



TITHE AN OIREACHTAIS
AN COMHCHOISTE UM CHOMHSAOL AGUS GHNÍOMHÚ
AR SON NA HAERÁIDE

Clár Oibre 2023

Eanáir 2023

HOUSES OF THE OIREACHTAS

JOINT COMMITTEE ON ENVIRONMENT AND CLIMATE
ACTION

Work Programme 2023

March 2023

CONTENTS

BACKGROUND	4
SELECT COMMITTEE	4
1. <u>LEGISLATION (BILLS)</u>	4
2. <u>ESTIMATES</u>	4
3. <u>REFERRALS OF MOTIONS AND OTHER MATTERS</u>	5
JOINT COMMITTEE	5
1. EU BUSINESS	5
2. <u>PRE-LEGISLATIVE SCRUTINY</u>	5
3. <u>KEY POLICY PRIORITIES</u>	6
AGREEMENT OF WORK PROGRAMME	9
JOINT COMMITTEE ON CLIMATE ACTION	10
TERMS OF REFERENCE	10

Joint Committee on Environment and Climate Action

2023 Work Programme

Background

The Joint Committee on Climate Action was established following Orders of Dáil Éireann on 30 July 2020 and of Seanad Éireann on 18 September 2020. The Committee was renamed to the Committee on Environment and Climate Action on 24 May 2021. Standing Orders [DSO 100(4); SSO 77(4)] require that “as soon as may be following its appointment and thereafter at any intervals, each Select Committee shall prepare a work programme and shall lay such programme before [Dáil/Seanad] Éireann”.

This Work Programme details business that the Committee must transact between now and the end of the year in accordance with its orders of reference, as well as key policy issues from which items may be selected for consideration.

In so far as possible, the Joint Committee will try to maintain a reasonable balance in its work between all of its policy responsibilities.

Select Committee

The function of Select Committee is to consider Bills, Estimates and other business referred to it by Dáil Éireann which relate to the relevant Department.

1. Legislation (Bills)

Bills are referred to the Select Committee by the Dáil for the undertaking of committee stage of the legislative process.

- Oil Emergency Contingency and Transfer of Renewable Transport Fuels Functions Bill
- Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill 2018. (Awaiting decision on the application of Standing Order 212(1) before Committee Stage can be scheduled)

2. Estimates

The Estimates are Ministers’ spending plans for the coming financial year. Select Committees are tasked with consideration of annual Estimates for public Services that fall within their remit. When the Estimates are referred to Select Committees for examination, the Committees have a valuable opportunity to question the Minister about proposed spending. Note: the Committees are required to consider the estimates but are not empowered to amend them.

A Supplementary Estimate may be considered in December if additional monies are required by the relevant Government Department.

3. Referrals of Motions and Other Matters

From time to time, matters may arise and may be referred to the Select Committee by the Dáil, or to the Joint Committee by the Dáil and the Seanad. It is not possible to say in advance what those matters might be or when they might arise.

Joint Committee

The duties of the Joint Committee are discharged in two ways.

- (1) There will be items of business referred to it by one or both Houses, and
- (2) It can select business for consideration itself, from the areas within its terms of reference.

In practice, the Joint Committee's work will comprise the examination of EU business, pre-legislative scrutiny and key policy priorities.

1. EU Business

(i) *EU Draft Legislative Acts and non-legislative Documents*

The Committee receives EU legislative proposals for scrutiny on an ongoing basis. The Committee has already embarked on further scrutiny of a number of proposals.

(ii) *EU Councils*

Irish Ministers attend meetings of the Council of the European Union (also known as the Council of Ministers or "the Council") Though the Council is a single body, it meets in different configurations attended by Ministers from the Member States and the European Commissioners responsible for the areas concerned in their relevant policy areas, and it is intended that the Minister will come before the Committee in advance of and following the Council meetings to brief the Committee.

2. Pre-Legislative Scrutiny

Ministers are required, except in exceptional circumstances, to bring the general scheme or draft heads of a Bill to a Joint Committee for consideration. Committees are empowered to consider the draft heads of Bills but they are not required to do so – it is the prerogative of the Committee to decide on a

case by case basis whether it wishes to engage in pre-legislative scrutiny on any particular Bill.

