



# 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

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*Changes to legislation: Climate Change Act 2008, Cross Heading: Reporting authorities: devolved Welsh functions is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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(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.

**Changes to legislation:**

Climate Change Act 2008, Cross Heading: Reporting authorities: devolved Welsh functions is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 86(1)(a) words renumbered as s. 86(1)(a) by [2016 c. 22 s. 211\(2\)\(a\)](#)
- s. 86(1)(b) and word inserted by [2016 c. 22 s. 211\(2\)\(b\)](#)
- s. 86(7A)(7B) inserted by [2016 c. 22 s. 211\(5\)](#)