



Climate Change Act 2008

2008 CHAPTER 27

PART 4

IMPACT OF AND ADAPTATION TO CLIMATE CHANGE

Reporting authorities: devolved Welsh functions

66 Guidance by Welsh Ministers to reporting authorities

The Welsh Ministers may issue guidance to reporting authorities about—

- (a) assessing the current and predicted impact of climate change in relation to the authorities' devolved Welsh functions,
- (b) preparing proposals and policies for adapting to climate change in the exercise of those functions, and
- (c) co-operating with other reporting authorities for that purpose.

67 Directions by Welsh Ministers to prepare reports

- (1) The Welsh Ministers may direct a reporting authority to prepare a report containing any of the following—
 - (a) an assessment of the current and predicted impact of climate change in relation to the authority's devolved Welsh functions;
 - (b) a statement of the authority's proposals and policies for adapting to climate change in the exercise of those functions and the time-scales for introducing those proposals and policies;
 - (c) an assessment of the progress made by the authority towards implementing the proposals and policies set out in its previous reports.
- (2) The Welsh Ministers may direct two or more reporting authorities to prepare a joint report.
- (3) The Welsh Ministers may give directions about—
 - (a) the time within which a report must be prepared, and

Status: This is the original version (as it was originally enacted).

(b) its content,
and may, in particular, require it to cover a particular geographical area.

68 Compliance with Welsh Ministers' directions

- (1) A reporting authority must comply with any directions under section 67.
- (2) Where two or more reporting authorities are directed to prepare a joint report, they must take reasonable steps to co-operate with each other for that purpose.
- (3) In preparing a report, a reporting authority must have regard to the following, so far as relevant—
 - (a) the most recent report under section 56 (report on impact of climate change);
 - (b) the most recent programme under section 58 (programme for adaptation to climate change);
 - (c) any guidance issued by the Secretary of State under section 61;
 - (d) any guidance issued by the Welsh Ministers under section 66;
 - (e) the most recent report under section 80 (report on climate change: Wales).
- (4) The authority must send a copy of the report to the Welsh Ministers.
- (5) The Welsh Ministers must publish the report in such manner as they consider appropriate.
- (6) This does not require the Welsh Ministers to publish—
 - (a) information they could refuse to disclose in response to a request under—
 - (i) the Freedom of Information Act 2000 (c. 36), or
 - (ii) the Environmental Information Regulations 2004 (S.I. 2004/3391) or any regulations replacing those regulations;
 - (b) information whose disclosure is prohibited by any enactment.
- (7) The authority must have regard to the report in exercising its devolved Welsh functions.

69 Consent of, or consultation with, Secretary of State

- (1) The Welsh Ministers must obtain the consent of the Secretary of State before issuing guidance under section 66 or giving a direction under section 67 relating to functions in relation to which—
 - (a) functions are exercisable by a Minister of the Crown jointly with the Welsh Ministers, the First Minister or the Counsel General, or
 - (b) functions are exercisable by the Welsh Ministers, the First Minister or the Counsel General only with the agreement of a Minister of the Crown.
- (2) The Welsh Ministers must consult the Secretary of State before issuing guidance under section 66 or giving a direction under section 67 relating to functions in relation to which—
 - (a) functions are exercisable by a Minister of the Crown other than jointly with the Welsh Ministers, the First Minister or the Counsel General, or
 - (b) functions are exercisable by the Welsh Ministers, the First Minister or the Counsel General only after consultation with a Minister of the Crown.