

## Comparative Tables of International Climate Accountability Legislation

### Introduction

This document provides comparative information about climate accountability legislation in seven jurisdictions. It compares the following features of the legislation:

- the approach that the legislation requires the government to take when setting goals to reduce greenhouse gas (GHG) emissions (basis for goal setting);
- the definition of net-zero emissions used in the law, if applicable;
- whether, and how, the law requires short- and medium-term emission reduction goals to be compatible with long-term emission reduction goals;
- whether the law includes provisions for climate change adaptation;
- what provisions the law makes for the independence, tenure and expertise of a climate change advisory body, if applicable;
- whether the law creates a mechanism for enforcing the emissions reduction targets foreseen by the law.

The paper compares the following legislation:

- the draft [European Climate Law](#), prepared by the European Commission for the European Union (the EU);
- France's [Law on Energy Transition for Green Growth](#) (LTECV), with references to its amendments to the [Environment Code](#) and the [Energy Code](#) [available in French only];
- Germany's [Federal Climate Change Act](#) (the German Act);
- New Zealand's [Climate Change Response \(Zero Carbon\) Amendment Act](#) (the New Zealand Act);
- Norway's [Climate Change Act](#) (the Norwegian Act);
- the [Swedish Climate Act](#), with references to a related but separate piece of legislation, [Government Bill 2016/17:146](#) [available in Swedish only];
- the United Kingdom's [Climate Change Act 2008](#) (the U.K. Act);
- Denmark's [Climate Act](#) (the Danish Act);
- Finland's [Climate Change Act](#) (the Finnish Act), which [will be amended](#) in 2021;
- Ireland's [Climate Action and Low Carbon Development \(Amendment\) Bill 2021](#) (the Irish Bill), which is draft legislation that would amend the existing [Climate Action and Low Carbon Development Act 2015](#); and
- The Netherlands' [Climate Law](#) (the Dutch Act) [available in Dutch only, analyzed based on secondary sources].

Additional notes on the sources used in this paper may be found below the following table, with the exception of the Netherlands, since the text of its law is not available in English or French.

Information in this document is based on research conducted by the Library of Parliament.

Compiled by **Nick Zrinyi**, Policy Analyst.

**Note:** The contents of this document are valid as of July 2021 and are for information purposes only. Nothing in this document should be construed as legal or professional advice and you may not rely on the contents of this document as such.

|  | <b>Basis for goal setting</b>   | <b>Definition of net-zero</b>   | <b>Compatibility of interim and long-term targets</b>                             | <b>References to Adaptation</b>  | <b>Advisory Body</b>                                 | <b>Public Participation</b>  | <b>Enforcement Mechanism</b>  |
|--|---|---|---|--|--|--|---|
| <p><b>European Union</b> </p> <p><a href="#">Legal Text</a></p> | <p>The draft EU law requires the European Commission to set an emissions trajectory running from 2030 to 2050, with the goal of “climate neutrality,” or net-zero emissions.</p> <p>Article 2(1) sets a goal of net-zero EU-wide emissions by 2050.</p> <p>Article 3 establishes that the European Commission must set a trajectory for achieving net-zero emissions and outlines conditions for setting this trajectory.</p> | <p>The draft EU law commits the EU to achieving “climate neutrality” by 2050. The explanatory memorandum notes that this means “compensating, by 2050, not only any remaining CO2 but also any other remaining greenhouse gas emissions.”</p> | <p>See Articles 2 and 3, described in the table row “Basis for goal setting.”</p> | <p>Article 4 of the draft law deals with adaptation to climate change.</p> | <p>The EU does not have a climate advisory body.</p> | <p>Article 8 requires the European Commission to engage with “all parts of society to enable them to take action towards a climate neutral and climate-resilient society.” It requires the European Commission to facilitate engagement at multiple levels of decision making.</p> | <p>Articles 5 and 6 create a process for assessing the progress of the EU and its member states toward their national and international climate obligations, and toward the objective of climate neutrality set in Article 2(1).</p> <p>Articles 5(3), 5(4), 6(2) and 6(3) deal with enforcement and remediation.</p> <p>If the European Commission finds that EU measures are not compatible with the law’s objectives, the European Commission may take steps “in accordance with the [EU] Treaties.”</p> <p>If the European Commission finds that national measures are not compatible with the law’s objectives, it may make recommendations to the member state. The member state must “take due account” of the recommendation.</p> |

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| <p><b>France</b> </p> <p><a href="#">Legal Text</a></p> | <p>The LTECV outlines national objectives for energy policy. Regarding GHG emissions, it modified the Environment Code to require the setting of national carbon budgets.</p> <p>Articles L222-1 A to L222-1 E of the Environment Code outline the requirements for setting carbon budgets and establishing a National Low Carbon Strategy (SNBC). This strategy specifies the contents of the budgets.</p> <p>France’s long-term emissions reduction target, of net-zero GHG emissions by 2050, is contained in the French Energy Code.</p> | <p>Article L100-4 of the Energy Code defines the net-zero goal. The objective is to achieve “carbon neutrality” by 2050. The article further states that carbon neutrality should be understood as a balance, on national territory, between anthropogenic emissions of GHGs and anthropogenic removals of GHGs, as mentioned in Article 4 of the Paris Agreement.</p> | <p>The LTEVC establishes various goals, including reducing emissions, cutting energy consumption, and changing the composition of energy use. This law, and subsequent amendments to the Environment Code, the Energy Code and the SNBC, are intended to require the French government to achieve these long-term targets. However, they are too numerous to be summarized here.</p> | <p>Article 173 of the LTECV notes that the SNBC complements the national climate adaptation plan, required by <a href="#">a law first adopted in 2009</a>.</p> <p>Article 206 of the LTECV modified the Code of Territorial Collectivities so that certain French territories would be required to include planning for adaptation to climate change in their sustainable development plans. However, this section of the Code of Territorial Collectivities has since been modified again and the provision is no longer in force.</p> | <p>France’s independent climate advisory body, the High Council for the Climate, was created by presidential decree in 2019. The terms of reference for the body were included in the 2019 amendments to the Environment Code. Article L132-4 of the Environment Code outlines these terms of reference. The High Council for the Climate is to be an independent advisory body, with up to 13 members, including a chairperson. Members are appointed to a five year term, renewable once.</p> <p>The article specifies that the members of the High Council for the Climate can neither solicit nor receive instruction from the government, public office holders, or private persons regarding its work.</p> <p>The Council may study legislation or other questions related to its expertise, either at its own initiative or at the request of the French government.</p> <p>Members should be chosen for their scientific, technical and economic expertise, in the areas of climate science, ecosystems, GHG emission reductions, and adaptation and resilience to climate change.</p> | <p>France’s climate change and environmental policy-making processes include opportunities for public participation, some of which are reflected in the LTECV. The LTEVC amends various laws, including by creating new reporting or planning requirements. Some of these requirements include opportunities for public participation, such as:</p> <ul style="list-style-type: none"> <li>an amendment to the Environment Code requiring at least annual public meetings related to the work of local commissions near nuclear power plants (article 123).</li> </ul> <p>The LTEVC does not require the government to engage the public when preparing the SNBC or carbon budgets.</p> | <p>The LTEVC does not establish a process for enforcing compliance with the SNBC and the carbon budgets.</p> |

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| <p><b>Germany</b> </p> <p><a href="#">Legal Text</a></p> | <p>Section 4 of the German Act states that national climate targets shall be achieved by setting annual carbon budgets for six economic sectors: energy, industry, transport, buildings, agriculture, waste and others. Carbon budgets for 2031 onward are to be established by statutory instrument. Annex 2 sets annual carbon budgets for these sectors from 2020 to 2030.</p> | <p>Section 2 defines “net greenhouse gas neutrality” as “an equilibrium between the anthropogenic emissions of greenhouse gases from sources and the reduction in the volume of such gases by means of sinks.”</p> | <p>Annex 2 establishes carbon budgets for 2020 to 2030 that are supposed to be compatible with the long-term target of net zero emissions. Subsection 4(6) requires the government to set subsequent carbon budgets that are “consistent with the achievement of the climate targets of this Act and with the requirements of European Union legislation.” Subsection 4(5) requires any alterations to the carbon budgets to be consistent with the above, as well.</p> | <p>The German Act does not refer to adaptation.</p> | <p>The German Act establishes a five-member independent body, the Council of Experts. Under subsection 11(1), members of the Council of Experts are appointed for five-year terms. Subsection 11(3) states that “The Council of Experts on Climate Change shall be bound only by the mandate assigned by this Act and shall be independent in its activity.” Subsection 11(1) of the German Act states that the members of the Council of Experts must be “five specialised persons from various disciplines,” with “at least one member being drawn from each of the fields of climatology, economics, environmental science and social matters and possessing outstanding scientific knowledge and experience in his or her field.” Subsection 11(1) further states that the Council must reflect “overarching expertise” of the six sectors governed by the law.</p> | <p>Subsection 9(3) requires the German government to initiate a “public consultation procedure” when it creates a climate action programme to implement the national Climate Action Plan. Section 12 permits the Council of Experts to hear and question public authorities and experts on matters relating to climate action.</p> | <p>Subsection 4(1) states that the law’s carbon budgets are “binding.” Subsection 4(3) says that, if GHG emissions exceed the relevant sectoral carbon budget, an equal quantity of permitted emissions shall be subtracted from the sector’s next carbon budget. If a sector exceeds its carbon budget, subsection 8(1) requires the government to create an “immediate action programme” to ensure that the sector complies with subsequent carbon budgets. Section 9 requires the government to update its climate action programme if it misses its targets.</p> |

