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THE CLIMATE CHANGE ACT

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CLIMATE CHANGE ACT

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NO. 11 OF 2016

CLIMATE CHANGE ACT

*[Date of assent: 6th May, 2016.]**[Date of commencement: 27th May, 2016.]***AN ACT of Parliament to provide for a regulatory framework for enhanced response to climate change; to provide for mechanism and measures to achieve low carbon climate development, and for connected purposes***[Act No. 11 of 2016.]*

PART I – PRELIMINARY

1. Short title

This Act may be cited as the Climate Change Act, 2016.

2. Interpretation

In this Act, unless the context otherwise requires—

"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;

"all levels of government" means all departments and agencies of the national and county governments;

"Authority" means the National Environmental Management Authority established by the Environmental Management and Coordination Act, 1999 or its successor legislation;

"Cabinet Secretary" means the Cabinet Secretary of the Ministry for the time being responsible for matters relating to climate change;

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

"climate change duties" means the statutory obligations conferred on public and private entities to implement climate change actions consistent with the national goal of low carbon climate resilient development;

"climate change resilience" means the capability to maintain competent function and return to some normal range of function even when faced with adverse impact of climate change;

"climate change secretariat" means the secretariat established by the Public Service Commission to coordinate climate change mitigation and adaptation actions and interventions;

"climate finance" means monies available for or mobilized by government or non-government entities to finance climate change mitigation and adaptation actions and interventions;

"Council" means the National Climate Change Council established under section 5;