



Memorandum of Understanding

between the

Department of the Environment, Climate and Communications

and the

Just Transition Commission

to outline the operational relationship between the Just Transition Commission and the
Department of the Environment, Climate and Communications.

Signed

Ali Sheridan

Chair of the Just Transition Commission

Date: 7th March 2025

Signed

Oonagh Buckley

*Secretary General of the Department of
the Environment, Climate and
Communications*

Date _____

1. Background

The Climate Action and Low Carbon Development 2015 Act, as amended in 2021, provides that in the transition towards the National Climate Objective, Ministers and the Government as a whole, in preparing both the Long-Term Climate Action Strategy and the annual Climate Action Plan, must have regard to the requirement for a just transition to a climate neutral economy, which endeavours, in so far as practicable, to maximise employment opportunities, and support people and communities that may be negatively affected by the transition.¹

In April 2024, the Government approved the establishment of a Just Transition Commission, and, in October 2024, the Government appointed the Members and Chair of the first Just Transition Commission (hereinafter referred to as “the Commission”).

The Commission is an independent advisory body established on an administrative basis. It will support the Government in ensuring that Ireland’s transition to the National Climate Objective has regard to the requirement for a just transition.

The Terms of Reference of the Commission², as approved by the Government, provide that the Commission will have the following functions:

- To prepare and analyse strategic evidence-based research in relation to just transition: to anticipate and inform long-term climate policy and investment planning, including focusing on the potential impacts, risks and opportunities arising from the climate transition for different sectors of both the economy and society, including the social, economic and employment impacts of this change and the policy responses required.
- To evaluate, advise, and comment on policy planning and implementation and progress on the application of Ireland’s just transition principles into national and sectoral climate policies, based on high-quality, evidence-based analysis.
- To provide strategic advice and engagement on just transition: the Commission will support the National Dialogue on Climate Action, as well as any dialogues on

¹ Oireachtas (2021). Climate Action and Low Carbon Development (Amendment) Act 2021. Source: <https://www.irishstatutebook.ie/eli/2021/act/32/enacted/en/html>

² Government of Ireland (2024). Just Transition Commission. Source: <https://www.gov.ie/en/publication/just-transition-commission/>

climate/just transition matters within individual sectors, in engagement on the implementation of climate programmes agreed by Government.

- Sectoral or regional engagement and road-mapping: the Commission may, on its own initiative, or at the request of the Government, undertake proactive engagement with particular communities, sectors or regions facing specific acute or long-term challenges arising from the transition, and advise Government on strategic co-ordination by the agencies of the State, on any interventions or targeted supports which may be helpful to address the challenges being faced by that community, sector or region.

To support the Commission in effectively executing its functions, the Commission's Terms of Reference provide for a Memorandum of Understanding between the Commission and the Government, through the Department of the Environment, Climate and Communications (hereinafter referred to as DECC).

2. Purpose of this Memorandum of Understanding

The purpose of this Memorandum is to outline the operational relationship between the Commission, as an independent body, and DECC.

While this Memorandum does not confer any legal powers or responsibilities, it forms a key part of the relationship framework between the Government and the Commission. The Memorandum complements:

- the Terms of Reference agreed upon by Government in April 2024, and
- any internal operational procedures that the Commission may put in place to facilitate its effective functioning.

This Memorandum may be reviewed and updated as necessary, and at least every two years. Any future amendments to the Memorandum will require the written agreement of both parties.

3. Arrangements between the Commission and the Department of the Environment, Climate and Communications

3.1. Independence of the Commission

As set out in its Terms of Reference, as approved by Government, the Commission is an independent body with functional autonomy and shall perform its duties in an objective, neutral and fully independent manner, free of any expressed ideology or political position.

Independence from Government is secured by the agreement of a clear remit and terms of reference for the Just Transition Commission, and by the appointment of independent Chair and Members.

The Commission shall regulate its own procedures, subject to provisions set out in its Terms of Reference. The Commission may develop more detailed internal operational procedures to facilitate its effective functioning.

The Commission shall be responsible for the management and direction of its own work programme. The work programme will be developed by the Chair, in consultation with Members and with the assistance of its Secretariat.

In line with its Terms of Reference, the Commission may be asked by the Government, to engage with particular communities, sectors or regions facing specific acute or long-term challenges arising from the transition. In such instances, requests to the Commission will be submitted in writing, through the Minister for the Environment, Climate and Communications, to the Chair of the Commission, with the Secretariat notified.

The Chair, with the support of the Secretariat will ensure the safeguarding of the independence of the Commission.

3.2. Resources available to the Commission

Secretariat

The Secretariat to the Commission will comprise civil servants provided by DECC.

The Secretariat will support the Commission in administrative, operational, and communication matters and may provide assistance in research and related matters as required.

Finance

The Commission's operational budget will be provided within the overall budget of DECC.

The Commission will advise DECC of its budgetary needs for the delivery of its function and annual work programme in line with DECC's budgetary cycle. DECC will incorporate this into its annual estimates and budgetary reporting.

