGETS BILL 2005**

*Mar a tionscnaíodh
As initiated*

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Definitions.
3. Government Policy.
4. Development of Government practice at the national level.
5. Development of Government practice at the international level.
6. Development of National Plan.
7. Functions of the Ministers.
8. Reporting to the Houses of the Oireachtas.



AN BILLE UM SPRIOCANNA MAIDIR LE hATHRÚ
AERÁIDE 2005

CLIMATE CHANGE TARGETS BILL 2005

BILL

5

entitled

AN ACT TO SAFEGUARD THE FULFILLMENT OF OUR
OBLIGATIONS TO MEET CLIMATE CHANGE
TARGETS.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

10 **1.**—This Act may be cited as the Climate Change Targets Act Short title.
2005.

2.—In this Act—

Definitions.

15 “renewable energy sources” mean those resources and technologies
that are environmentally sound, that represent a small fraction of the
current resource base, and that need market support. Such a defini-
tion would include the twenty one types of renewable energy sources,
namely wind, solar, biomass, wave, tidal, hydropower, biomass and
landfill gas energy, but not including hydrogen or electricity pro-
duced by nuclear energy.

20 **3.**—(1) The Government commits itself through its participation Government Policy.
in international negotiations to assist in the establishment of a fair
and equitable mechanism for achieving a reduction in global Green-
house Gas emissions.

25 (2) The Government accepts that such emissions need to be
reduced to the extent that they in turn limit any increase in global
average temperatures caused by the greenhouse effect to a rise of
less than two degrees centigrade.

30 (3) The Government will seek to ensure that no country is
excluded from international agreements on climate change and that
the responsibility for addressing the problem is shared on an equit-
able and fair basis between all countries.

Development of
Government
practice at the
national level.

4.—(1) That while it is expected that international agreements will allow for flexible mechanisms whereby reductions in greenhouse emissions in one country can be credited by trading or other arrangements for a reduction in other countries national emissions, it is expected that real reductions in our own domestic emissions shall be to the forefront of our response to meeting our agreed target. 5

(2) The Government, in recognising that the most significant reductions in our national emissions will come from the replacement of fossil fuels in the provision of electricity, heat and transport services by renewable forms of energy supply, will establish targets for the years 2020 and 2050 for the percentage of our total primary energy requirement which will be provided by renewable energy supply. 10

Development of
Government
practice at the
international level.

5.—(1) However, in recognition that the legacy of historically high emissions from economically developed countries is already endangering the climate for those poorer countries that did not enjoy the benefits of a similar level of economic activity, and given that the level of per capita emissions among developed countries remains significantly above the international average, then we in co-operation with our fellow members of the European Union and the OECD will provide a lead in reducing our own level of emissions. 15 20

(2) To this end the Government commits itself to reducing the level of recorded Greenhouse Gas emissions within the country by 15 to 30 per cent by 2020 in accordance with targets already agreed by the European Union heads of state in spring 2005. 25

(3) The Government commits itself to reducing the level of recorded Greenhouse Gas emissions within the country by 2050 to a level which is between 60 and 80 per cent lower than the corresponding level of emissions recorded in 1990.

(4) Such a target is accepted as being consistent with what will be required internationally for the average increase in global temperatures to be maintained at less than two degrees. 30

(5) In recognition that the State has already entered into binding international agreements in the Kyoto Protocol which will establish our level of emissions up to the year 2012, the Government will in the years thereafter establish the necessary annual pro-rata reduction that would be required for us to reach the targeted 60 to 80 per cent reduction by the year 2050 on a gradual incremental basis. 35

Development of
National Plan.

6.—(1) The Minister for the Environment, Heritage and Local Government (“the Minister”) shall draw up within two years of the coming into force of this Act, and in consultation with national energy agencies, a national climate change targets plan (“the national plan”) which will show what measures are in his or her opinion necessary in order to achieve specified climate change targets (“the targets”). 40 45

(2) It shall be the duty of the Minister—

(a) to provide information showing what measures are needed to achieve estimated greenhouse gas emissions reductions of—

(i) 15 to 30 per cent by 2020, and 50

(ii) 60 to 80 per cent by 2050,

(b) to prepare a statement (“the plan”) of the arrangements needed and made, or proposed to be made, by the Minister and other persons in order to achieve lower Greenhouse Gas emissions, and such a plan may include the development of a scheme of per capita carbon allocation and trading, which would set the national CO₂ emissions limit and would allow flexible trading of carbon for individuals and corporations under such a scheme,

(c) to carry out from time to time further investigations with a view to deciding what changes to the plan are needed,

(d) to make any modifications to the plan which the Minister thinks is appropriate in consequence of any further investigations.

7.—(1) The Minister will report each year to the Houses of the Oireachtas outlining the success or otherwise in achieving this desired annual reduction and set out the policy measures that will be implemented to ensure that any shortfall in achieving the necessary annual reduction is not carried forward indefinitely to be dealt with in future years.

Functions of the Ministers.

(2) The Minister may make regulations in order to secure the proper implementation of any plan under this section but any such regulations may be subject to annulment pursuant to a resolution of either House of the Oireachtas.

(3) The Minister for Finance in his annual budget presentation to the Houses of the Oireachtas will further outline the measures that he intends taking to address any deviation that may develop from the annual targeted reductions in emissions.

(4) The Minister for Communications, Marine and Natural Resources will present an annual report to the Oireachtas on our success or otherwise in reaching the annual change that would be required to meet the interim and long-term renewable energy supply targets.

