



Cabinet

Minute of Decision

McGuinness Institute title:
[CAB-19-MIN-0208] Climate Change
Response (Zero Carbon) Amendment
Bill: Approval for Introduction

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Climate Change Response (Zero Carbon) Amendment Bill: Approval for Introduction

Portfolio Climate Change

On 6 May 2019, Cabinet:

- 1 **noted** that the Climate Change Response Act (Zero Carbon) Amendment Bill holds a category 2 priority on the 2019 Legislation Programme (must be passed in the year);
- 2 **noted** that the Bill provides an enduring framework for the transition to a low-emissions, climate-resilient New Zealand, and contributes to the collective global effort to limit the increase in global average temperature to 1.5 degrees Celsius above pre-industrial levels;
- 3 **noted** that the Bill has been drafted as an amendment to the Climate Change Response Act 2002;
- 4 **agreed** to rename the Bill, formerly described as the Climate Change Bill, as the Climate Change Response (Zero Carbon) Amendment Bill, being an amendment to the Climate Change Response Act 2002;
- 5 **noted** that Cabinet authorised the Minister for Climate Change to make technical and administrative changes required to finalise draft legislation in consultation with other Ministers as appropriate [ENV-18-MIN-0053];
- 6 **noted** that the following technical and administrative amendments, consistent with the policy intent, were made under the authorisation referred to in paragraph 5;
 - 6.1 add a requirement for the Commission to consider the distribution of benefits, costs and risks between generations to encourage a future focus and ensure consistency with considerations about (inter)generational equity;
 - 6.2 change the inclusion of “te reo me ona tikanga Māori,...” to “te reo Māori, tikanga Māori,...” with the corresponding interpretation to give consideration to tikanga Māori more broadly (in some places, in addition to te reo Māori);
 - 6.3 remove the requirement for the Commission to wait for its reports to be tabled before publication and, instead, require the Commission to publish any report it provides, and require the Minister to table the report in Parliament as soon as reasonably practicable, but within twelve weeks of receiving it;

- 6.4 add a limiting clause to clarify that the Commission need not continue reporting on the implementation of a National Adaption Plan (NAP) for more than one year after a new NAP is published;
 - 6.5 require the Minister/Commission to take into account 'scientific and technical advice' in preparing a National Climate Change Risk Assessment (NCCRA) and NAP, rather than 'best available information, including 'scientific and technical advice';
 - 6.6 include transitional provisions for the first NCCRA, clarifying that timeframes for preparing the first NAP begin after the Act comes into force or the first NCCRA published, whichever comes later;
 - 6.7 allow for emissions budgets to be set post-2050;
 - 6.8 require the Climate Change Commission and the Minister to have regard to international agreements when respectively advising on and setting emissions budgets;
- 7 **approved** the Climate Change Response (Zero Carbon) Amendment Bill [PCO 20801/9.8] for introduction, subject to the final approval of the government caucuses and sufficient support in the House of Representatives;
- 8 **agreed** to release the Climate Change Response (Zero Carbon) Amendment Bill to the public on 8 May 2019, ahead of introduction on 9 May 2019, subject to final confirmation of the timing by the Minister for Climate Change and the Prime Minister;
- 9 **agreed** that the Parliamentary Counsel Office make minor changes to the Bill before it is released to the public on 8 May in order to comply with its quality assurance processes;
- 10 **agreed** that the government propose that the Bill be:
- 10.1 referred to the Environment Committee for consideration;
 - 10.2 enacted by the end of 2019.

Michael Webster
Secretary of the Cabinet

Hard copy distribution:

Prime Minister
Deputy Prime Minister
Minister for Climate Change