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| <p><b>New Zealand</b> </p> <p><a href="#">Legal Text</a></p> | <p>The New Zealand Act requires the minister who administers the act to set carbon budgets. Section 5X outlines when and how the minister must set carbon budgets.</p> | <p>Section 5Q of the New Zealand Act defines a long-term net zero target by 2050. The net-zero target excludes biogenic methane. It says that “net accounting emissions of greenhouse gases, other than biogenic methane, are zero by the calendar year beginning on 1 January 2050 and for each subsequent calendar year.” The section outlines fixed emission reductions for biogenic methane by 2030 and 2050.</p> | <p>Section 5W requires the minister to set emissions budgets that have “a view to meeting the 2050 target and contributing to the global effort under the Paris Agreement to limit the global average temperature increase to 1.5° Celsius above pre industrial levels.”</p> | <p>Part 1C of the New Zealand Act outlines the government’s responsibilities regarding adaptation. The law requires the government to conduct a national climate change risk assessment no later than one year after this part of the law enters into force. The government must prepare subsequent assessments at least every six years. Section 5ZQ outlines the requirements for the assessment, and 5ZS requires the government to prepare a national adaptation plan in response to each assessment. This plan must be presented to parliament and made publicly available. Every two years, the government must report on its progress in implementing the national adaptation plan. The minister must respond to this report. Furthermore, the government can request organizations to provide information about adaptation to climate change, and make regulations regarding this information.</p> | <p>The New Zealand Act establishes a seven-member independent body, the Climate Change Commission, whose terms are determined by the Minister. The purpose of the Climate Change Commission is to “provide independent, expert advice to the Government” on mitigating climate change, and to monitor and review the New Zealand government’s progress toward its goals. The Climate Change Commission “must act independently,” but can be directed to examine government policies by the minister under certain conditions. The Act outlines what the minister must consider, including expertise, when recommending an appointment to the Climate Change Commission. Candidates are nominated by a committee and appointed by the minister who administers the Act. The members of the selection committee are appointed by the minister. They must “in the opinion of the Minister, have the relevant skills or experience to identify suitably qualified candidates.”</p> | <p>Section 5N provides for public consultation by the Climate Change Commission.</p> | <p>Section 5ZM deals explicitly with the legal enforceability of climate targets. It emphasizes that climate targets are not enforceable by a court of law.</p> |

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| <p><b>Norway</b> </p> <p><a href="#">Legal Text</a></p> | <p>The Norwegian Act sets two fixed emission reduction targets, for 2030 and 2050. Section 5 requires the government of Norway to submit climate targets to the Norwegian parliament (the Storting) every five years, starting in 2020. The targets must “represent a progression from the preceding targets and promote a gradual transformation in the period up to 2050.”</p> <p>Section 3 specifies that the target for 2030 is to reduce GHG emissions by at least 40% compared to 1990 levels.</p> <p>Section 4 specifies that the target for 2050 is to become a “low emission society,” meaning that “greenhouse gas emissions, on the basis of the best available scientific knowledge, global emission trends and national circumstances, have been reduced in order to avert adverse impacts of global warming, as described in Article 2 1.(a) of the Paris Agreement of 12 December 2015.”</p> <p>Section 4 further specifies that the target for 2050 is to reduce GHG emissions “of the order of” 80%-95% compared to 1990 levels.</p> | <p>The Norwegian Act does not refer to net zero. Under the law, Norway’s long-term target is to become a “low emissions society,” as defined in Section 4 of the law.</p> | <p>Subsection 5(b) requires that the government’s climate targets reflect “a progression from the preceding targets and promote a gradual transformation in the period up to 2050.”</p> | <p>Under Section 6, every year the government must report to the Storting (parliament) about how Norway is preparing for and adapting to climate change.</p> | <p>Norway does not have a climate advisory body.</p> | <p>There is no reference to public participation in the Norwegian Act.</p> | <p>The Norwegian Act requires the Norwegian government to report to Norway’s parliament about its climate policies. It does not specify what should happen if the government fails to achieve its stated goals.</p> |

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| <p><b>Sweden</b> </p> <p><a href="#">Legal Text</a></p> | <p>Sweden’s emissions pathway is prescribed by Government Bill 2016/17:146. The bill sets fixed GHG emissions reduction targets for 2020, 2030 and 2040, and imposes a long-term net-zero target for 2045. The targets are:</p> <ul style="list-style-type: none"> <li>• By 2020, emissions are to be 40% lower than 1990.</li> <li>• By 2030, emissions are to be 63% lower than 1990.</li> <li>• By 2040, emissions are to be 75% lower than 1990.</li> <li>• Net-zero emissions by 2045 at the latest, and negative emissions thereafter.</li> </ul> | <p>The website of the Swedish Environmental Protection Agency provides additional information on Sweden’s goals to achieve net-zero emissions by 2045 and negative emissions thereafter. It says: “Achieving zero net emissions of greenhouse gases means that the emissions of greenhouse gases from activities in Sweden shall be at least 85% lower in 2045 compared to 1990. The remaining reductions down to zero can be achieved through supplementary measures.”</p> | <p>Section 3 of the Swedish Climate Act states that “The Government’s climate policy must be based on the long-term, time-bound emissions target adopted by the Riksdag (Swedish Parliament).” Subsection 5(6) further states that Sweden’s climate policy action plans, which are presented to the Swedish parliament every four years, must indicate “the extent to which adopted and planned emissions reduction measures can be expected to contribute to the achievement of the national and global climate change targets.”</p> | <p>The Swedish Climate Act does not refer to adaptation.</p> | <p>Government Bill 2016/17:146 establishes an eight-member independent body, the Climate Policy Council. The website of the Climate Policy Council describes it as an “independent, interdisciplinary body tasked with evaluating how well the [Swedish] Government’s overall policy is aligned with the climate goals established by the Parliament and the Government.” The website of the Climate Policy Council says that the members were selected by the Swedish government to have “high scientific competence within climate, climate policy, economics and social science.”</p> | <p>There is no reference to public participation in the Swedish Climate Act, and the Swedish government’s English-language summaries of the climate policy framework do not refer to public participation. However, the Swedish Environmental Protection Agency notes that the Climate Policy Council “should also contribute to increased discussion in society about climate policy.”</p> | <p>The Swedish Climate Act requires the Swedish government to report to Sweden’s parliament about its climate policies. It does not specify what should happen if the government fails to achieve its stated goals.</p> |

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| <p><b>The United Kingdom</b></p>  <p><a href="#">Legal Text</a></p> | <p>The U.K. Act requires the Secretary of State for Environment to set carbon budgets for predetermined periods, beginning in 2008 and running to 2050. Sections 4 to 10 outline the requirements governing carbon budgets. Sections 4 and 5 prescribe the periods and the targets for carbon budgets.</p> | <p>Section 1 of the U.K. Act says that the country’s “net carbon account for the year 2050” must be 100% lower than the 1990 baseline.</p> | <p>Section 8 requires carbon budgets to be set with a view to, among other things, achieving the target for 2050.</p> | <p>Part 4 of the U.K. Act contains provisions regarding the impacts of and adaptation to climate change. Section 58 requires the Secretary of State to outline a programme for adapting to climate change and to lay it before parliament. The Committee on Climate Change is required to assess the government’s progress in adapting to climate change as part of its work.</p> | <p>The U.K. Act creates a six-to-nine-member independent body, the Committee on Climate Change (the Committee). Part 2 of the U.K. Act outlines the role and function of the committee. Schedule 1 of the U.K. Act outlines the membership, terms and other details of the Committee’s operations. Sections 1 and 2 of Schedule 1 outline the requirements for appointing members to the Committee. Sections 3 to 7 outline the terms of office of the Committee members. The U.K. government may set the term of office of the members but may only remove a member from office under conditions prescribed in Schedule 1 of the U.K. Act. Subsection 1(3) of Schedule 1 outlines what the U.K. government must consider when appointing members of the Committee. Specifically, the government must have regard to the desirability of forming a Committee with experience in a range of climate change, business, regional and technical areas.</p> | <p>Subsection 39(4) of the U.K. Act states that the Committee “must have regard to the desirability of involving the public” in its work.</p> | <p>Sections 16 to 20 of the U.K. Act have regard to “Determination whether objectives met.” They do not establish an enforcement mechanism, but they do require the U.K. government to indicate whether the country has respected its carbon budgets. If the country has not, the law requires the government to explain the failure, and consider measures to remedy the situation. Section 16 requires the Secretary of State to lay before Parliament an annual statement regarding the U.K.’s GHG emissions and specifies the content of those statements. Section 17 sets out the government’s powers to carry over GHG emissions from one budgeting period to another.</p> |

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| <p><b>Denmark</b> </p> <p><a href="#">Legal Text</a></p> | <p>Article 1(1) of the Danish Act sets a target of reducing emissions by 70% compared to 1990 levels by 2030, and to achieve a “climate neutral society” by 2050 at the latest.</p> <p>Article 2(1) requires the Minister for Climate, Energy and Utilities to set national climate targets for ten years ahead at least once every five years. The minister must publish a climate action plan on the same time scale.</p> <p>Under Chapter 4, the minister must present a climate programme to the Danish Parliament every year.</p> | <p>The Danish Act does not define the term “climate neutral.”</p> | <p>Article 2(1) specifies that each successive emissions reduction target must be at least as ambitious as the previous one.</p> | <p>The Danish Act does not refer to adaptation.</p> | <p>Chapter 2 of the Danish Act establishes the Danish Council on Climate Change to “promote impartial advice on the climate effort.”</p> <p>The council makes annual recommendations to the minister on the climate effort, and comments on the government’s annual climate programme.</p> <p>The Act specifies that the council is “an independent advisory body of experts.”</p> <p>The council determines its own rules of procedure.</p> <p>The body consists of a chair and eight members. The council elects its own members, who are then appointed by the Minister for Climate, Energy and Utilities. Members are appointed for a four-year term, renewable once.</p> <p>Article 5(11) specifies that the council is assisted by a secretariat.</p> <p>Under Article 5(12), the Danish Council on Climate Change appoints a climate dialogue forum to assist the body in its work.</p> <p>Article 10(3) specifies that the council is composed of experts with “broad expertise” and a “high level of climate-relevant academic knowledge,” relevant to various economic sectors and scientific disciplines.</p> | <p>The Danish Act does not refer to Public participation.</p> | <p>The Danish Act requires the government to report to parliament about the advice it is receiving with respect to climate change, and on the measures it is taking in response to climate change.</p> <p>According to Article 7, every year the Minister for Climate, Energy and Utilities must present a climate programme to the Danish Parliament.</p> <p>Article 7(4) specifies that if the country is unlikely to meet its climate targets, then the minister must present new measures to achieve the targets in the annual programme.</p> <p>Article 8 requires the minister to prepare an annual report for parliament on the effects of the “overall climate policy.”</p> |

