



Terms of Reference of Carbon Budgets Working Group

Basis for establishment

- The Climate Change Advisory Council is an independent, statutory body established under the *Climate Action and Low Carbon Development Act 2015*, ('the Act'), as amended¹. The core function of the Council is to provide independent advice to Government on policy relating to climate change, in regard to how best to address both reducing greenhouse gas emissions and adapting to climate change.
- Section 6A of the Act requires the Council to propose a carbon budget, consistent with furthering the achievement of the national climate objective, which shall be finalised by the Minister and approved by the Government for the period of five years commencing on 1 January 2021 and ending on 31 December 2025 and for each subsequent period of five years.
- The Council agreed at its meeting on 15 September 2022 to establish a Carbon Budgets Working Group to support the second programme of Carbon Budgets, which will include the finalisation of Carbon Budget 3 from 2031-35 and the proposal for Carbon Budget 4 from 2036-40 by the end of 2024.
- The Council approved Terms of Reference for a Carbon Budgets Working Group at its meeting on 15 December 2022.

Purpose

- The Carbon Budgets Working Group is tasked with assisting and advising the Council in development of a methodology and evidence base for carbon budget proposals, in particular to provide modelling and analytical support for the development of carbon budgets.
- The existence of the Carbon Budgets Working Group does not in any way diminish the overall responsibility of the Council with regards to taking the final decision on the carbon budget proposals to submit to Government.
- The working group provides the Council with key findings, recommendations and outputs for consideration in the context of the Council's role in submitting carbon budget proposals to Government for finalisation of Carbon Budget 3 from 2031-35 and a proposal for Carbon Budget 4 from 2036-40.

¹ <https://revisedacts.lawreform.ie/eli/2015/act/46/revised/en/html>

- The scope of the working group may also include further consideration of Carbon Budget 2 from 2026-30 in the context of any revision of carbon budgets, as provided for under Section 6D of the Act.²
- This work will focus on analysis and modelling support for the second programme of Carbon Budgets, in line with the criteria specified in the Climate Action Bill (as amended)³ and the methodology for the 2nd Carbon Budgets Programme, as developed by the Secretariat and approved by Council.
- This will consider, among other areas, the data, assumptions and modelling scenarios to be considered in the development of economy wide carbon budgets and the process for iteration between modelling results where possible.
- Ahead of the first meeting of the Carbon Budgets Working Group, the Council will specify the key outputs for the term of the Working Group. The Council may give direction as to other key areas of work that it considers important which can be incorporated on an ad hoc basis.

Governance and Membership

- The membership of the Carbon Budgets Working Group and its Terms of Reference are a decision of the Council. The membership of the Carbon Budgets Working Group can be reviewed at the discretion of the Council, or at the request of the Chair of the Carbon Budgets Working Group.
- Experts will be selected and appointed by the Council having regard to the range of qualifications, expertise and experience that the Council considers useful for the proper and effective performance of the functions of the Working Group.
- This will include a requirement for sufficient membership with access and experience in relation to appropriate models and tools for the completion of the Carbon Budgets programme.
- The Working Group membership shall consist of appointed experts with a range of a range of sectoral, economic and modelling expertise for the duration of its term.

² Section 6.D of the Act as amended states; '(1) The Minister may revise a carbon budget in the circumstances set out in subsection (2), (4) or (5).

(2) The Minister may revise a carbon budget where –

(a) new obligations are imposed on the State under the law of the European Union or any international agreement referred to in section 2, or

(b) there are significant developments in scientific knowledge in relation to climate change.

(4) Where the total greenhouse gas emissions for a preceding budget period are less than the carbon budget for that period, the Minister may carry forward the surplus from the preceding budget period to the current budget period and the current carbon budget shall be increased by the surplus carried forward.

(5) Where the total greenhouse gas emissions for a preceding budget period exceed the carbon budget for that period, the Minister shall carry forward the excess greenhouse gas emissions from the preceding budget period to the current budget period and the current carbon budget shall be decreased by the amount of greenhouse gas emissions that are carried forward.

(6) The Minister shall consult with and consider the advice of the Advisory Council prior to requesting the approval of the Government in relation to a revision of a carbon budget under this section'.

