

Climate and Nature Bill

[AS INTRODUCED]

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B I L L

TO

Require the United Kingdom to achieve climate and nature targets; to give the Secretary of State a duty to implement a strategy to achieve those targets; to establish a Climate and Nature Assembly to advise the Secretary of State in creating that strategy; to give duties to the Committee on Climate Change and the Joint Nature Conservation Committee regarding the strategy and targets; and for connected purposes.

BE IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Duty of the Secretary of State: climate and nature targets

- (1) The Secretary of State must achieve the objectives in subsection (2) (“the objectives”).
- (2) The objectives are to ensure that the United Kingdom—
 - (a) reduces its overall contribution to global greenhouse gas emissions to net zero at a rate consistent with—
 - (i) achieving its Nationally Determined Contribution (NDC) emissions reduction targets, submitted in accordance with the Paris Agreement under the United Nations Framework Convention on Climate Change (UNFCCC), including its 2030 NDC, its 2035 NDC, and all future NDCs; and
 - (ii) fulfilling its obligations and commitments under the UNFCCC and the Paris Agreement, taking into account the United Kingdom’s and other countries’ common but differentiated responsibilities, and respective capabilities, considering national circumstances
 - (‘the climate target’); and
 - (b) halts and reverses its overall contribution to the degradation and loss of nature in the United Kingdom, overseas, and in the oceans, by—
 - (i) increasing the health, abundance, diversity, and resilience of species, populations, habitats, and ecosystems, as part of fulfilling its obligations under the UN Convention on Biological Diversity and its protocols, including the Kunming-Montreal

- Global Biodiversity Framework, and the commitments set out in the Leaders' Pledge for Nature; and
- (ii) following the principle of common but differentiated responsibilities ('the nature target'). 5
- (3) The Secretary of State may fulfil the duty in subsection (1) by acting on matters of devolved legislative competence, subject to section 5.

2 Duty of the Secretary of State: climate and nature strategy

- (1) The Secretary of State must, within 18 months of the passing of this Act, publish and lay before Parliament a Climate and Nature Delivery Strategy ('the strategy') to achieve the objectives specified in section 1. 10
- (2) The strategy must include annual interim targets consistent with the achievement of the objectives and the Secretary of State must take all reasonable steps to meet those annual interim targets.
- (3) The Secretary of State must ensure that, as far as possible, the actions set out in the strategy to achieve the objectives are complementary. 15
- (4) The strategy must require the Secretary of State, relevant Ministers of the Crown and relevant public bodies to cooperate with each other in seeking to achieve the objectives.
- (5) The strategy may include measures in areas of devolved legislative competence, subject to section 5. 20
- (6) The strategy must include measures that, subject to sections 4 and 5, will achieve the objectives specified in section 1, by—
- (a) limiting the United Kingdom's total emissions of carbon dioxide, including territorial emissions and emissions from international aviation and shipping, to the emissions levels committed to in its Nationally Determined Contributions made under the Paris Agreement; 25
 - (b) reducing emissions of carbon dioxide in respect of imports to the United Kingdom, at the same percentage rate each year as the annual reduction of the United Kingdom's total emissions of carbon dioxide required by paragraph (a) above; 30
 - (c) reducing the United Kingdom's total emissions of greenhouse gases other than carbon dioxide to a level consistent with achieving its obligations under the Paris Agreement and under the Global Methane Pledge; 35
 - (d) ensuring the end of the exploration, extraction, export and import of fossil fuels by the United Kingdom as rapidly as possible;
 - (e) ensuring that steps taken under the strategy to mitigate emissions in the United Kingdom and overseas minimise damage to ecosystems, food and water availability and human health as far as possible; 40
 - (f) enhancing the management of ecosystems in the United Kingdom, overseas, and in the oceans to protect and enhance biodiversity, ecological processes, and ecosystem service provision, including by