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| <p><b>Finland</b> </p> <p><a href="#">Legal Text</a></p> | <p>Section 6(2) sets a long-term target of reducing emissions by 80% below 1990 levels. If Finland agrees to a more stringent goal in a “treaty binding on Finland or the European Union,” then that would become the new goal.</p> <p>Section 15 requires each ministry to prepare material regarding its responsibilities for the climate change plans, and outlines the specific obligations of certain ministries.</p> <p>Finland is <a href="#">reforming</a> the Climate Change Act to require the country to achieve “carbon neutrality” by 2035. The new version of the law will add targets for 2030 and 2040 that are compatible with carbon neutrality, and revise the 2050 target.</p> | <p>The 2015 version of the law does not require Finland to achieve net-zero emissions and does not define net-zero.</p> <p>Finland is <a href="#">reforming</a> the Climate Change Act to require the country to achieve “carbon neutrality” by 2035.</p> <p>Section 1(2) notes that the planning of climate policy should help ensure that Finland fulfils its obligations under international treaties and to the European Union.</p> | <p>Section 7 requires the government to approve a long-term plan for climate change policy at least once every ten years. The long-term plan must outline key policy measures that will achieve the country’s emissions reduction target.</p> <p>Section 9 requires the government to prepare a medium-term climate change plan “once per electoral term”.</p> | <p>Section 1(2) indicates that adapting to climate change is part of the purpose of the law.</p> <p>Section 4 requires “the state authorities” to take measures promoting mitigation and adaptation to climate change in accordance with the Finnish Act.</p> <p>Section 8 requires the government to prepare a national adaptation plan for climate change at least every 10 years.</p> | <p>Section 16 establishes a “Scientific expert body,” to be called “Finland’s Climate Panel.” Its purpose is to support the government’s planning and decision-making by collecting data and generating information about climate change.</p> <p>The members of the body are appointed for “a fixed period of time.” The government can determine other provisions by decree.</p> <p>The body must reflect “[d]ifferent fields of science.” The government can determine other provisions about the body by decree.</p> | <p>Among the purposes of the Finnish Act outlined in Section 1 is to strengthen the opportunities for the public to participate in and shape climate change policy.</p> <p>According to Section 10(1), the government must give the public an opportunity to review and comment on draft climate change policy plans.</p> <p>Section 12(4) requires the government to inform the public about ongoing projections of greenhouse gas emissions.</p> | <p>The Finnish Act requires the government to report to parliament about its work and to monitor its progress toward its goals. These requirements are outlined in sections 11, 12 and 14.</p> |

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| <p><b>Ireland</b> </p> <p><a href="#">Legal Text</a></p> | <p>The “national climate objective” is to transition to a “climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy” no later than 2050.</p> <p>Section 6 requires the government to adopt five-year carbon budgets for every 15 years starting in 2021. The law gives new responsibility to the existing Climate Change Advisory Council, requiring it to propose carbon budgets to the government.</p> <p>Section 6A(5) specifies that the first two carbon budgets must set a target of reducing emissions by at least 51% below 2018 levels by 2030.</p> <p>The carbon budgets must include sectoral targets. The government determines the sectors.</p> | <p>The long-term aim of the Irish Bill is to create a “climate neutral economy.” The law defines this as “a sustainable economy and society where greenhouse gas emissions are balanced or exceeded by the removal of greenhouse gases.”</p> <p>The government and the Advisory Council are required to carry out their work in a manner consistent with the objective of Article 2 of the <i>Paris Agreement</i>.</p> | <p>The Irish Bill specifies that the government shall achieve its long-term objective through:</p> <ul style="list-style-type: none"> <li>• carbon budgets;</li> <li>• sectoral emissions ceilings;</li> <li>• a climate action plan;</li> <li>• a national long-term climate action strategy; and</li> <li>• a national adaptation framework</li> </ul> | <p>Ireland’s existing climate legislation, the <a href="#">Climate Action and Low Carbon Development Act 2015</a>, requires the government to establish a national adaptation framework.</p> | <p>Ireland’s Climate Change Advisory Council was established by the country’s existing legislation, the <a href="#">Climate Action and Low Carbon Development Act 2015</a>.</p> <p>The new draft legislation expands the council from 11 to 14 members and sets new requirements for the appointment of the body.</p> <p>Section 6A(9) of the Irish Bill requires the advisory body to carry out its functions in a manner consistent with the long-term objectives of the Paris Agreement, including following the best available scientific information.</p> <p>The new Irish Bill adds new requirements for the expertise that must be reflected in the Advisory Council, including climate science, adaptation policy, economic policy in various sectors, biodiversity and ecosystem services, and political sociology or ethics in relation to climate. The council must also be gender balanced.</p> | <p>The Irish Bill requires the government to consult with the public and other groups that it “considers appropriate” when preparing carbon budgets, a climate action plan and the national long-term climate action strategy. The bill requires local authorities to prepare climate action plans, for which they must also consult the public.</p> | <p>Section 14 requires the government to report on its progress under its climate action plans, its compliance with carbon budgets and the implementation of adaptation measures. If the government has failed to meet a carbon budget it must outline measures to comply with the budget.</p> |

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| <p><b>The Netherlands</b></p>  | <p>The Dutch Act sets a long-term target to reduce GHG emissions by 95% below 1990 levels by 2050.</p> <p>To achieve this target, the Dutch Act outlines the following policy framework:</p> <ul style="list-style-type: none"> <li>• First, every five years, the government must prepare a climate plan.</li> <li>• Second, every two years, the government must report on its progress.</li> <li>• Finally, every year, the government respond to annual assessments by the Environment Assessment Agency.</li> </ul> <p>See the section “Notes” below this table for information about climate policy and the case Urgenda Foundation v. State of the Netherlands.</p> | <p>The Dutch Act does not set a goal of net-zero emissions.</p> | <p>To achieve the long-term target, the Dutch Act specifies additional targets. The country must reduce its GHG emissions by 49% compared to 1990 levels by 2030 and must also have carbon neutral electricity production by 2050.</p> | <p>The Dutch Act does not appear to refer to adaptation.</p> <p>However, the country’s <a href="#">National Climate Agreement</a> outlines measures to adapt to climate change. This agreement is part of the country’s overall climate policy, and was concluded around the same time that the country adopted its climate legislation.</p> | <p>The Netherlands does not have a climate advisory body.</p> <p>Instead, the implementation of the Dutch Act is monitored by the Advisory Division of the Council of State (Raad van State). The Dutch Act requires the country’s Environmental Assessment Agency to assess and report on the government’s progress toward its goals.</p> <p>The Netherlands does not have a climate advisory body.</p> | <p>It is not clear whether the Dutch Act refers to Public participation.</p> <p>The country’s <a href="#">National Climate Agreement</a> was developed following a consultation process that included members of the public.</p> <p>In its <a href="#">Long-term strategy on climate mitigation</a>, the Netherlands Ministry of Economic Affairs and Climate Policy notes that European Union regulations require the Netherlands to give the public opportunities to participate in the formulation of long-term government strategies.</p> | <p>The Dutch Act establishes an assessment framework. The Advisory Division of the Netherlands Council of State, which existed prior to the Dutch Act, was tasked with reviewing the government’s climate policy.</p> <p>The <a href="#">webpage</a> of the Netherlands Council of State outlines how it implements the assessment framework.</p> |

## Detailed Comparison - Text of Bill/Act/Decree by Country

### European Union

#### Basis for goal setting

##### **Article 2 Climate-neutrality objective**

1. Union-wide emissions and removals of greenhouse gases regulated in Union law shall be balanced at the latest by 2050, thus reducing emissions to net zero by that date.
2. The relevant Union institutions and the Member States shall take the necessary measures at Union and national level respectively, to enable the collective achievement of the climate-neutrality objective set out in paragraph 1, taking into account the importance of promoting fairness and solidarity among Member States.
3. By September 2020, the Commission shall review the Union's 2030 target for climate referred to in Article 2(11) of Regulation (EU) 2018/1999 in light of the climate-neutrality objective set out in Article 2(1), and explore options for a new 2030 target of 50 to 55% emission reductions compared to 1990. Where the Commission considers that it is necessary to amend that target, it shall make proposals to the European Parliament and to the Council as appropriate.
4. By 30 June 2021, the Commission shall assess how the Union legislation implementing the Union's 2030 target would need to be amended in order to enable the achievement of 50 to 55% emission reductions compared to 1990 and to achieve the climate-neutrality-objective set out in Article 2(1), and consider taking the necessary measures, including the adoption of legislative proposals, in accordance with the Treaties.

##### **Article 3 Trajectory for achieving climate neutrality**

1. The Commission is empowered to adopt delegated acts in accordance with Article 9 to supplement this Regulation by setting out a trajectory at Union level to achieve the climate-neutrality objective set out in Article 2(1) until 2050. At the latest within six months after each global stocktake referred to in Article 14 of the Paris Agreement, the Commission shall review the trajectory.
2. The trajectory shall start from the Union's 2030 target for climate referred to in Article 2(3).
3. When setting a trajectory in accordance with paragraph 1, the Commission shall consider the following: (a) cost-effectiveness and economic efficiency; (b) competitiveness of the Union's economy; (c) best available technology; (d) energy efficiency, energy affordability and security of supply; (e) fairness and solidarity between and within Member States; (f) the need to ensure environmental effectiveness and progression over time; (g) investment needs and opportunities; (h) the need to ensure a just and socially fair transition; (i) international developments and efforts undertaken to achieve the long-term objectives of the Paris Agreement and the ultimate objective of the United Nations Framework Convention on Climate Change; (j) the best available and most recent scientific evidence, including the latest reports of the IPCC.

#### Definition of net-zero

(From the Explanatory Memorandum)

The Intergovernmental Panel on Climate Change (IPCC) Special Report on the impacts of global warming of 1.5 °C above pre-industrial levels and related global greenhouse gas emission pathways confirms that the impacts of climate change increase rapidly with increasing global mean temperature, and indicates that already at 2 °C the world would see dramatic impacts due to climate change. It estimates that in order to be on a pathway to limit temperature increase to 1.5 °C, net-zero CO<sub>2</sub> emissions at global level needs to be achieved around 2050 and neutrality for all other greenhouse gases somewhat later in the century. This urgent challenge calls for the EU to step up its action to show global leadership by becoming climate-neutral by 2050, covering all sectors of the economy and compensating, by 2050, not only any remaining CO<sub>2</sub> but also any other remaining greenhouse gas emissions, as set out in the Communication 'A Clean Planet for all- A European strategic long-term vision for a prosperous, modern, competitive and climate-neutral economy'<sup>3</sup> and as confirmed by the 'European Green Deal' Communication.

#### Compatibility of interim and long-term targets

See Articles 2 and 3, above.

## References to Adaptation

### Article 4 Adaptation to climate change

1. The relevant Union institutions and the Member States shall ensure continuous progress in enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change in accordance with Article 7 of the Paris Agreement.
2. Member States shall develop and implement adaptation strategies and plans that include comprehensive risk management frameworks, based on robust climate and vulnerability baselines and progress assessments.

## Public Participation

### Article 8 Public participation

The Commission shall engage with all parts of society to enable and empower them to take action towards a climate-neutral and climate-resilient society. The Commission shall facilitate an inclusive and accessible process at all levels, including at national, regional and local level and with social partners, citizens and civil society, for the exchange of best practice and to identify actions to contribute to the achievement of the objectives of this Regulation. In addition, the Commission may also draw on the multilevel climate and energy dialogues as set up by Member States in accordance with Article 11 of Regulation (EU) 2018/1999.

