

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

Bill

to meet Pakistan's obligations under international conventions relating to climate change and address the effects of climate change

WHEREAS it is expedient to meet Pakistan's obligations under international conventions relating to climate change and to provide for adoption of comprehensive adaptation and mitigation policies, plans, programmes, projects and other measures required to address the effects of climate change and for matters connected therewith and ancillary thereto:

It is hereby enacted as follows:—

**CHAPTER I
PRELIMINARY**

1. Short title, extent and commencement.- (1) This Act may be called the Pakistan Climate Change Act, 2017

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.- In this Act, unless there is anything repugnant in the subject or context,-

(a) "adaptation" means adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects which moderates harm or exploits beneficial opportunities;

(b) "Authority" means the Pakistan Climate Change Authority established under section 5;

(c) "Council" means the Pakistan Climate Change Council established under section 3;

(d) "climate change" means a change in the climate system which is caused by significant changes in the concentration of greenhouse gases as a direct or indirect consequence of human activities and which is in addition to natural climate change that has been observed during a considerable period;

(e) "emissions", in relation to a greenhouse gas, means emissions of that gas into the atmosphere caused by human activity;

- (f) "Fund" means the Pakistan Climate Change Fund established under section 2;
 - (g) "Government" means the Federal Government;
 - (h) "greenhouse gas" means any gas that contributes to the greenhouse effect by absorbing infrared radiation produced by solar warming of the earth's surface and includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride, nitrogen trifluoride and any other direct or indirect greenhouse gas as recognized by UNFCCC and IPCC from time to time;
 - (i) "mitigation" means efforts that seek to prevent or slow down the increase of atmospheric greenhouse gas concentrations by reducing current or future emissions and enhancing potential sinks for greenhouse gases;
 - (j) "prescribed" means prescribed by rules or regulations made under this Act;
 - (k) "regulations" means regulations made under this Act;
 - (l) "rules" means rules made under this Act;
 - (m) "Schedule" means a schedule to this Act; and
 - (n) "Tribunal" means the Environmental Tribunal set up under the Pakistan Environmental Protection Act, 1997 (Act No. XXXIV OF 1997) or the provincial environmental protection laws.
- (2) The expressions and words used but not defined in this Act shall have the same meaning as in the Pakistan Environmental Protection Act, 1997 (Act No. XXXIV OF 1997).

CHAPTER II PAKISTAN CLIMATE CHANGE COUNCIL

3. Establishment of the Pakistan Climate Change Council.- (1) The Prime Minister shall, by notification in the official Gazette, establish a Council to be known as the Pakistan Climate Change Council consisting of a Chairperson who shall be the Prime Minister or such other person as the Prime Minister may nominate in this behalf and the following members, namely:—

- (a) Federal Ministers of the Divisions allocated with the subjects of climate change, finance, agriculture, food security and research, planning, development and reform, petroleum and natural resources, science and technology, water and power and foreign affair;
- (b) Chief Ministers of the Provinces;
- (c) Ministers-in-charge of the department allocated with subject of environment in the Provinces;
- (d) such other persons not exceeding thirty as the Prime Minister may appoint, of which at least twenty shall be non-officials, including representatives of the Chambers of Commerce and Industry, non-governmental organizations concerned with climate change, the environment and development and scientists, researchers, technical experts and educationists;
- (e) Chairman, National Disaster Management Authority established under the National Disaster Management Act, 2010 (XXIV of 2010);
- (f) Chairman, Pakistan Climate Change Authority; and
- (g) Secretary of the Division allocated with the subject of climate change, who shall also be the Secretary of the Council.

(2) The Council may invite the Prime Minister, Azad Jammu and Kashmir and Chief Minister, Gilgit- Baltistan to participate in the meetings of the Council as and when required:

(3) The Division allocated with the subject of climate change shall act as Secretariat of the Council.

(4) Members of the Council, other than *ex-officio* members, shall be appointed in accordance with the prescribed procedure and shall hold office for a term of three years.

(5) The Council shall hold meetings as and when necessary, but not less than two meetings shall be held in a year.

(6) The Council may constitute committees of its members and entrust them with such functions as it may deem fit and the recommendations of the committees shall be submitted to the Council for approval.

(7) The Council or any of its committees may, for assistance in performance of its functions, invite any technical expert or representative of any

Government Agency or non-governmental organization or other person possessing specialized knowledge of any subject.

4. Functions and powers of the Council.- (1) The Council shall-

- (a) co-ordinate and supervise enforcement of the provisions of this Act
- (b) monitor implementation of international agreements relating to climate change specified in the Schedule;
- (c) coordinate, supervise and guide mainstreaming of climate change concerns into decision-making by Federal and Provincial Government's ministries, divisions, departments and agencies so as to create enabling conditions for integrated climate-compatible and climate-resilient development processes in various sectors of the economy;
- (d) approve and monitor implementation of comprehensive adaptation and mitigation policies, strategies, plans, programmes, projects and other measures formulated by the Authority to meet Pakistan's obligations under international conventions and agreements relating to climate change including in particular the Sustainable Development Goals (SDGs);
- (e) monitor implementation of the National Adaptation Plan and its constituent provincial and local adaptation action plans, the National Appropriate Mitigation Action Framework and National Communication submitted to the concerned Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC);
- (f) approve guidelines for the protection and conservation of renewable and non-renewable resources, species, habitats, and biodiversity in general adversely affected or threatened by climate change; and
- (g) consider the National Climate Change Report and give appropriate directions thereon;

(2) The Council may, either itself or on the request of any person or organization, direct the Authority or any Government Agency to prepare, submit, promote or implement projects for adaptation or mitigation of the adverse effects of climate change, to promote climate-compatible, climate-resilient and