- supporting local communities, landowners, farmers, and businesses to restore and expand natural ecosystems;
- (g) ensuring that all activities in the United Kingdom which affect the health, abundance, diversity and resilience of species, populations and ecosystems prioritise avoidance of the loss of nature, through adherence to the Mitigation and Conservation Hierarchy; 5
- (h) taking every possible step to avoid, where avoidance is not possible, limit, and where limiting is not possible, restore, or otherwise offset, the adverse impacts in the United Kingdom and overseas on ecosystems and human health of – 10
- (i) United Kingdom-generated production and consumption of goods and services, and
- (ii) all related trade, transport and financing including impacts from the extraction of raw materials, deforestation, land and water degradation, pollution and waste production; 15
- (i) setting out a process for decision-making in relation to energy projects with a view to achieving the objectives, including –
- (i) a presumption in favour of community energy projects up to 100MW generation capacity; and
- (ii) a presumption against large scale energy projects over 100MW generation capacity, unless it can be demonstrated that local residents have been consulted on the project and have expressed support for it. 20
- (7) With respect to subsections (6)(a), (b) and (c), measures in the strategy must seek to achieve the objectives by reducing the United Kingdom's gross greenhouse gas emissions, and those in respect of imports to the United Kingdom, as far and as rapidly as possible. 25
- (8) The strategy must –
- (a) in the opinion of the Secretary of State, be projected to have an overall positive impact on local communities with a high deprivation rating according to Government deprivation indices; young people; people with protected characteristics under section 4 of the Equality Act 2010; and on the wellbeing of future generations; 30
- (b) set out how the requirements under subsection (a) have been met; and
- (c) include financial support and retraining for people whose livelihoods and jobs will be affected by the proposed measures – including those measures that require transitioning out of industries characterised by high emissions and high impacts on ecosystems. 35
- (9) In preparing the strategy, the Secretary of State must consult – 40
- (a) the Committee on Climate Change,
- (b) the Joint Nature Conservation Committee,
- (c) the Office for Environmental Protection,
- (d) such other persons as the Secretary of State considers appropriate.

3 Establishment of Climate and Nature Assembly

- (1) The Secretary of State must, within six months of the passing of this Act, procure, by open tender, an expert independent body to establish a Climate and Nature Assembly ('the Assembly') comprising a representative sample of the United Kingdom population. 5
- (2) The body appointed pursuant to subsection (1) must secure the establishment of the Assembly within six months of appointment.
- (3) The Assembly must –
- (a) consider advice from experts who appear to the independent body to be representative of the scientific community, and 10
 - (b) publish its recommendations for measures to be included in the strategy.
- (4) Working together, the Committee on Climate Change (CCC) and the Joint Nature Conservation Committee (JNCC) must –
- (a) review the Assembly's recommendations under subsection (3) and relevant expert advice; and 15
 - (b) publish a joint proposal for measures to be included in the strategy, including all recommendations by the Assembly that have the support of 66% or more of its members unless, in the opinion of either the CCC or the JNCC, there are exceptional and compelling reasons, which must be stated, not to implement those recommendations. 20
- (5) The Secretary of State must include in the strategy all recommendations by the Assembly that have the support of 66% or more of its members, where those recommendations are also jointly proposed by the CCC and the JNCC.
- (6) Subsection (5) does not apply where, in the opinion of the Secretary of State, there are exceptional and compelling reasons, which must be stated in the strategy, not to implement those recommendations. 25

4 Duties of the Committee on Climate Change and the Joint Nature Conservation Committee

- (1) The Committee on Climate Change and the Joint Nature Conservation Committee must jointly –
- (a) evaluate, monitor and report annually to Parliament on the implementation of the strategy and on the achievement of the interim targets;
 - (b) undertake the duties referred to in sections 3 and 6. 35
- (2) In fulfilling the duty under subsection (1), the CCC and JNCC must consult and work with –
- (a) the Office for Environmental Protection, and
 - (b) any other public body which appears to them to be relevant.
- (3) The Committee on Climate Change must recommend annual emissions budgets for each greenhouse gas for the United Kingdom, Scotland, Wales, and Northern Ireland with a view to the requirements of section 2 being met. 40

5 Approval by devolved legislatures

- (1) The targets in section 1 apply to matters of devolved legislative competence if the condition in subsection (2) is met.
- (2) That condition is –
 - (a) in relation to Scotland, that the Scottish Parliament has passed a motion of the form “That this Parliament agrees to the climate and nature targets in section 1 of the Climate and Nature Act 2025”; 5
 - (b) in relation to Wales, that Senedd Cymru has passed a motion of the form “That the Senedd agrees to the climate and nature targets in section 1 of the Climate and Nature Act 2025”; 10
 - (c) in relation to Northern Ireland, that the Northern Ireland Assembly has passed a motion of the form “That this Assembly agrees to the climate and nature targets in section 1 of the Climate and Nature Act 2025”.
- (3) The strategy under subsection (2) may include measures in areas of devolved legislative competence if the condition in subsection (4) is met. 15
- (4) That condition is –
 - (a) in relation to matters within the legislative competence of the Scottish Parliament, that the Scottish Parliament has passed a motion of the form “That this Parliament agrees to the measures in the Climate and Nature Delivery Strategy”; 20
 - (b) in relation to matters within the legislative competence of Senedd Cymru, that Senedd Cymru has passed a motion of the form “That this Senedd agrees to the measures in the Climate and Nature Delivery Strategy”; and 25
 - (c) in relation to matters within the legislative competence of the Northern Ireland Assembly, that the Assembly has passed a motion of the form “That this Assembly agrees to the measures in the Climate and Nature Delivery Strategy”.