## Enforcement Mechanism

### Article 5

3. Where, based on the assessment referred to in paragraphs 1 and 2, the Commission finds that Union measures are inconsistent with the climate-neutrality objective set out in Article 2(1) or inadequate to ensure progress on adaptation as referred to in Article 4, or that the progress towards either the climate-neutrality objective or on adaptation as referred to in Article 4 is insufficient, it shall take the necessary measures in accordance with the Treaties, at the same time as the review of the trajectory referred to in Article 3(1).
4. The Commission shall assess any draft measure or legislative proposal in light of the climate-neutrality objective set out in Article 2(1) as expressed by the trajectory referred to in Article 3(1) before adoption, and include this analysis in any impact assessment accompanying these measures or proposals, and make the result of that assessment public at the time of adoption.

### Article 6

2. Where the Commission finds, under due consideration of the collective progress assessed in accordance with Article 5(1), that a Member State's measures are inconsistent with that objective as expressed by the trajectory referred to in Article 3(1) or inadequate to ensure progress on adaptation as referred to in Article 4, it may issue recommendations to that Member State. The Commission shall make such recommendations publicly available.
3. Where a recommendation is issued in accordance with paragraph 2, the following principles shall apply: (a) the Member State concerned shall take due account of the recommendation in a spirit of solidarity between Member States and the Union and between Member States; (b) the Member State concerned shall set out, in its first progress report submitted in accordance with Article 17 of Regulation (EU) 2018/1999, in the year following the year in which the recommendation was issued, how it has taken due account of the recommendation. If the Member State concerned decides not to address a recommendation or a substantial part thereof, that Member State shall provide the Commission its reasoning; (c) the recommendations should be complementary to the latest country-specific recommendations issued in the context of the European Semester.

Data obtained from European Commission, [Proposal for a Regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending regulation \(EU\) 2018/1999 \(European Climate Law\)](#), 4 March 2020.

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France 

## Basis for goal setting

*Code de l'environnement***Article L222-1 B**

I. – La stratégie nationale de développement à faible intensité de carbone, dénommée « stratégie bas-carbone » fixée par décret, définit la marche à suivre pour conduire la politique d'atténuation des émissions de gaz à effet de serre dans des conditions soutenables sur le plan économique à moyen et long termes afin d'atteindre les objectifs définis par la loi prévue à l'article L. 100-1 A du code de l'énergie. Elle tient compte de la spécificité du secteur agricole, veille à cibler le plan d'action sur les mesures les plus efficaces en tenant compte du faible potentiel d'atténuation de certains secteurs, notamment des émissions de méthane entérique naturellement produites par l'élevage des ruminants, et veille à ne pas substituer à l'effort national d'atténuation une augmentation du contenu carbone des importations. Cette stratégie complète le plan national d'adaptation climatique prévu à l'article 42 de la loi n° 2009-967 du 3 août 2009 de programmation relative à la mise en œuvre du Grenelle de l'environnement.

II. – Le décret fixant la stratégie bas-carbone répartit le budget carbone de chacune des périodes mentionnées à l'article L. 222-1 A par grands secteurs, notamment ceux pour lesquels la France a pris des engagements européens ou internationaux, par secteur d'activité ainsi que par catégorie de gaz à effet de serre. La répartition par période prend en compte l'effet cumulatif des émissions considérées au regard des caractéristiques de chaque type de gaz, notamment de la durée de son séjour dans la haute atmosphère. Cette répartition tient compte de la spécificité du secteur agricole et de l'évolution des capacités naturelles de stockage du carbone des sols.

Il répartit également les budgets carbone en tranches indicatives d'émissions annuelles.

La stratégie bas-carbone décrit les orientations et les dispositions d'ordre sectoriel ou transversal qui sont établies pour respecter les budgets carbone. Elle intègre des orientations sur le contenu en émissions de gaz à effet de serre des importations, des exportations et de leur solde dans tous les secteurs d'activité. Elle définit un cadre économique de long terme, en préconisant notamment une valeur tutélaire du carbone et son utilisation dans le processus de prise de décisions publiques.

III. – L'Etat, les collectivités territoriales et leurs établissements publics respectifs prennent en compte la stratégie bas-carbone dans leurs documents de planification et de programmation qui ont des incidences significatives sur les émissions de gaz à effet de serre.

Dans le cadre de la stratégie bas-carbone, le niveau de soutien financier des projets publics intègre, systématiquement et parmi d'autres critères, le critère de contribution à la réduction des émissions de gaz à effet de serre. Les principes et modalités de calcul des émissions de gaz à effet de serre des projets publics sont définis par décret.

## Definition of net-zero

*Code de l'énergie***Article L100-4**

I. – Pour répondre à l'urgence écologique et climatique, la politique énergétique nationale a pour objectifs :

1° De réduire les émissions de gaz à effet de serre de 40 % entre 1990 et 2030 et d'atteindre la neutralité carbone à l'horizon 2050 en divisant les émissions de gaz à effet de serre par un facteur supérieur à six entre 1990 et 2050. La trajectoire est précisée dans les budgets carbone mentionnés à l'article L. 222-1 A du code de l'environnement. Pour l'application du présent 1°, la neutralité carbone est entendue comme un équilibre, sur le territoire national, entre les émissions anthropiques par les sources et les absorptions anthropiques par les puits de gaz à effet de serre, tel que mentionné à l'article 4 de l'accord de Paris ratifié le 5 octobre 2016. La comptabilisation de ces émissions et absorptions est réalisée selon les mêmes modalités que celles applicables aux inventaires nationaux de gaz à effet de serre notifiés à la Commission européenne et dans le cadre de la convention-cadre des Nations unies sur les changements climatiques, sans tenir compte des crédits internationaux de compensation carbone.

## Advisory Body

### Article L132-4

I. - Le Haut Conseil pour le climat, organisme indépendant, est placé auprès du Premier ministre.

Outre son président, le Haut Conseil pour le climat comprend au plus douze membres choisis en raison de leur expertise scientifique, technique et économique dans les domaines des sciences du climat et des écosystèmes, de la réduction des émissions de gaz à effet de serre ainsi que de l'adaptation et de la résilience face au changement climatique.

Les membres du Haut Conseil pour le climat sont nommés par décret pour un mandat de cinq ans, renouvelable une fois. Lorsqu'un membre cesse ses fonctions, un nouveau membre est nommé, après avis du président du Haut Conseil pour le climat, pour la durée du mandat restant à établir.

Les membres du Haut Conseil pour le climat ne peuvent solliciter ni recevoir aucune instruction du Gouvernement ou de toute autre personne publique ou privée dans l'exercice de leurs missions.

Les membres du Haut Conseil pour le climat adressent à la Haute Autorité pour la transparence de la vie publique une déclaration d'intérêts dans les conditions prévues au III de l'article 4 de la loi n° 2013-907 du 11 octobre 2013 relative à la transparence de la vie publique.

[...]

### Article L132-5

Le Haut Conseil pour le climat peut se saisir de sa propre initiative ou être saisi par le Gouvernement, le Président de l'Assemblée nationale, le Président du Sénat ou le président du Conseil économique, social et environnemental pour rendre un avis, au regard de sa compétence, sur un projet de loi, une proposition de loi ou une question relative à son domaine d'expertise. Dans cet avis, le Haut Conseil pour le climat étudie la compatibilité de la proposition ou du projet avec les budgets carbone de la stratégie nationale bas-carbone.

Data obtained from France, [LOI n° 2015-992 du 17 août 2015 relative à la transition énergétique pour la croissance verte \(1\)](#); France, [Code de l'environnement](#); and France, [Code de l'énergie](#).

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## Germany

### Basis for goal setting

Section 4 – Permissible annual emission budgets, authority to enact statutory instruments (1) To achieve the national climate targets referred to in section 3 subsection (1) of this Act, annual reduction targets shall be set by stipulating annual emission budgets for the following sectors: 1. energy, 2. industry, 3. transport, 4. buildings, 5. agriculture, 6. waste and others. The emission sources of the individual sectors and the division of sectors are indicated in Annex 1. The annual emission budgets for the period up to the year 2030 shall be based on Annex 2. In the energy sector, greenhouse gas emissions shall be reduced as steadily as possible between the stated annual emission budgets. For periods from 2031 onwards, the annual reduction targets shall be updated by means of a statutory instrument enacted pursuant to subsection (6) below. The annual emission budgets to which this Act refers shall be binding. Subjective rights and actionable legal positions are not established by or on the basis of this Act.

### Definition of net-zero

#### Section 2

9. “net greenhouse gas neutrality” shall mean an equilibrium between the anthropogenic emissions of greenhouse gases from sources and the reduction in the volume of such gases by means of sinks.

### Compatibility of interim and long-term targets

(5) The Federal Government shall be authorised by a statutory instrument, which shall not require the consent of the Bundesrat, to alter the allocation of annual emission budgets to the sectors listed in Annex 2 to this Act with effect from the start of the next calendar year. Such alterations must be consistent with the achievement of the climate targets of this Act and with the requirements of European Union legislation. The statutory instrument shall require the consent of the Bundestag. If the Bundestag has not considered the statutory instrument by the time three sitting weeks have elapsed since the date of receipt, it shall be deemed to have given its consent to the unamended statutory instrument. (6) In the year 2025, the Federal Government shall set annually decreasing emission budgets for further periods after the year 2030 by means of a statutory instrument. These budgets must be consistent with the achievement of the climate targets of this Act and with the requirements of European Union legislation. When annually decreasing emission budgets are set for periods after the year 2030, the statutory instrument shall require the consent of the Bundestag. If the Bundestag has not considered the statutory instrument by the time six sitting weeks have elapsed since the date of receipt, it shall be deemed to have given its consent to the unamended statutory instrument.

### Advisory Body

#### Section 11 – Independent Council of Experts on Climate Change, authority to enact statutory instruments

(1) A Council of Experts on Climate Change shall be established, comprising five specialised persons from various disciplines. The Federal Government shall appoint the members for a term of five years, at least one member being drawn from each of the fields of climatology, economics, environmental science and social matters and possessing outstanding scientific knowledge and experience in his or her field. The Council of Experts as a whole shall also embody overarching expertise in the sectors specified in section 4 subsection (1) of this Act. Equal representation of women and men shall be ensured. Each member may be reappointed once.

(3) The Council of Experts on Climate Change shall be bound only by the mandate assigned by this Act and shall be independent in its activity. The Federation shall meet the costs incurred by the Council of Experts on Climate Change, subject to the provisions of the federal budget.

### Public Participation

#### Section 9 – Climate action programmes

(3) The Federal Government shall involve the Länder, municipalities, business associations and civil society organisations as well as the Scientific Platform on Climate Change and scientific advisory bodies of the Federal Government in every climate action programme through a public consultation procedure.