(5) Given that further significant reductions are likely to arise from the more efficient use of energy in the provision of electricity, heating and transportation services, the Minister for Communications, Marine and Natural Resources will set targets for 2020 and 2050 on the expected national reductions in energy use that will be achieved via increases in energy efficiency and provide an annual report to Dáil Éireann on the progress made in reaching those targets.

8.—(1) The Minister—

Reporting to the Houses of the Oireachtas.

(a) shall, as soon as practicable after the completion of the national plan, report thereon to each House of the Oireachtas,

(b) may, having considered—

(i) views expressed during the course of any subsequent debate in either House of the Oireachtas, and

- (ii) new regulations emerging from international agreements and negotiations,
- (iii) take such steps as he or she is authorised to do and which are, in his or her opinion, desirable to facilitate the achievement of the targets.

5

(2) The Minister shall thereafter report annually to both Houses of the Oireachtas on measures taken to achieve the targets and such report shall include the reduction of Greenhouse Gas emission expected as a result of such measures.

(3) At least once every three years the Minister shall conduct a full review of the national plan and—

(a) shall report on the results of such review to each House of the Oireachtas, and

(b) may, having considered—

(i) views expressed during the course of any subsequent debate in either House of the Oireachtas,

15

(ii) any other factors, which he considers to be relevant, amend, as he or she sees fit, the national plan and any steps he or she is taking or proposing to take in accordance with *subsections (1) and (2)* to facilitate the achievement of the targets.

20



**AN BILLE UM SPRIOCANNA MAIDIR LE hATHRÚ
AERÁIDE 2005
CLIMATE CHANGE TARGETS BILL 2005**

EXPLANATORY MEMORANDUM

Purpose of Bill

The Bill is by its title an Act to provide for the approval, with or without amendment, by both Houses of the Oireachtas of a long-term partnership approach to fulfilling our climate change targets and obligations.

The Bill seeks to introduce legislation to ensure that we achieve the annual pro-rata reduction in domestic Greenhouse Gas emissions necessary internationally for the average increase in global temperatures to be maintained at less than two degrees.

Provisions of the Bill

Section 1

Short Title

Section 2

Definitions

Section 2 contains standard provisions relating to the interpretation of the Bill. Specifically, it stipulates that “renewable energy sources” mean the twenty-one types of renewable energy sources presently available.

Section 3

Government Policy

Section 3 establishes Government policy on international negotiations and agreements on climate change targets.

Subsection (2) requires the Government to seek to reduce Greenhouse Gas emissions to prevent an increase of global average temperatures of more than two degrees centigrade.

Subsection (3) commits the Government to engage in international negotiations and agreements that are inclusive in participation and equitable in prescription.

Section 4

Development of Government Practice at the National Level

Section 4 sets out a national plan to reduce global Greenhouse Gas emissions, which is predicated on the prioritisation of reduction in

domestic emissions over international carbon trading arrangements. That reduction will be achieved through the replacement of fossil fuels with renewable energy sources and enhancement of energy conservation.

Section 5

Development of Government Practice at the International Level

Section 5 prescribes a leading role in the reduction of Greenhouse Gas emissions to the Government in concert with other EU and OECD Member States.

Subsection (2) identifies two targets for the reduction of domestic Greenhouse Gas emissions necessary to maintain the average increase in global temperatures below two degrees centigrade, namely:

- a) A reduction of 15 to 30 per cent by 2020
- b) A reduction of 60 to 80 per cent by 2050

Section 6

Development of a National Plan

Section 6 sets down the terms of the preparation and the content of the national plan to ensure our obligations to meet climate change targets are fulfilled. It commits the Minister for the Environment, Heritage and Local Government to drawing up a national plan detailing the measures required to achieve the targeted reduction in our domestic emissions. The plan shall be subsequently reviewed and modified as required.

Subsection (2) provides that a scheme of per capita carbon allocation and trading scheme may be included in the national plan.

Section 7

Functions of the Ministers

Section 7 sets out the role of the various Government Ministers in ensuring that we fulfil our obligations to reduce domestic Greenhouse Gas emissions.

Subsection (1) commits the Minister for the Environment, Heritage and Local Government to report annually to the Houses of the Oireachtas on our success or otherwise in achieving a reduction in emissions, and provides for an annual readjustment to the national plan to ensure any failures to meet our annual targeted reductions are not carried forward indefinitely.

Subsection (2) provides that the regulations for the implementation of the national plan shall be subject to the resolution of either House of the Oireachtas.

Subsection (3) commits the Minister for Finance to report annually to the Houses of the Oireachtas on the provisions made in the annual budget to ensure our annual targeted reductions in domestic emissions are met.

Subsection (4) commits the Minister for Communications, Marine and Natural Resources to report annually to the Houses of the Oireachtas on the measures taken by his or her Department to ensure our annual targeted reductions in domestic emissions are met.

Section 8

Reporting to the Houses of the Oireachtas

Section 8 commits the Minister for the Environment, Heritage and Local Government to bring the national plan upon completion before the Houses of the Oireachtas. The Minister shall conduct a review of the national plan at least once every three years, giving due consideration to the views of both Houses of the Oireachtas and to developments in international agreements and negotiations.

*Na Teachtaí Éamonn Ó Riain agus Ciarán Mac Dhuibh,
Samhain, 2005.*