³ [Revised Acts \(lawreform.ie\)](http://www.revisedacts.ie)

- Other experts may be invited to join the Carbon Budgets Working Group at the Council's discretion.
- Where appropriate, members of the working group may also designate one alternate member with the agreement of the Chair, who can act as a substitute in the event of the member's unavailability, or both may attend meetings based on individual organisation's requirements.
- Meetings shall be limited to Carbon Budgets Working Group members, nominated observers on their behalf who have been approved by the Carbon Budgets Working Group Chair, Council members and the Secretariat of the Council.
- Members of the Climate Change Advisory Council can also attend meetings of the Working Group on an ad-hoc basis.
- The term of the Working Group for the second programme of carbon budgets will run from its establishment until the end of Q3 2024. The target for conclusion of the work of the Carbon Budgets Working Group will be Q3 2024.
- The Council may request additional modelling and analytical support after conclusion of the work of the Carbon Budgets Working Group to finalise the development of its carbon budget proposals for submission to Government.
- It is envisaged that a Carbon Budgets Working Group will be established to support each subsequent programme of Carbon Budgets and the terms of reference for the Working Group will be reviewed periodically.
- The findings/recommendations/outputs of the Carbon Budgets Working Group will be fed back to the Council on an ongoing basis by the Secretariat for consideration. Members of the Working group may also be requested to present to the Council on the outputs of the Working Group.
- It remains the role of the Council to take the final decision on the carbon budget proposals to submit to Government. The Council does not delegate any decision-making authority to the Committee.
- The Secretariat will support the structure, organisation and running of meetings of the Working Group.

Chairperson

- The Chairperson of the Carbon Budgets Working Group shall be appointed by the Council.
- The Chairperson of the Carbon Budgets Working Group shall be a member of the Secretariat to the Council and will also have responsibility for acting as a liaison between the Working Group and the Council.
- An alternate Chairperson from the Secretariat will be appointed by the Chairperson of the Working Group to support running of meetings where the Chairperson is not available.

Meetings

- A schedule of ordinary meetings shall be determined by the Chairperson of the Carbon Budgets Working Group upon the establishment of the working group and appointment of

members in early 2023. Meetings of the Carbon Budgets Working Group shall ordinarily be held once a month but may be less frequent in the initial months after its establishment.

- A minimum of seven days' notice of each ordinary meeting shall ordinarily be given to each member of the Carbon Budgets Working Group via the email address that member has furnished to the Secretariat. In certain circumstances, more limited notice may be required.
- External speakers may be invited by the Working Group to address the Working Group on specific issues, at the request of the Chair of the Carbon Budgets Working Group.
- Meetings may be held in person or via video conference. Should a Carbon Budgets Working Group member be unable to attend an in-person meeting, they may elect to attend via video conference. All efforts to provide these services will be undertaken by the Secretariat.
- Additionally, topic specific meetings for a more in-depth consideration of evidence may be held.

Reporting structure

- The Secretariat will present the discussion/findings/recommendations of the Carbon Budgets Working Group to the Council following each Working Group meeting.
- The Climate Change Advisory Council may endorse or adopt recommendations from the Carbon Budgets Working Group where required for development of the final Carbon Budget proposals.
- There will be no requirement for formal decision making through the Carbon Budgets Working Group, however, actions and areas for further work will be agreed by the Working Group at the end of each meeting.
- The Secretariat will be responsible for recording a minute of each meeting and circulating documentation to Working Group members.
- The Secretariat is responsible for managing the outputs of the Working Group for Council consideration in the context of its role in submitting carbon budget proposals to Government for finalisation of Carbon Budget 3 (2031-2035) and a provisional Carbon Budget 4 (2036-2040).
- The Secretariat will have responsibility for preparing a Technical Report on the Carbon Budgets to submit to the Council for consideration in 2024, accounting for the deliberations and outputs of the Working Group. The Council will have responsibility for approval of the Carbon Budgets Technical Report in addition to proposed Carbon Budgets.

Transparency

- The agenda, minutes and presentations of Carbon Budgets Working Group meetings will be published on the website of the Climate Change Advisory Council following approval at Council meetings
- Where information discussed in Working Group meetings is considered confidential it shall not be shared outside of the Working Group and Council at least until the conclusion of the development of Carbon Budgets proposals.
- Proceedings shall not be recorded or shared without the consent of members and the Council.