3. Key Policy Priorities

The Joint Committee is empowered to consider such other policy issues as it may select within its terms of reference.

The following are the major topical issues identified by the Joint Committee for examination:

1. General oversight of CRU on a regular basis
2. Update from Ministers in relation to the Climate Action Plan
3. COP and Loss and Damage
4. Decarbonisation of the heat sector to include district heating
5. Data centres
 - fossil powered
 - growth vs capacity
 - demand reduction
 - backup generators
 - islanded data centres
6. LNG – Gas and Oil prospecting
7. Energy security including smart meters/tariffs and responsiveness in energy supply
8. Renewables
 - Joint session with JC on Enterprise Trade and Employment on skills shortages in renewable energy sector
 - wind energy progress east and west coasts
 - solar targets
 - port infrastructure for offshore
9. Transport
 - Free public transport
 - Delivery of active travel
 - Aviation
10. Housing and Construction
 - Operation of retrofitting schemes and their impact on energy use and emissions

- circular economy/sustainability in construction
- embodied carbon
- building regulations reform
- cement
- timber-frame construction (forestry)

11.Forestry

- Environmental protection/Nature Restoration Law
- Land use review
- Coillte plans for forestry
- Sustainable construction timber framed houses

12.Finance

- Joint session with Finance Committee on international funding and climate finance commitments and strategies
- Green bonds
- Report on fossil fuel divestment act
- Green procurement

13.Just Transition

14.Climate, biodiversity and environmental frontline defenders/indigenous group

15.Marine Environment

- Regulation including EIA's, AAs, MPAs
- Interim protections
- Sound and seismic activity regulation

16.Environmental Impact Assessment/Appropriate Assessment

17.Ireland's compliance with Aarhus, the environmental information directive and access to justice

18.Energy Charter Treaty

19.Sustainable Development Goals

20.Mining, environment, ethics and circular economy

21.Circular economy

- Food Sector
- Potential of 'waste' through minimisation recovery and reuse

In 2023, in addition to referred business such as legislation etc., the Committee intends to focus on a small number of these major topical issues, with the aim of producing a report to the Houses.

The selected issues for priority consideration are:

Standing items

1. Regular sessions with CRU to include
 - general oversight
 - energy security
2. Pre and Post COP session including loss and damage and Biodiversity COP
3. SDGs - Ireland chairing UN high level review in July

Other items

4. Climate Action Plan – sessions with all relevant Ministers
5. Housing
 - retrofitting;
 - construction including circular economy, timber frame houses, nature restoration law and forestry;
 - embodied carbon;
 - building regulations;
 - Session with Department officials;
 - Session with Minister.
6. Renewables
 - Wind energy progress East, West and South coast;
 - port capacity;
 - solar rollout;
 - joint session with JC on Enterprise Trade and Employment in relation to skills shortages in renewable energy sector
7. LNG / Oil
 - Gas and oil prospecting
 - LNG terminals
 - Rapporteur report
8. Data centres
 - fossil powered;
 - demand reduction and backup generators

9. Decarbonisation of heat to include

- district heating systems;
- eHeat public engagement;
- rise in costs

10. Transport

- delivering on active travel;
- public transport;

11. Circular Economy

- Food Sector;
- rapporteur report;
- potential of 'waste' through minimisation, recovery and reuse

12. Land Use Review / Nature Restoration Law

13. Joint Session with Committee on Finance in relation to international climate funding and climate finance commitments and strategies.


Policy inputs

In addition to undertaking sectoral reviews of opportunities for reducing emissions, the Committee proposes to set aside time to feed into the government's relevant policy actions.

The Committee also agreed there is a need to maintain flexibility to look at issues which may emerge throughout the year but which are not covered by this work programme.

