



Environment (Wales) Act 2016

2016 anaw 3

PART 2

CLIMATE CHANGE

Functions of advisory body: reports and advice

44 Advisory body

- (1) The Welsh Ministers may by regulations—
 - (a) establish a body corporate to exercise the functions of the advisory body under this Part, or
 - (b) designate a person to be the advisory body for the purposes of this Part.
- (2) The regulations may designate a person only if the person exercises functions of a public nature.
- (3) If no regulations under subsection (1) are in force, the advisory body is the Committee on Climate Change established under section 32 of the [Climate Change Act 2008 \(c. 27\)](#).
- (4) Regulations under subsection (1)(a) may, in particular, include provision about—
 - (a) the status and membership of the body established by the regulations;
 - (b) the employment of staff by the body;
 - (c) remuneration, allowances and pensions for members and staff;
 - (d) the organisation and procedure of the body;
 - (e) reports and accounts (including audit).
- (5) Regulations under subsection (1)(a) may enable the Welsh Ministers to give directions to the body in relation to the matters mentioned in subsection (4).

- (6) Regulations under subsection (1) may make incidental, supplementary, consequential, transitional or saving provision, which may include provision amending, repealing or revoking an enactment.

45 Progress reports

- (1) Before the end of the first budgetary period, the advisory body must send a report to the Welsh Ministers setting out the body's views on—
- (a) the progress that has been made towards meeting—
 - (i) the carbon budgets that have been set under this Part,
 - (ii) the interim emissions targets, and
 - (iii) the 2050 emissions target,
 - (b) whether those budgets and targets are likely to be met, and
 - (c) any further measures that are needed to meet those budgets and targets.
- (2) No later than six months after the Welsh Ministers lay the final statement for a budgetary period before the National Assembly for Wales under section 41, the advisory body must send a report to the Welsh Ministers setting out the body's views on—
- (a) the way in which the carbon budget for the period was or was not met,
 - (b) the action taken by the Welsh Ministers to reduce net Welsh emissions of greenhouse gases during the period, and
 - (c) the matters set out in subsection (1).
- (3) No later than six months after the Welsh Ministers lay the statement under section 43 relating to 2030 before the National Assembly for Wales, the advisory body must send a report to the Welsh Ministers setting out the body's views on—
- (a) whether the interim emissions target for 2040 and the 2050 emissions target are the highest achievable targets, and
 - (b) if either of them is not the highest achievable target, what is the highest achievable target.
- (4) No later than six months after the Welsh Ministers lay the statement under section 43 relating to 2040 before the National Assembly for Wales, the advisory body must send a report to the Welsh Ministers setting out the body's views on—
- (a) whether the 2050 emissions target is the highest achievable target, and
 - (b) if not, what is the highest achievable target.
- (5) A report under subsection (3) or (4) may be combined with a report under subsection (2).
- (6) The Welsh Ministers must lay a copy of each report they receive under this section before the National Assembly for Wales.
- (7) The Welsh Ministers must lay a response to the points raised by the report before the National Assembly for Wales no later than six months after receiving the report.

46 Duty of advisory body to provide advice and assistance

If requested to do so by the Welsh Ministers, the advisory body must provide the Welsh Ministers with advice, analysis, information or other assistance that is relevant to—

- (a) the exercise of the Welsh Ministers' functions under this Part, or
- (b) any other matters relating to climate change.

47 Guidance to advisory body

- (1) In exercising its functions under this Part, the advisory body must have regard to any guidance given to it by the Welsh Ministers.
- (2) The Welsh Ministers may not give the advisory body guidance as to the content of any advice or report.