

CLIMATE CHANGE AND ENVIRONMENTAL ADVISORY UNIT BILL, 2025

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CLIMATE CHANGE AND ENVIRONMENTAL ADVISORY UNIT BILL, 2025

A BILL FOR AN ACT TO ESTABLISH THE CLIMATE CHANGE AND ENVIRONMENTAL ADVISORY UNIT, TO GIVE EFFECT IN PART TO THE PARIS AGREEMENT INCLUDING, INTER-AGENCY COORDINATION ON CLIMATE MATTERS, PARTICULARLY CLIMATE FINANCE, CLIMATE ADAPTATION, LOSS AND DAMAGE, CARBON MARKETS, ACTION FOR CLIMATE EMPOWERMENT, THE ADVANCEMENT OF CLIMATE POLICIES, REPORTS AND PLANS, AND FOR CONNECTED PURPOSES

Enacted by the Parliament of The Bahamas

1. Short title.

This Act may be cited as the Climate Change and Environmental Advisory Unit Act, 2025.

2. Interpretation.

In this Act —

“Action for Climate Empowerment” means the term adopted under Article 12 of the Paris Agreement that refers to the empowerment of all members of society to engage in climate action through —

- (a) education;
- (b) public awareness;
- (c) training;

- (d) public participation;
- (e) public access to information; and
- (f) international cooperation on these issues;

“blue economy” means sustainable use of ocean resources for economic growth, improved livelihoods, and jobs while preserving the health of ocean ecosystems;

“carbon credit” means a saleable verified emission reduction or removal credit, or other carbon mitigation measure recognized under the standards of the Paris Agreement, which is equivalent to one tonne of carbon dioxide (or carbon dioxide equivalent), which can be counted towards an individual, company, country or organization’s greenhouse gas mitigation targets;

“carbon markets” means carbon pricing mechanisms that enable governments and non-state actors to trade Greenhouse Gas emissions credits with the aim to achieve climate targets and implement climate actions;

“climate adaptation” means adjustments in ecological, social or economic systems in response to actual or expected climatic stimuli and their effects;

“climate change” means a change in the state of the climate that can be identified by changes in the mean or the variability of its properties, and persists for an extended period, where the change maybe due to natural internal processes or external forcings, or to persistent anthropogenic changes in the composition of the atmosphere or in land use;

“climate finance” means local, national or transnational financing drawn from public, private and alternative sources of financing that seeks to support mitigation, adaptation and loss and damage actions that addresses climate change;

“climate mitigation” means actions to reduce or prevent greenhouse gas emissions from human activities;

“climate negotiations” means the climate negotiation process that occurs through the UNFCCC and its related agreements, and is the primary forum for international cooperation on climate change.

“climate resilient” means the ability of a system, community or society exposed to related hazards to resist, absorb, accommodate, adapt to, transform and recover from the effects of climate hazards in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management;

- “Climate Budget Tagging”** or **“CBT”** means one of a set of climate related finance tools designed to help countries mainstream climate change in public financial management in order to mitigate the economic, social and environmental impacts of climate change;
- “Climate Change Unit”** means the Climate Change and Environmental Advisory Unit established under section 5;
- “committees”** means groups tasked with development, implementation or reviewing of policy, plans or reports on matters specific to climate change or climate finance;
- “Director”** means the individual appointed under section 5;
- “Direct Access Entities”** means the entity identified by the National Designated Authority as the agency approved to undertake climate financial matters associated with this Act and associated with the Green Climate Fund and Adaptation Fund and any other funds which may be identified by the international finance community for the work of climate finance directed at mitigation, adaptation and loss and damage;
- “green economy”** means the sectors of the economy that aim at reducing environmental risks and ecological scarcities and focus on a low carbon, resource efficient and socially inclusive economy that focuses on reduced carbon emissions and pollution, enhanced energy and resource efficiency, and prevents the loss of biodiversity and ecosystem services in pursuit of sustainable economic development;
- “greenhouse gases (GHGs) emissions”** means the release of greenhouse gases (GHGs) and their precursors into the atmosphere over a specified area and period of time;
- “internationally transferred mitigation outcomes”** or **“ITMOs”** means a carbon credit resulting from a cooperative approach as defined under Article 6.2 of the Paris Agreement;
- “loss and damage”** means the negative effects of climate change, including economic losses and non-economic losses, that occur despite climate mitigation and climate adaptation efforts;
- “Minister”** means the Minister responsible for Climate Change and climate finance matters;
- “nationally determined contributions”** means the report made by each country that is a signatory to the Paris Agreement providing targets to reduce national emissions and adapt to the impacts of climate change;