6 Acceptance and implementation of the strategy and any revisions 30

- (1) The Secretary of State must lay the strategy before the House of Commons.
- (2) A Minister of the Crown must move a motion for resolution of the House of Commons of the form in subsection (3).
- (3) The form of the motion is “That this House approves the Climate and Nature Strategy, laid before this House on [date].” 35
- (4) The Secretary of State must implement the strategy, including –
 - (a) any amendments made to the strategy in accordance with the resolution of the House of Commons under subsection (2);
 - (b) any revisions made under subsection (8).
- (5) The Secretary of State must report annually to Parliament on the implementation of the strategy or any revisions thereto; and on progress towards achieving the objectives and interim targets under sections 1 and 2. 40

- (6) A report under subsection (5) must use metrics that cover a range of biodiversity measures, including—
- (a) ecosystem integrity and functioning,
 - (b) species richness and abundance,
 - (c) genetic diversity, and
 - (d) such other metrics as appear to the Secretary of State to be necessary.
- (7) A report under subsection (5) must include, in the opinion of the Committee on Climate Change, the Joint Nature Conservation Committee, and the Office for Environmental Protection, whether the Secretary of State is likely to achieve the objectives.
- (8) If, after one year following its publication, and at annual intervals thereafter, in the opinion of the Secretary of State, the CCC, the JNCC, or the OEP, based on up-to-date scientific evidence, or of the House of Commons expressed by resolution, the measures in the strategy or the interim targets are unlikely to achieve the objectives, the Secretary of State must revise the strategy, or make a statement to the House of Commons explaining why a revision is not necessary.
- (9) Whenever the strategy is revised under subsection (8), the provisions of subsections (4) and (5) apply.
- 7 Financial provisions**
- There is to be paid out of money provided by Parliament—*
- (a) any expenditure incurred under or by virtue of this Act, including for the implementation of the strategy; and
 - (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided.
- 8 Interpretation**
- In this Act—
- “nature” includes (a) the abundance, diversity and distribution of animal, plant, fungal and microbial life; (b) the extent and condition of habitats; and (c) the health and integrity of ecosystems;
 - “greenhouse gas” has the same meaning as in section 92 of the Climate Change Act 2008;
 - “Nationally Determined Contribution” means the United Kingdom’s Nationally Determined Contributions, submitted in accordance with the Paris Agreement under the UN Convention on Climate Change, which outline the United Kingdom’s commitments to reducing greenhouse gas emissions and addressing climate change;
 - “the Paris Agreement” means the agreement within the United Nations Framework Convention on Climate Change adopted on 12 December 2015;
 - “UN Framework Convention on Climate Change” means the United Nations Framework Convention on Climate Change which entered

into force on 21 March 1994, and all subsequent agreements and protocols arising from it;

“common but differentiated responsibilities” refers to a principle of international environmental law, enshrined in article 3(1) of the UN Framework Convention on Climate Change 1992, and article 2(2) of the Paris Agreement, and means that developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command;

“ecosystems” includes natural and managed ecosystems and the air, soils, water and abundance and diversity of organisms of which they are composed, and their interactions;

“UN Convention on Biological Diversity and its protocols” means the United Nations Convention on Biological Diversity, which entered into force on 29 December 1993, and all subsequent agreements and protocols arising from it;

“the Kunming-Montreal Global Biodiversity Framework” means the framework adopted by the decision of the Conference of the Parties to the Convention on Biological Diversity in Montreal on 19 December 2022;

“the Leaders’ Pledge for Nature” means the agreement of the United Nations Summit on Biodiversity of 28 September 2020;

“the United Kingdom’s total emissions of carbon dioxide” means (a) all territorial emissions of carbon dioxide from the United Kingdom; and (b) all emissions of carbon dioxide generated by the United Kingdom’s share of international aviation and shipping;

“emissions of carbon dioxide in respect of imports to the United Kingdom” means emissions of carbon dioxide generated outside the United Kingdom by the production of goods that are imported to the United Kingdom, and by the provision of services overseas that are received in the United Kingdom;

“Global Methane Pledge” means the international agreement launched in Glasgow at COP26 in November 2021;

“fossil fuels” has the same meaning as in section 32M of the Energy Act 2008;

“the Mitigation and Conservation Hierarchy” means the hierarchy adopted by resolution 58 of the World Conservation Congress at the International Union for Conservation of Nature from 1 to 10 September 2016; and

“community energy projects” means community-led renewable energy, energy demand reduction- and energy supply-projects, whether wholly owned or controlled by communities, or through partnerships with commercial or public sector partners.

9 Extent, commencement and short title 45

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.

- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Climate and Nature Act 2025.

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Ordered, by The House of Commons, to be
Printed, 16th October 2024.

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