Agreement of Work Programme

This Work Programme for 2023 of the Joint Committee on Climate Action was agreed by the Committee at its meeting on 2023. In accordance with Standing Orders of Dáil Éireann and Seanad Éireann, it was agreed that the Work Programme be laid before both Houses of the Oireachtas. It was also agreed that the Work Programme would be published on the Committee's page of the Oireachtas website.



Brian Leddin, TD
Chairman
25 January 2023

JOINT COMMITTEE ON CLIMATE ACTION

Terms of Reference

Functions of the Committee – derived from Standing Orders [DSO 95; SSO 71]

- (1) The Select Committee shall consider and, unless otherwise provided for in these Standing Orders or by order, to report to the Dáil on any matter relating to—
 - (a) legislation, policy, governance, expenditure and administration of—
 - (i) a Government Department, and
 - (ii) State bodies within the responsibility of such Department, and
 - (b) the performance of a non-State body in relation to an agreement for the provision of services that it has entered into with any such Government Department or State body.
- (2) The Select Committee appointed pursuant to this Standing Order shall also consider such other matters which—
 - (a) stand referred to the Committee by virtue of these Standing Orders or statute law, or
 - (b) shall be referred to the Committee by order of the Dáil.
- (3) The principal purpose of Committee consideration of matters of policy, governance, expenditure and administration under paragraph (1) shall be—
 - (a) for the accountability of the relevant Minister or Minister of State, and
 - (b) to assess the performance of the relevant Government Department or of a State body within the responsibility of the relevant Department, in delivering public services while achieving intended outcomes, including value for money.
- (4) The Select Committee appointed pursuant to this Standing Order shall not consider any matter relating to accounts audited by, or reports of, the Comptroller and Auditor General unless the Committee of Public Accounts—
 - (a) consents to such consideration, or
 - (b) has reported on such accounts or reports.

- (5) The Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann to be and act as a Joint Committee for the purposes of paragraph (1) and such other purposes as may be specified in these Standing Orders or by order of the Dáil: provided that the Joint Committee shall not consider—
- (a) the Committee Stage of a Bill,
 - (b) Estimates for Public Services, or
 - (c) a proposal contained in a motion for the approval of an international agreement involving a charge upon public funds referred to the Committee by order of the Dáil.
- (6) Any report that the Joint Committee proposes to make shall, on adoption by the Joint Committee, be made to both Houses of the Oireachtas.
- (7) The Chairman of the Select Committee appointed pursuant to this Standing Order shall also be Chairman of the Joint Committee.
- (8) Where the Select Committee proposes to consider—
- (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 133, including the compliance of such acts with the principle of subsidiarity,
 - (b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,
 - (c) non-legislative documents published by any EU institution in relation to EU policy matters, or
 - (d) matters listed for consideration on the agenda for meetings of the relevant Council (of Ministers) of the European Union and the outcome of such meetings,

the following may be notified accordingly and shall have the right to attend and take part in such consideration without having a right to move motions or amendments or the right to vote:

- (i) members of the European Parliament elected from constituencies in Ireland,
- (ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and

- (iii) at the invitation of the Committee, other members of the European Parliament.
- (9) The Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman charged with oversight of public services within the policy remit of the relevant Department consider—
 - (a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and
 - (b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select: Provided that the provisions of Standing Order 130 apply where the Select Committee has not considered the Ombudsman report, or a portion or portions thereof, within two months (excluding Christmas, Easter or summer recess periods) of the report being laid before either or both Houses of the Oireachtas.

b. Scope and Context of Activities of Committees (as derived from Standing Orders) [DSO 94; SSO 70]

(1) It shall be an instruction to each Select Committee that—

- (a) it may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders;
- (b) such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil;
- (c) it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Joint Committee on Public Petitions in the exercise of its functions under Standing Order 125(1)¹; and
- (d) it shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—
 - (i) a member of the Government or a Minister of State, or
 - (ii) the principal office-holder of a State body within the responsibility of a Government Department or
 - (iii) the principal office-holder of a non-State body which is partly funded by the State,

Provided that the Committee may appeal any such request made to the Ceann Comhairle, whose decision shall be final.

(2) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice to the Business Committee by a Chairman of one of the Select Committees concerned, waives this instruction.