#### Section 12 – Tasks of the Council of Experts on Climate Change

(4) ... The Council of Experts on Climate Change may hear and question public authorities as well as experts, particularly representatives of business organisations and environmental associations, on matters relating to climate action.

### Enforcement Mechanism

See Subsection 4(1), 4(5) and 4(6), above.

#### **Section 4 – Permissible annual emission budgets, authority to enact statutory instruments**

(3) If, from the year 2021, greenhouse gas emissions are above or below the relevant permissible annual sectoral emission budgets, the differential shall be subtracted from or added to the residual annual sectoral emission budget in equal instalments until the next target year referred to in section 3 subsection (1) of this Act. The foregoing shall be without prejudice to the requirements of the European Effort Sharing Regulation.

Section 8 – Immediate action programme in the event of annual emission budgets being exceeded (1) If the emissions data referred to in section 5 subsections (1) and (2) of this Act indicate that the permissible annual emission budget for a sector has been exceeded in a reporting year, the responsible federal government ministry defined in section 4 subsection (4) shall, within three months following the presentation of the assessment of the emissions data by the Council of Experts on Climate Change established pursuant to section 11 subsection (1), present an immediate action programme for the relevant sector; the programme shall ensure compliance with the annual sectoral emission budgets in the subsequent years. (2) The Federal Government shall deliberate on the measures to be taken in the relevant sector or in other sectors or on cross-sector measures and shall adopt these measures as quickly as possible. In so doing, it may take account of the existing flexibility allowed by the European Effort Sharing Regulation and alter the annual sectoral emission budgets referred to in section 4 subsection (5) of this Act. Before the proposal for a decision on these measures is produced, the assumptions regarding greenhouse gas emission reduction on which the measures are based shall be forwarded to the Council of Experts on Climate Change for assessment. The result of this assessment shall be attached to the proposal for a decision. (3) The Federal Government shall inform the Bundestag of the adopted measures. (4) For the energy sector, subsections (1) to (3) above shall be applied, mutatis mutandis, at intervals of three years, beginning with the 2023 reporting year.

Data obtained from Germany, Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, [Federal Climate Change Act \(Bundes-Klimaschutzgesetz\)](#).

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## New Zealand

### Basis for goal setting

#### **5X Duty of Minister to set emissions budgets and ensure they are met**

- 1) The Minister must set an emissions budget for each emissions budget period in accordance with this subpart.
- 2) From 31 December 2021, there must be 3 consecutive emissions budgets, 1 current and 2 prospective, in place at any one time.
- 3) An emissions budget must be set and notified in the Gazette under section 5ZD as follows:
  - a) for the emissions budget period 2022 to 2025, by 31 December 2021:
  - b) for the emissions budget period 2026 to 2030, by 31 December 2021:
  - c) for the emissions budget period 2031 to 2035, by 31 December 2021:
  - d) for the emissions budget period 2036 to 2040, by 31 December 2025:
  - e) for the emissions budget period 2041 to 2045, by 31 December 2030:
  - f) for the emissions budget period 2046 to 2050, by 31 December 2035:
  - g) for any subsequent emissions budget period, by 31 December not less than 10 years before that emissions budget period commences.
- 4) The Minister must ensure that the net accounting emissions do not exceed the emissions budget for the relevant emissions budget period.

#### **5Y Contents of emissions budgets**

- 1) Each emissions budget must state the total emissions that will be permitted for the relevant emissions budget period, expressed as a net quantity of carbon dioxide equivalent.
- 2) Each emissions budget must include all greenhouse gases.

#### **5Z How emissions budgets are to be met**

- 1) Emissions budgets must be met, as far as possible, through domestic emissions reductions and domestic removals.
- 2) However, offshore mitigation may be used if there has been a significant change of circumstance—
  - a) that affects the considerations on which the relevant emissions budget was based; and
  - b) that affects the ability to meet the relevant emissions budget domestically.

### Definition of net-zero

#### **5Q Target for 2050**

- 1) The target for emissions reduction (the 2050 target) requires that—
  - a) net accounting emissions of greenhouse gases in a calendar year, other than biogenic methane, are zero by the calendar year beginning on 1 January 2050 and for each subsequent calendar year; and
  - b) emissions of biogenic methane in a calendar year—
    - i. are 10% less than 2017 emissions by the calendar year beginning on 1 January 2030; and
    - ii. are 24% to 47% less than 2017 emissions by the calendar year beginning on 1 January 2050 and for each subsequent calendar year.
- 1) The 2050 target will be met if emissions reductions meet or exceed those required by the target.
- 2) In this section, 2017 emissions means the emissions of biogenic methane for the calendar year beginning on 1 January 2017.

#### **5R Review of inclusion of emissions from international shipping and aviation in 2050 target**

The Commission must, no later than 31 December 2024, provide written advice to the Minister on whether the 2050 target should be amended to include emissions from international shipping and aviation (and, if so, how the target should be amended).

### Compatibility of interim and long-term targets

#### **5W Purpose of this subpart**

The purpose of this subpart and subparts 3 and 4 is to require the Minister to set a series of emissions budgets—

- a) with a view to meeting the 2050 target and contributing to the global effort under the Paris Agreement to limit the global average temperature increase to 1.5° Celsius above pre-industrial levels; and
- b) in a way that allows those budgets to be met domestically; and
- c) that provides greater predictability for all those affected, including households, businesses, and investors, by giving advance information on the emissions reductions and removals that will be required.

### References to Adaptation

#### **5ZP National climate change risk assessment**

- 1) A national climate change risk assessment must—
  - a) assess the risks to New Zealand’s economy, society, environment, and ecology from the current and future effects of climate change; and
  - b) identify the most significant risks to New Zealand, based on the nature of the risks, their severity, and the need for co-ordinated steps to respond to those risks in the next 6-year period.

#### **5ZR Minister must prepare first national climate change risk assessment**

- 1) The Minister must, no later than 1 year after the commencement of this Part,—
  - a) prepare the first national climate change risk assessment; and
  - b) present the assessment to the House of Representatives; and
  - c) make the assessment and any evidence commissioned to support its preparation publicly available.

#### **5ZS National adaptation plan**

- 1) In response to each national climate change risk assessment, the Minister must prepare a national adaptation plan.
- 1) A national adaptation plan must set out—
  - a) the Government’s objectives for adapting to the effects of climate change; and
  - b) the Government’s strategies, policies, and proposals for meeting those objectives; and
  - c) the time frames for implementing the strategies, policies, and proposals; and
  - d) how the matters in paragraphs (a) to (c) address the most significant risks identified in the most recent national climate change risk assessment; and
  - e) the measures and indicators that will enable regular monitoring of and reporting on the implementation of the strategies, policies, and proposals.
- 2) A national adaptation plan may include any other matter that the Minister considers relevant.
- 3) In preparing a national adaptation plan, the Minister must take into account the following:
  - a. economic, social, health, environmental, ecological, and cultural effects of climate change, including effects on iwi and Māori;
  - b. the distribution of the effects of climate change across society, taking particular account of vulnerable groups or sectors;
  - c. New Zealand’s relevant obligations under international agreements;
  - d. any information received as a result of requests made under section 5ZW;
  - e. any relevant advice or reports received from the Commission;

- f. the ability of communities or organisations to undertake adaptation action, including how any action may be funded;
  - g. scientific and technical advice.
- 4) The Minister may also take into account any other matter that the Minister thinks is relevant or appropriate.
  - 5) In preparing a national adaptation plan, the Minister must undertake public consultation on the draft plan.

#### **5ZU Progress reports on national adaptation plan**

- 1) For each national adaptation plan, the Commission must provide the Minister with a progress report that evaluates the implementation of the adaptation plan and its effectiveness—
  - a) 2 years after the adaptation plan is made publicly available; and
  - b) 4 years after the adaptation plan is made publicly available; and
  - c) 6 years after the adaptation plan is made publicly available.
- 2) Each progress report must include—
  - a) an assessment of the progress made towards implementing the strategies, policies, and proposals included in the plan; and
  - b) an assessment of the degree to which the objectives of the plan have been achieved and how well the plan responds to the most significant risks posed by climate change; and
  - c) an identification of any known barriers to the implementation and effectiveness of the current plan, including recommendations for how those barriers might be addressed or overcome in future; and
  - d) any other relevant matters required to support the report.

### Advisory Body

#### **5B Purposes of Commission**

The purposes of the Commission are—

- a) to provide independent, expert advice to the Government on mitigating climate change (including through reducing emissions of greenhouse gases) and adapting to the effects of climate change; and
- b) to monitor and review the Government's progress towards its emissions reduction and adaptation goals.

#### **5C Commission is Crown entity**

- 1) The Commission is a Crown entity for the purposes of the Crown Entities Act 2004.
- 2) The Crown Entities Act 2004 applies to, and in relation to, the Commission except to the extent that this Act expressly provides otherwise.

#### **5I Members' term of office**

In recommending the appointment of a member of the Commission, the Minister must recommend a term of office that ensures that no more than 2 members have their terms of office expire in any calendar year.

#### **5O Commission must act independently**

- 1) The Commission must act independently in performing its functions and duties and exercising its powers under this Act.
- 2) However, the Minister may direct the Commission to have regard to Government policy for the purposes of the Commission—
  - a) recommending unit supply settings of the New Zealand emissions trading scheme; and
  - b) providing advice about New Zealand's nationally determined contributions under the Paris Agreement (in a report requested under section 5K).

#### **5F Establishment and membership of nominating committee**

- 1) The Minister must establish a committee to nominate candidates to the Minister for appointment as members of the Commission.
- 2) The nominating committee must comprise—

- a) the Chairperson of the Commission; and
  - b) 4 or more other people who, in the opinion of the Minister, have the relevant skills or experience to identify suitably qualified candidates.
- 1) If the position of Chairperson is vacant, the nominating committee must comprise 5 or more people who, in the opinion of the Minister, have the relevant skills or experience to identify suitably qualified candidates.

#### **5G Role of nominating committee**

- 1) On request of the Minister, the nominating committee must nominate 1 or more people who, in the opinion of the committee, are suitably qualified to be appointed to be members of the Commission.
- 2) Before nominating a person for appointment, the nominating committee must—
- a) publicly call for expressions of interest in being appointed; and
  - b) consult any person or group who may have an interest in being a member of the Commission, including—
    - i. iwi and Māori representative organisations; and
    - ii. any person or group that the Minister has identified as having an interest.