“National Emissions Registry” or **“Registry”** means the national registry established under section 27 of the Climate Change and Carbon Market Initiative Act, 2022 (*No. 15 of 2022*);

“Paris Agreement” means the international treaty on climate change, adopted at COP 21 in Paris, on 12 December, 2015 and which entered into force on 4 November, 2016 and any successor agreement and related guidance and set out in the *First Schedule* of the Climate Change and Carbon Market Initiative Act, 2022 (*No. 15 of 2022*);

“Policy” means plans and guidelines established by the government to guide climate finance and climate mitigation, climate adaptation, and loss and damage related projects in The Bahamas;

“sustainable development” means development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs;

“UNFCCC” means the United Nations Framework Convention on Climate Change.

3. Objectives.

The objectives of this Act are to —

- (a) develop and to implement the national climate policies and plans;
- (b) develop and submit the national climate reports;
- (c) mobilize climate finance;
- (d) engage in climate negotiations;
- (e) regulate and oversee carbon markets;
- (f) mitigate loss and damage; and
- (g) encourage and implement Action for Climate Empowerment.

PART II – ADMINISTRATION OF ACT

4. Responsibilities of Minister.

The Prime Minister is the Minister with responsibility for —

- (a) the supervision and management of this Act; and
- (b) climate change and climate finance matters.

5. Continuation of the Climate Change and Environmental Advisory Unit.

- (1) The Unit known and existing as the Climate Change and Environmental Advisory Unit (hereinafter referred to as the “Climate Change Unit”) immediately before the coming into operation of this Act is hereby continued.
- (2) The Minister shall appoint the Director of the Climate Change Unit.
- (3) Upon the coming into operation of this Act the existing Director and employees of the Climate Change Unit shall be the Director and the employees of the Unit continued under this Act.
- (4) Notwithstanding subsection (3) the Director may appoint such other officers as may be necessary for the efficient operation of the Climate Change Unit.

6. Responsibilities of the Director of the Climate Change Unit.

- (1) The Director shall be responsible for assisting the Minister in the supervision and management of this Act.
- (2) The Director shall advise the Minister on —
 - (a) climate finance;
 - (b) loss and damage;
 - (c) climate strategies, policies and plans;
 - (d) carbon markets;
 - (e) climate negotiations;
 - (f) climate mitigation and adaptation projects; and
 - (g) the blue and green economy.
- (3) Subject to the directions of the Minister, the Director shall be responsible for —
 - (a) the administration of this Act;
 - (b) the administration of the Climate Change Unit and its staffing requirements;
 - (c) the oversight of committees related to climate finance, carbon markets, climate policy, sustainable development and special projects;
 - (d) the provision of technical support and advice to the Minister on climate negotiations, climate finance, carbon markets, loss and damage and the development of mitigation and adaptation plans;
 - (e) the development and implementation of a national climate policy;

- (f) the development of national climate projects, policies, plans or strategies;
- (g) the support to the National Emissions Registry on carbon market programmes and other related projects;
- (h) any other projects and programmes.

PART III - CLIMATE POLICY AND PLANS

7. National climate change policy.

- (1) The Minister, on the advice of the Director, shall develop a national climate change policy which shall seek to give guidance to a national framework to address climate change including climate mitigation, climate adaptation and the promotion of climate resilient practices among various sectors and sustainable development.
- (2) The National Climate Policy shall be reviewed every 3 years and revised as necessary.