#### **5H Matters Minister must have regard to before recommending appointment of member of Commission**

- 1) Before recommending the appointment of a member of the Commission, the Minister must have regard to the need for the Commission to have members who, collectively, have—
- a) an understanding of climate change mitigation and adaptation, including the likely effects of any responses to climate change; and
  - b) experience working in or with local and central government; and
  - c) knowledge of the process by which public and regulatory policy is formed and given effect to; and
  - d) technical and professional skills, experience, and expertise in, and an understanding of innovative approaches relevant to,—
    - i. the environmental, ecological, social, economic, and distributional effects of climate change and climate change policy interventions; and
    - ii. the Treaty of Waitangi (Te Tiriti o Waitangi) and te ao Māori (including tikanga Māori, te reo Māori, mātauranga Māori, and Māori economic activity); and
    - iii. a range of sectors and industries, at regional and local levels.
- 2) In this section,—

mātauranga Māori means traditional Māori knowledge  
 te ao Māori means the Māori world  
 te reo Māori means the Māori language  
 tikanga Māori means Māori custom and protocol.

### Public Participation

#### **5N Consultation**

- 1) In performing its functions and duties and exercising its powers under this Act, the Commission must—
- a) proactively engage with persons the Commission considers relevant to the functions, duties, and powers; and
  - b) where the Commission considers it is necessary, provide for participation by the public.
- 2) The Commission may—
- a) publish and invite submissions on discussion papers and draft reports; and
  - b) undertake any other type of consultation that it considers necessary for the performance of its functions and duties under this Act.

## Enforcement Mechanism

### **5X Duty of Minister to set emissions budgets and ensure they are met**

- 4) The Minister must ensure that the net accounting emissions do not exceed the emissions budget for the relevant emissions budget period.

### **5ZM Effect of failure to meet 2050 target and emissions budgets**

- 1) No remedy or relief is available for failure to meet the 2050 target or an emissions budget, and the 2050 target and emissions budgets are not enforceable in a court of law, except as set out in this section.
- 2) If the 2050 target or an emissions budget is not met, a court may make a declaration to that effect, together with an award of costs.
- 3) If a declaration is made and becomes final after all appeals or rights of appeal expire or are disposed of, the Minister must, as soon as practicable, present to the House of Representatives a document that—
  - a) brings the declaration to the attention of the House of Representatives; and
  - b) contains advice on the Government’s response to the declaration.

data obtained from New Zealand, [Climate Change Response \(Zero Carbon\) Amendment Act 2019](#), Public Act 2019 No. 61.

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## Norway

### Basis for goal setting

#### **Section 3. Climate target for 2030**

The target is for greenhouse gas emissions to be reduced by at least 40% by 2030 compared with the reference year 1990.

#### **Section 4. Climate target for 2050**

The target is for Norway to become a low-emission society by 2050. A low-emission society means one where greenhouse gas emissions, on the basis of the best available scientific knowledge, global emission trends and national circumstances, have been reduced in order to avert adverse impacts of global warming, as described in Article 2 1.(a) of the Paris Agreement of 12 December 2015.

The target is to achieve reductions of greenhouse gas emissions of the order of 80-95% from the level in the reference year 1990. The effect of Norway's participation in the EU Emissions Trading System is to be taken into account in assessing progress towards this target.

### Compatibility of interim and long-term targets

#### **Section 5. Review of climate targets every five years**

To promote the transformation to a low-emission society, see section 4, the Government shall in 2020 and thereafter every fifth year submit updated climate targets to the Storting. These shall:

- a) be based on the best available scientific knowledge;
- b) as far as possible be quantitative and measurable.

Climate targets submitted under this section shall represent a progression from the preceding targets and promote a gradual transformation in the period up to 2050.

Climate targets shall be consistent with Norway's nationally determined contributions under the Paris Agreement of 12 December 2015 and with joint fulfilment with the EU, if agreed.

This Act is not intended to preclude the establishment of other types of targets to promote Norway's transformation to a low-emission society, as a supplement to climate targets in accordance with the first to third paragraphs of this section.

### References to Adaptation

Each year, the Government shall, on the basis of scientific information, provide the Storting in a suitable manner with the following:

...

- b. an account of how Norway is preparing for and adapting to climate change;

### Enforcement Mechanism

#### **Section 6. Annual reporting to the Storting**

In its budget proposal for the following year, the Government shall give an account of:

- a) how Norway can achieve the climate targets set out in sections 3-5;
- b) the expected effect of the proposed budget on greenhouse gas emissions.

Each year, the Government shall, on the basis of scientific information, provide the Storting in a suitable manner with the following:

- a) an account of changes in emissions and removals of greenhouse gases, projections of emissions and removals, and progress towards the climate targets mentioned in sections 3-5;
- b) an account of how Norway is preparing for and adapting to climate change;
- c) an overview showing sectoral emission trajectories for emissions that are not covered by the EU Emissions Trading System and the types of measures that will be necessary to achieve them;
- d) a status report on Norway's carbon budget, taking into account relevant arrangements within the framework of joint fulfilment with the EU, if agreed.

Data obtained from Norway, [\*Act relating to Norway's climate targets \(Climate Change Act\)\*](#).

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## Sweden

### Compatibility of interim and long-term targets

#### Section 3

The Government's climate policy must be based on the long-term, time-bound emissions target adopted by the Riksdag (Swedish Parliament).

The Government must set any other emissions reduction targets needed to achieve the long-term target. Climate policy must be implemented in a manner that enables climate targets and budgetary targets to interact.

### Enforcement Mechanism

#### Section 4

Each year, the Government must include a climate report to the Riksdag in its Budget Bill. This climate report must contain: 1. a description of emissions trends; 2. a description of the most important climate policy decisions during the year and the possible effects of these decisions on greenhouse gas emissions trends; 3. an assessment of whether further measures are needed and, if so, when and how any decisions on such measures may be taken.

#### Section 5

Every fourth year, the Government must draw up a climate policy action plan. This action plan must be presented to the Riksdag the year following ordinary elections to the Riksdag.

The action plan should contain a description of: 1. Sweden's commitments in the EU and internationally; 2. historical greenhouse gas emissions data, including the most recent emissions inventory; 3. emissions reduction projections; 4. the outcome of any emissions reduction measures taken; 5. planned emissions reduction measures, including an approximate indication of when these measures may come into force; 6. the extent to which adopted and planned emissions reduction measures can be expected to contribute to the achievement of the national and global climate change targets; 7. the extent to which adopted and planned measures in different expenditure areas affect the ability to achieve the national and global climate change targets; 8. any further measures or decisions that may be needed to achieve the national and global climate change targets.

The Swedish Climate Act was enacted as part of the Swedish Climate Policy Framework. The framework consists of three pillars: the Climate Act; new climate goals, including emissions reduction targets; and the climate policy council. See Sweden, Ministry of the Environment and Energy, [The Swedish climate policy framework](#).

Data obtained from Sweden, [The Swedish Climate Act](#).

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## The United Kingdom

### Basis for goal setting

#### 4 Carbon budgets

- 1) It is the duty of the Secretary of State–
  - a. to set for each succeeding period of five years beginning with the period 2008-2012 (“budgetary periods”) an amount for the net UK carbon account (the “carbon budget”), and
  - b. to ensure that the net UK carbon account for a budgetary period does not exceed the carbon budget.
- 2) The carbon budget for a budgetary period may be set at any time after this Part comes into force, and must be set–
  - a. for the periods 2008-2012, 2013-2017 and 2018-2022, before 1st June 2009;
  - b. for any later period, not later than 30th June in the 12th year before the beginning of the period in question.

#### 5 Level of carbon budgets

- 1) The carbon budget–
  - a. for the budgetary period including the year 2020, must be such that the annual equivalent of the carbon budget for the period is at least 34% lower than the 1990 baseline;
  - b. for the budgetary period including the year 2050, must be such that the annual equivalent of the carbon budget for the period is lower than the 1990 baseline by at least the percentage specified in section 1 (the target for 2050);
  - c. for the budgetary period including any later year specified by order of the Secretary of State, must be such that the annual equivalent of the carbon budget for the period is–
    - i. lower than the 1990 baseline by at least the percentage so specified, or
    - ii. at least the minimum percentage so specified, and not more than the maximum percentage so specified, lower than the 1990 baseline.
- 2) The “annual equivalent,” in relation to the carbon budget for a period, means the amount of the carbon budget for the period divided by the number of years in the period.
- 3) An order under this section is subject to affirmative resolution procedure.

### Definition of net-zero

#### 1 The target for 2050

- 1) It is the duty of the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline.
- 2) “The 1990 baseline” means the aggregate amount of–
  - a. net UK emissions of carbon dioxide for that year, and
  - b. net UK emissions of each of the other targeted greenhouse gases for the year that is the base year for that gas.

### Compatibility of interim and long-term targets

#### 8 Setting of carbon budgets for budgetary periods

- 1) The Secretary of State must set the carbon budget for a budgetary period by order.
- 2) The carbon budget for a period must be set with a view to meeting–
  - a. the target in section 1 (the target for 2050), and
  - b. the requirements of section 5 (requirements as to level of carbon budgets), and complying with the European and international obligations of the United Kingdom.

### References to Adaptation

#### 58 Programme for adaptation to climate change

- 1) It is the duty of the Secretary of State to lay programmes before Parliament setting out —
  - a) the objectives of Her Majesty's Government in the United Kingdom in relation to adaptation to climate change,
  - b) the Government's proposals and policies for meeting those objectives, and
  - c) the time-scales for introducing those proposals and policies, addressing the risks identified in the most recent report under section 56.
- 2) The objectives, proposals and policies must be such as to contribute to sustainable development.
- 3) Each programme under this section must be laid before Parliament as soon as is reasonably practicable after the laying of the report under section 56 to which it relates.
- 4) The Secretary of State must send a copy of each programme under this section to the other national authorities.

### **59 Reporting on progress in connection with adaptation**

- 1) Each report of the Committee on Climate Change under section 36 to which this section applies must contain an assessment of the progress made towards implementing the objectives, proposals and policies set out in the programmes laid before Parliament under section 58 (adaptation to climate change).
- 2) This section applies to the report in the second year after that in which the Secretary of State lays the first programme under section 58 before Parliament.
- 3) After that, this section applies to the report under section 36 in every second year after that in which the Committee last made a report to which this section applies, subject to any order under subsection (4).
- 4) The Secretary of State may by order provide that this section shall apply to the report under section 36 in the year specified in the order and in every subsequent year.
- 5) An order under subsection (4) is subject to negative resolution procedure.

## **Advisory Body**

### **Term of Office**

- 3) A member holds and vacates office in accordance with the terms of the member's appointment.
- 4) A member may resign by giving written notice to the Secretary of State.
- 5) The national authorities may remove a member—
  - a. who has been absent from meetings of the Committee without its permission for a period of 6 months or more,
  - b. who has become bankrupt or has made an arrangement with creditors,
  - c. whose estate has been sequestrated in Scotland or who, under Scots law, has made a composition or arrangement with, or granted a trust deed for, creditors, or
  - d. who in the opinion of the national authorities is otherwise unable or unfit to carry out the duties of that member.