8. National Adaptation Plan.

- (1) The Minister, on the advice of the Director, shall develop and implement a National Adaptation Plan to reduce vulnerability to the impacts of climate change and build adaptive capacity and resilience throughout various sectors in The Bahamas.
- (2) The National Adaptation plan may be revised to ensure it is in alignment with the National Climate Policy and other plans; and
- (3) The National Adaptation plan may include sectoral plans targeting specific sectors.

9. Inter-ministerial coordination.

The Unit shall —

- (a) coordinate, implement and have oversight of inter-ministerial committees related to —
 - (i) climate change such as the National Climate Change Committee;
 - (ii) climate finance such as the High Level Climate Finance Committee;
 - (iii) carbon markets such as the Advisory Council;
 - (iv) climate policy;
 - (v) sustainable development;

- (vi) special projects; and
- (vii) any other such committees that the Minister may deem necessary to carry out the functions of this Act;
- (b) support various ministries and departments in the development of national strategies and related action plans that may contribute to the sustainable development of The Bahamas; and
- (c) provide support and advice where needed for the development of international climate reports.

PART IV - CLIMATE FINANCE

10. Climate Budget tagging.

The Climate Change Unit shall assist the Ministry of Finance and Disaster Risk Management Authority in their efforts to utilize climate tagging tools to differentiate between the resources budgeted for ex-ante and ex-post climate change mitigation and adaptation activities.

11. International Climate Funds.

- (1) The Minister, in consultation with the Minister for the Environment, may appoint the Director to serve as the focal point or equivalent, to —
 - (a) the UNFCCC;
 - (b) the Green Climate Fund;
 - (c) the Adaptation Fund;
 - (d) the Fund for the Response to Loss & Damage;
 - (e) the Global Environmental Facility Climate Fund; and
 - (f) any other international climate financing vehicle.
- (2) The appointment referred to in subsection (1) shall be in writing.
- (3) The Minister may, by directions in writing, instruct the Director to coordinate efforts related to accessing international climate finance associated with the international climate finance entities.
- (4) The Director shall, assist in the identification and make application for technical assistance and financial grants to meet The Bahamas' climate adaptation, climate mitigation, sustainable development and economic strategies and plans.
- (5) The Climate Change Unit shall identify, where appropriate, new and emerging climate and economic opportunities for The Bahamas.

- (6) The Climate Change Unit shall identify suitable scientific and technological advances that can contribute to the development of the blue and green economy for The Bahamas.

12. Climate Change and Environment Fund.

- (1) There is established a special fund to be known as the “Climate Change and Environment Fund” which shall be held and administered by the Government.
- (2) The purpose of the Fund is to receive grants, climate debt swaps funds, loss and damage funds, Global Environment Facility Climate Funds, Green Climate Funds, Adaptation Funds, and any other funds provided via international climate financial vehicles which may be established by international climate change bodies.
- (3) Monies of the Fund shall be used to implement climate projects and initiatives, to meet The Bahamas’ climate adaptation, climate mitigation, sustainable development and economic strategies and plans.
- (4) Any monies deposited into the Fund may be designated for a specific purpose or made subject to a specific condition, and any money so designated shall be preserved and utilised solely for the designated purpose.

13. Climate Reporting.

The Director shall submit —

- (a) national reports to the United Nations Framework Convention on Climate Change as required under the Paris Agreement; and
- (b) climate information periodically to other Ministries and agencies.