### **Membership**

- 1) The Committee shall consist of—
  - a. a person appointed by the national authorities to chair the Committee (“the chair”), and
  - b. not less than five and not more than eight other members appointed by the national authorities.
- 2) The national authorities must consult the chair before appointing the other members.
- 3) In appointing a member, the national authorities must have regard to the desirability of securing that the Committee (taken as a whole) has experience in or knowledge of the following—
  - a. business competitiveness;
  - b. climate change policy at national and international level, and in particular the social impacts of such policy;
  - c. climate science, and other branches of environmental science;
  - d. differences in circumstances between England, Wales, Scotland and Northern Ireland and the capacity of national authorities to take action in relation to climate change;
  - e. economic analysis and forecasting;

- f. emissions trading;
- g. energy production and supply;
- h. financial investment;
- i. technology development and diffusion.

## Public Participation

### **39 General ancillary powers**

...

(4) The Committee must have regard to the desirability of involving the public in the exercise of its functions.

## Enforcement Mechanism

### **18 Final statement for budgetary period**

...

(7) Whether the carbon budget for a period has been met shall be determined by reference to the figures given in the statement laid before Parliament under this section in respect of that period.

(8) If the carbon budget for the period has not been met, the statement must explain why it has not been met.

...

### **19 Duty to report on proposals and policies for compensating for budget excess**

(1) As soon as is reasonably practicable after laying a statement before Parliament under section 18 in respect of a period for which the net UK carbon account exceeds the carbon budget, the Secretary of State must lay before Parliament a report setting out proposals and policies to compensate in future periods for the excess emissions.

(2) So far as the report relates to proposals and policies of the Scottish Ministers, the Welsh Ministers or a Northern Ireland department, it must be prepared in consultation with that authority.

...

### **20 Final statement for 2050**

...

(5) Whether the target in section 1 (the target for 2050) has been met shall be determined by reference to the figures given in the statement laid before Parliament under this section.

(6) If the target has not been met, the statement must explain why it has not been met.

Data obtained from United Kingdom Legislation, [Climate Change Act 2008](#).

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Denmark 

## Basis for goal setting

**Chapter 1**

I. The purpose of this Act is for Denmark to reduce greenhouse gas emissions in 2030 by 70% compared to the level of emissions in 1990, and for Denmark to achieve a climate-neutral society by 2050 at the latest, taking into account the Paris Agreement target of limiting the global temperature rise to 1.5 degrees Celsius.

...

2. At least once every five years, the Minister for Climate, Energy and Utilities must set a national climate target with a 10-year perspective. A new climate target must not be less ambitious than the most recently set target. (2). At least once every five years, and as a minimum in connection with the setting of the climate targets, as referred to in paragraph 1, the Minister for Climate, Energy and Utilities must publish a climate action plan with a 10-year perspective.

## Compatibility of interim and long-term targets

See Article 2 in Chapter 1, above.

## Advisory Body

**Chapter 2 The Danish Council on Climate Change**

3. To promote impartial advice on the climate effort, the Minister for Climate, Energy and Utilities will be assisted by the The Danish Council on Climate Change.

(2). The Danish Council on Climate Change assists the Minister for Climate, Energy and Utilities in setting national climate targets, as referred to in Article 2(1).

4. The Danish Council on Climate Change must annually make recommendations to the Minister for Climate, Energy and Utilities on the climate effort. In the recommendations, The Danish Council on Climate Change must observe the principles stated in Article 1(3).

(2). In the recommendations, The Danish Council on Climate Change must also assess whether the government's climate efforts make it probable that the climate targets, as referred to in Articles 1(1) and 2(1), will be reached.

(3). In connection with the recommendations, The Danish Council on Climate Change must provide a status update on Denmark's international targets.

5. The Danish Council on Climate Change must comment on the annual climate status and projection, as referred to in Article 6, and the Minister of Climate, Energy and Utilities' annual climate programme, as referred to in Articles 7(1) and 7(2).

(2). The Danish Council on Climate Change must prepare a catalogue of potential measures.

(3). The Danish Council on Climate Change must contribute to the public debate.

(4). The Danish Council on Climate Change may prepare analyses of, and recommendations on, the climate effort, etc.

**Chapter 5 Organisation of The Danish Council on Climate Change**

10. The Danish Council on Climate Change is an independent advisory body of experts.

(2). The Danish Council on Climate Change consists of 1 chair and 8 other members. The Danish Council on Climate Change elects 1 candidate for each vacant post, who is subsequently appointed by the Minister for Climate, Energy and Utilities.

(3). The Danish Council on Climate Change is composed of experts with broad expertise and high level of climate-relevant academic knowledge relating to energy, buildings, transport, agriculture, environment, nature, economics, climate science research, and behavioural research of relevance to the climate field.

(4). Two of the Climate Council's other members will be appointed as deputy chairs.

(5). The chair and the deputy chairs speak on behalf of the Climate Council.

(6). The members of The Danish Council on Climate Change are appointed for a four-year term. Members may be reappointed once. If the chair or one of the other members resigns from the Council before the expiry of the term, a new member may be appointed for less than four years in accordance with the procedure outlined in paragraph 2.

(7). The Danish Council on Climate Change determines its rules of procedure.

11. The Danish Council on Climate Change is assisted by a secretariat.

(2). The secretariat is headed by a head of secretariat, who is appointed by the chair of The Danish Council on Climate Change.

12. The Danish Council on Climate Change must establish a climate dialogue forum, which is tasked with assisting The Danish Council on Climate Change in its work.

(2). The members of the Climate Council's climate dialogue forum will be appointed by The Danish Council on Climate Change for a term of up to three years at a time.

(3). The Danish Council on Climate Change and the climate dialogue forum must convene at least once annually prior to the submission of the Climate Council's annual report with recommendations, as referred to in Article 4(1), and prior to other significant publications by the Climate Council. The discussions will be led by the chair.

(4). The annual report with recommendations, as referred to in Article 4(1), and other significant publications from the Danish Council on Climate Change will be accompanied by a summary of views expressed in connection with the discussions referred to in paragraph 3.

(5). The Minister for Climate, Energy and Utilities must set detailed rules on which organisations and institutions nominate members of the climate dialogue forum.

## Enforcement Mechanism

### **Chapter 4 Climate programme, report to the Danish Parliament and obligation to act**

7. The Minister for Climate, Energy and Utilities must annually present a climate programme for the Danish Parliament.

(2). The climate programme must include the following:

1. A status report on fulfilment of the national climate targets, as referred to in Articles 1(1) and 2(1).
2. The planned climate initiatives and measures, including short- and long-term effect and the projected future effect thereof.
3. A report on The Danish Council on Climate Change's recommendations, as referred to in Article 4, and the position of the Minister for Climate, Energy and Utilities on these recommendations.
4. A status report on research and development of new climate initiatives.

5. A status report on developments in climate science, including the latest reports from the UN Climate Panel.
6. A description and status report on fulfilment of international climate targets.
7. A global climate strategy.

(3). In the climate programme, the Minister for Climate, Energy and Utilities must provide an assessment of whether it appears probable that the national climate targets mentioned in Articles 1(1) and 2(1) will be reached.

(4). If it cannot be deemed probable that the national climate targets will be reached, the Minister for Climate, Energy and Utilities must in the climate programme present new initiatives with a reduction effect in the shorter term and initiatives with a reduction effect in the longer term, which together chart a path toward fulfilment of the national climate targets.

8. The Minister for Climate, Energy and Utilities must prepare an annual report to the Danish Parliament on the effects of the overall climate policy after the publication of the climate programme.

Data obtained from Danish Ministry of Climate, Energy and Utilities, [Climate Act](#).

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## Finland

### Basis for goal setting

#### **Section 6(3)**

The goal of the planning system for climate change policy is to ensure that the total anthropogenic emissions of greenhouse gases into the atmosphere is reduced in Finland by at least 80 per cent by 2050 compared to 1990 levels. If an international treaty binding on Finland or European Union legislation includes a total reduction target for greenhouse gas emissions set for 2050 that differs from that mentioned above, it must be used as the basis for the long-term emissions reduction target of the planning system. The goal of planning the adaptation to climate change is to promote the management of risks caused by climate change and sector-specific adaptation to climate change.

### Definition of net-zero

#### **Section 1(2)**

The goals of the Act and of the planning of climate change policy carried out in accordance with it are:

1. to ensure the fulfilment of obligations under the treaties binding on Finland and under the legislation of the European Union to reduce and monitor greenhouse gases;
2. to reduce anthropogenic emissions of greenhouse gases into the atmosphere, to mitigate climate change through national actions, and to adapt to climate change.

### Compatibility of interim and long-term targets

#### **Section 7 Long-term plan for climate change policy**

(1) At least once every ten years, the Government shall approve a long-term plan for climate change policy on the key policy measures focusing on the emissions trading sector

and the sectors outside emissions trading, by means of which the goals referred to in section 6(3) concerning the long-term reduction of greenhouse gas emissions and the mitigation of and adaptation to climate change shall be achieved.

(2) In addition to that provided in subsection 1, the long-term plan for climate change policy shall present the following issues:

1. the greenhouse gas emissions scenarios to 2050 based on the reduction target for greenhouse gas emissions referred to in section 6(3), and the key sector-specific options for progress in order to reach the long-term emissions reduction target;
2. a description of the international and European operating environment for climate change policy and the outlook for its development in the long term;
3. an assessment of the outlook for developing methods for reducing greenhouse gas emissions from the perspective of Finland;
4. other issues considered necessary

#### **Section 9 Medium-term plan for climate change policy**

(1) The Government shall approve a medium-term plan for climate change policy once per electoral term. The plan shall include an action plan that proposes the measures for reduction of anthropogenic greenhouse gas emissions and mitigation of climate change in the sectors outside emissions trading, and projections of greenhouse gas emissions and the effects of policy measures on the emissions.

(2) The climate change action plan referred to in subsection 1 above shall present the following issues:

1. commitments to reduce greenhouse gas emissions under international treaties and under the legislation of the European Union;
2. current policy measures directed at the sectors outside emissions trading for reducing greenhouse gas emissions and assessing their effectiveness;

3. any new policy measures directed at the sectors outside emissions trading for reducing greenhouse gas emissions that may be necessary to reach the greenhouse gas emissions reduction targets in accordance with the long-term climate change policy plan referred to in section 7 above and in accordance with the commitments referred to in paragraph 1 of this subsection, and an assessment of their effectiveness;
  4. other issues considered necessary.
- (3) The following issues are presented in the projections of greenhouse gas emissions referred to in subsection 1 above:
1. information on the trend in total greenhouse gas emissions in Finland since 1990;
  2. information on trends in emissions in the emissions trading sector and in the sectors outside emissions trading since 2005;
  3. a projection of total greenhouse gas emissions and, separately, emissions projections for sectors outside emissions trading during the 10–20 years after the approval of the plan, based on current policy measures;
  4. emissions projections for sectors outside emissions trading during the 10–20 years after the approval of the plan, based on current policy measures and on new policy measures referred to in subsection 2, paragraph 3;
  5. other issues considered necessary.
- (4) The medium-term plan for climate change policy must be coordinated with energy and transport policy planning as necessary.

## References to Adaptation

### **Section 8 National adaptation plan for climate change**

- (1) The Government shall approve the national adaptation plan for climate change at least once every ten years.
- (2) The adaptation plan shall include a risk and vulnerability review, as well as action plans on adaptations specific to each administrative branch, if necessary.

## Advisory Body

### **Section 16 Scientific expert body**

- (1) The Government shall appoint a scientific and independent expert body to support the planning of climate change policy and the related decision-making. The name of the expert body is “Suomen ilmastopaneeli” (Finland’s Climate Panel), and its task is to collect and itemise research data on the mitigation of climate change and adaptation to it for the planning and monitoring of climate change policy. The expert body can also carry out other tasks concerning the generation of basic information on climate change.
- (2) Different fields of science are to be represented in the expert body. The members of the expert body are appointed for a fixed period of time.
- (3) More specific provisions on the tasks and composition of the scientific expert body may be issued by government decree.

## Public Participation

### **Section 10(1)**

When the climate change policy plans referred to in sections 7–9 above are prepared, the public must be given an opportunity to review the draft plan and submit opinions on it in writing. In addition, a statement on the draft plan must be requested from the key authorities and organisations, and from the scientific expert body referred to in section 16.

## Enforcement Mechanism

### **Section 11 Report to Parliament**

(1) The Government shall submit a report to Parliament on the long-term plan for climate change policy referred to in section 7 that it has approved. If necessary, the information on the national adaptation plan for climate change referred to in section 8 shall be included in the report.

(2) The Government shall submit a report to Parliament on the medium-term plan for climate change policy referred to in section 9 that it has approved.

#### **Section 12 Monitoring the implementation of the climate change policy plans**

(1) The Government shall monitor the implementation of the climate change policy plans referred to in sections 7–9 to determine whether the policy measures taken in accordance with the plans achieve the goals on mitigation of climate change and adaptation to it. If necessary, based on the monitoring, the Government decides on additional measures required to reach the goals.

(2) The Government shall monitor the sufficiency of the emissions reduction target referred to in section 6(3) based on current research data on the progression of climate change, and it shall ensure that the target fulfils the obligations under the international treaties binding on Finland and under the legislation of the European Union.

(3) It should be monitored how well the projections of greenhouse gas emissions included in the climate change policy plans referred to in sections 7 and 9 have been realized by using the data of the national greenhouse gas inventory system. In addition, the information generated in the national system for policies and measures and projections shall be taken into account.

(4) The public shall be sufficiently informed of the results of the monitoring.

#### **Section 14 Annual climate change report**

(1) Each calendar year, the Government shall provide information to Parliament on the trends in emissions and the achievement of emissions reduction targets included in the medium-term plan for climate change policy referred to in section 9, and on the additional measures required to reach these targets referred to in section 12(1) (annual climate change report).

(2) As a part of the annual climate change report, the Government shall provide information on the implementation of policy measures referred to in section 9(1) above to Parliament every other year.

(3) At least once per electoral term, an assessment of the sufficiency and effectiveness of the adaptation measures included in the adaptation plan, referred to in section 8, is to be included in the annual climate change report, as well as, if necessary, a report specific to each administrative branch of the implementation of the planned adaptation measures.

Data obtained from Finland, [Climate Change Act](#).

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**Ireland** **Basis for goal setting****5. National climate objective**

3. (1) The State shall, so as to reduce the extent of further global warming, pursue and achieve, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy (in this Act referred to as the ‘national climate objective’).

6A. (1) A carbon budget, consistent with furthering the achievement of the national climate objective, shall be proposed by the Advisory Council, finalised by the Minister and approved by the Government for the period of five years commencing on 1 January 2021 and ending on 31 December 2025 and for each subsequent period of five years (in this Act referred to as a ‘budget period’).

(2) A carbon budget shall be made for three sequential budget periods so that, at any one time, there is a series of three carbon budgets which have effect under section 6B (in this Act referred to as a ‘carbon budget programme’).

(3) The carbon budget relating to the third budget period in a carbon budget programme shall be made in draft form and may be amended in accordance with section 6B (in this Act referred to as a ‘provisional carbon budget’).

(4) The Advisory Council shall prepare and submit a proposed carbon budget programme to the Minister as soon as may be after the coming into operation of section 9 of the Climate Action and Low Carbon Development (Amendment) Act 2021.

(5) The first two carbon budgets proposed by the Advisory Council shall provide for a reduction of 51 per cent in the total amount of greenhouse gas emissions over the course of the first two budget periods ending on 31 December 2030, from the annual greenhouse gas emissions reported for the year ending on 31 December 2018, as set out in the national greenhouse gas emissions inventory prepared by the Agency.

(6) Not less than 12 months prior to the expiry of the first carbon budget in a carbon budget programme, the Advisory Council shall prepare and submit to the Minister—

(a) a proposed carbon budget in respect of the budget period following the third budget period in the carbon budget programme, and

(b) proposed amendments, if any, to the provisional carbon budget.

(7) The Advisory Council shall provide the reasons for its proposed carbon budget programme under subsection (4), a proposed carbon budget under subsection (6)(a) and any proposed amendments to a provisional carbon budget under subsection (6)(b), in writing to the Minister.

(8) Not more than 30 days after submitting a proposed carbon budget programme, a proposed carbon budget or any proposed amendments to a provisional carbon budget to the Minister under this section, the Advisory Council shall publish the proposed carbon budget programme, the proposed carbon budget or any proposed amendments to the provisional carbon budget, as the case may be, in such manner as the Advisory Council considers appropriate.

See also:

**Sectoral emissions ceiling**

6C. (1) The Minister shall prepare, within the limits of the carbon budget, the maximum amount of greenhouse gas emissions that are permitted in different sectors of the economy during a budget period (in this Act referred to as a ‘sectoral emissions ceiling’) and different ceilings may apply to different sectors.

(2) The sectors of the economy to which each sectoral emissions ceiling shall apply shall be determined from time to time by the Government.

(3) The Minister shall, when preparing a sectoral emissions ceiling, consult with such Ministers of the Government as he or she considers appropriate.

### **Revision of carbon budgets**

6D. (1) The Minister may revise a carbon budget in the circumstances set out in subsection (2), (4) or (5).

## Definition of net-zero

### **3. (Definitions)**

‘climate neutral economy’ means a sustainable economy and society where greenhouse gas emissions are balanced or exceeded by the removal of greenhouse gases;

### **5. National climate objective**

(3) The Minister and the Government shall carry out their respective functions under sections 4, 5, 6, 6B, 6C and 6D in a manner—

(a) that is consistent with the ultimate objective specified in Article 2 of the United Nations Framework Convention on Climate Change done at New York on 9 May 1992, and:

(i) any mitigation or adaptation commitments entered into by the European Union in response or otherwise in relation to that objective;

(ii) the steps specified in Articles 2 and 4(1) of the Agreement done at Paris on 12 December 2015 to achieve that objective, and

(b) which takes account of the most recent national greenhouse gas emissions inventory and projection of future greenhouse gas emissions, prepared by the Agency.

## Compatibility of interim and long-term targets

1) For the purpose of enabling the State to pursue and achieve the national climate objective, the Minister shall make and submit to the Government for approval—

- a) carbon budgets in accordance with sections 6B and 6D,
- b) a sectoral emissions ceiling in accordance with section 6C,
- c) a climate action plan in accordance with section 4,
- d) a national long term climate action strategy in accordance with section 4, and
- e) a national adaptation framework in accordance with section 5.

## Advisory Body

(4) In nominating and appointing the chairperson and the ordinary members under subsection (3), the Minister and the Government shall—

(a) have regard to the range of qualifications, experience and competence necessary for the proper and effective performance of the functions of the Advisory Council and ensure that each member

has knowledge of, or expertise in, at least one of the following areas:

- (i) climate science;
  - (ii) adaptation policy;
  - (iii) transport policy;
  - (iv) energy policy;
  - (v) agricultural policy;
  - (vi) behavioural and communication science;
  - (vii) biodiversity and eco-system services;
  - (viii) economics;
  - (ix) finance;
  - (x) political sociology or ethics in relation to climate,
- and

(b) use their best endeavours to ensure that the membership of the Advisory Council has—

- (i) an appropriate balance of knowledge of, and expertise in, the areas specified in subparagraphs (i) to (x) of paragraph (a), and
- (ii) an equitable balance between men and women.”

## Public Participation

### **Climate action plan and national long term climate action strategy**

(2) The Minister shall, when preparing a climate action plan under subsection (1)(a)—

...

(b) set out a roadmap of actions, to include—

...

(iii) other actions and measures that are reasonably necessary to support Government policy on climate change, including measures to inform, and promote dialogue with, the public regarding the challenges and opportunities in the transition to a climate neutral economy,

...

(c) consult with—

- (i) any other Minister of the Government as he or she considers appropriate, including each Minister of the Government who has responsibility for sector specific actions, and
- (ii) the public and such persons as he or she considers appropriate.

...

(6) When preparing the national long term climate action strategy the Minister shall—

(c) consult with—

- (i) any other Minister of the Government as he or she considers appropriate, and
- (ii) members of the public and such persons as he or she considers appropriate.

#### **Carbon budgets**

(4) When finalising a carbon budget, the Minister shall consult with—

...

(b) members of the public and such persons as he or she considers appropriate.

### Enforcement Mechanism

#### **Climate Reporting**

14A. (1) The Minister shall, in each year after the publication of the annual report and the [National Oil Reserves] Agency's reports, at the written request of a joint committee, attend before it to give an account, for the period of the annual report, of the following matters:

- (a) progress under the most recent approved climate action plan, including the policies, mitigation measures and adaptation measures that have been adopted;
- (b) whether there has been a reduction or increase in greenhouse gas emissions based on the Agency's reports;
- (c) compliance with the carbon budget and any measures envisaged to address any failure to so comply;
- (d) the implementation of adaptation policy measures under the most recent approved national adaptation framework.

Data obtained from Ireland, Houses of the Oireachtas, [Climate Action and Low Carbon Development \(Amendment\) Bill 2021](#).

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