PART V - OBLIGATIONS UNDER THE PARIS AGREEMENT

14. Governance.

- (1) The Climate Change Unit shall —
 - (a) develop rules, guidance and codes of practice to regulate participation activities under Article 6 of the Paris Agreement (in accordance with Article 6.2 – Para 4 (c) of the Annex of Decision 2/CMA.3);
 - (b) monitor the implementation of an Article 6 of the Paris Agreement framework;

- (c) review and assess a management company's application and provide a recommendation to the Minister;
 - (d) in consultation with the National Emissions Registry, provide oversight, monitoring and evaluation of a management company's activities;
 - (e) provide periodic reports to the Minister on management companies activities and performances;
 - (f) advise the Prime Minister on applications for approvals of requests for bilateral and multilateral contractual agreements in accordance with voluntary and compliance carbon markets;
 - (g) validate Article 6 of the Paris Agreement mitigation activities;
 - (h) consult with the Prime Minister on whether to authorize the use and issuance of ITMOs; and
 - (i) carry out any obligations or responsibilities under the Climate Change and Carbon Market Initiatives Act and regulations made under that Act delegated to the Unit by the Prime Minister.
- (2) The Climate Change Unit shall comply with any obligations specified in Article 6 of the Paris Agreement.
- (3) The Climate Change Unit shall, in consultation with the National Emissions Registry, review and provide recommendations on any bilateral, multilateral or contractual carbon credit agreement.

15. International climate coordination.

- (1) The Climate Change Unit shall engage in, facilitate and coordinate official communications related to the functions under this Act between national, regional and international bodies or organizations.
- (2) The Director, upon request by the Minister, shall submit information related to regional and international bodies periodically to other Ministries and agencies to facilitate reporting on climate finance.

16. Promotion of Action for Climate Empowerment.

The Climate Change Unit shall —

- (a) promote and facilitate training and capacity building efforts for Action for Climate Empowerment; and
- (b) promote climate youth advocacy and youth empowerment and climate education.

OBJECTS AND REASONS

The Climate Change and Environmental Advisory Unit Bill, 2025 seeks to establish the Climate Change and Environmental Advisory Unit.

Clause 1 of this Bill provides for the short title a.

Clause 2 of this Bill provides for the interpretation of certain terms used throughout the Act.

Clause 3 of this Bill provides for the objectives of this Act, namely, to —

- (a) develop and to implement the national climate policies and plans;
- (b) develop and submit the national climate reports;
- (c) mobilize climate finance;
- (d) engage in climate negotiations;
- (e) regulate and oversee carbon markets;
- (f) mitigate loss and damage; and
- (g) encourage and implement Action for Climate Empowerment.

Clause 4 of this Bill provides for the responsibilities of the Minister.

Clause 5 of this Bill establishes the Climate Change Unit.

Clause 6 of this Bill provides for the responsibilities of the Director of the Climate Change Unit.

Clause 7 of this Bill mandates that a national climate change policy is established and reviewed every three years.

Clause 8 of this Bill mandates the development and implementation of a National Adaptation Plan to reduce vulnerability to climate change impacts and enhance adaptive capacity and resilience across various sectors in The Bahamas.

Clause 9 of this Bill provides that the Climate Change Unit may coordinate, implement and have oversight of inter-ministerial committees related to climate change, climate finance, carbon markets, climate policy, sustainable development, special projects and any other matter the Minister deems necessary.

Clause 10 of this Bill provides for the Climate Change Unit to collaborate with the Ministry of Finance and Disaster Risk Management Authority in their efforts to utilize climate tagging tools.

Clause 11 of this Bill provides that the Minister, in consultation with the Minister for the Environment, may appoint the Director to serve as the focal point or equivalent, to the UNFCCC and other bodies that offer climate financing and for the Climate Change Unit to identify new and emerging climate and economic opportunities for The Bahamas.

Clause 12 of this Bill provides for establishing a special fund to be called a Climate Change and Environment Fund.

Clause 13 of this Bill requires the Director of the Climate Change Unit to submit national reports to the UNFCCC in accordance with the Paris Agreement.

Clause 14 of this Bill provides for the Climate Change Unit to manage and regulate matters relating to climate change.

Clause 15 of this Bill assigns the Climate Change Unit as the body responsible for official communication with national, regional and international organizations.

Clause 16 of this Bill provides for the Climate Change Unit to support and encourage training and capacity building initiatives for Action for Climate Empowerment including climate education.