The Secretariat will work with the Commission in terms of budgeting, expenditure, and financial management and control, and will adhere to DECC's budgetary management guidelines in doing so.

The Secretary General for DECC will be accountable to the Oireachtas for all expenditure associated with the operation of the Commission.

3.3. Governance Arrangements

Administration and operations

The Secretariat will, under the Chair's leadership, organise meetings of the Commission and be responsible for preparation and management of meeting agendas and documents. The Secretariat is the main holder of records and is responsible for information management.

The Secretariat may provide other related administrative, operational or organisational support to ensure that the Commission fulfils its role and mandate in line with its Terms of Reference and work programme.

Where appropriate, the Commission may request the Secretariat to invite Departmental or other public body representatives or representatives of any other organisation to attend meetings to assist the Commission in its deliberations. The Commission has no powers of compellability.

Following consultation with the Commission and as considered appropriate for the performance of the Commission's function, DECC will host meetings of the Commission in its offices. The Commission may also request the Secretariat to organise off-site meetings.

Governance

The Secretariat, together with the Chair, shall ensure the Commission meets best practice with respect to relevant governance, legal and regulatory requirements applicable to non-statutory advisory bodies established by the Government.

To align with best practice, the Commission's governance arrangements shall align with the Code of Practice for the Governance of State Bodies³ as much as possible, particularly in terms of the responsibilities of Members and Chair.

Under the Lobbying Act, the Commission does not fulfil the requirements of a lobbying body as specified under Article 5 therefore does not fall under the remit of the Act.

Procurement

The Secretariat will, in line with DECC guidelines, requirements and obligations, provide necessary support and advice to the Commission to procure services, research and consultancy as per decisions of the Commission.

The Commission via the Secretariat will notify DECC should a requirement to procure services or research arise. All procurement or research services will be conducted in accordance with relevant DECC procedures, budgetary approval thresholds and associated processes.

3.4 Communications and public engagements

The Secretariat will support the Commission's communications through website management and the timely publication of meeting agendas and minutes.

The Commission may agree to the publication of materials, such as periodic reports, bulletins, or communications. The Secretariat shall be notified of such plans in order to

³ Code of Practice for the Governance of State Bodies: <https://www.publicjobs.ie/en/stateboards/code-of-practice>

support the Commission in the production and publication of such materials as required. The Commission may develop a publication schedule for such materials.

The Commission will inform DECC, through the Secretariat, of its publications or schedule of publications.

As provided for in the Terms of Reference, views expressed by the Commission in publications or by any Member of the Commission speaking on its behalf, shall not be understood as representing the views of the Minister who holds responsibility for climate policy or of any other member of the Government.

Managing press queries

The DECC Press Office shall notify the Commission Secretariat of press queries received by the Department related to the Commission. If a press query is received directly by the Secretariat or Chair of the Commission, the Department's Press Office shall be notified of the query. The Department's Press Office will also be given advance notice of any media engagements by any member of the Commission concerning the business of the Commission so far as is reasonably practicable.

Responses to press queries related to the work and views of the Commission may be drafted by the Secretariat and approved by the Chair. Responses related exclusively to the administration of the Commission may be approved by the Secretariat and notified to the Chair.

Responses to press queries shall issue from the Commission's dedicated email address, or in absence of this, from the Secretariat email address. The Departmental Press Office shall be notified of the response issued.

Public and stakeholder events

The Commission may, with the administrative and operational support of the Secretariat, organise meetings with relevant stakeholders in furtherance of its work programme. A register of such engagements shall be published on the Commission's website.

4. Engagement with Ministers, Government and other Government Departments

Communications between the Government, Ministers, Government officials and any other public body and the Commission shall, in general, be conducted through the Secretariat. The Chair of the Commission may, however, directly engage with such parties.

The following provisions outline the expected engagements between the Commission and the Minister and the Government.

Work Programme

The Minister for the Environment, Climate and Communications appoints members and chair of the Just Transition Commission with Government approval.

At the start of each year, the Minister will advise the Commission of planned work that could help inform the Commission's own work programme.

The planned work programme of the Commission will be presented to the Minister by the Chair.

Where the Commission is acting upon its own initiative or on foot of a Government request to proactively engage with particular communities, sectors or regions facing specific acute or long-term challenges arising from the transition, the Commission will inform the relevant Minister and Department of its findings prior to publication.

Reporting of findings and recommendations

The Chair shall report to the Minister for the Environment, Climate and Communications on the work of the Commission and present the key findings and recommendations of its work at a minimum on an annual basis. The Minister will inform the Government of Commission findings and recommendations. If requested by the Minister, the Chair may present Commission findings and recommendations to other members of the Government.

The Commission's reports shall be made available to the public on its website.

Relationship between the Commission and other Departments

As provided for in the Commission's Terms of Reference, the Minister for the Environment, Climate and Communications will request other Government Departments to nominate a

representative at an appropriate level, to attend Commission meetings and brief the Commission on developments in their own Department as required by the Commission's agenda and work programme. A DECC representative, in addition to members of the Secretariat, will attend Commission meetings.

To enable the Commission to evaluate, advise and comment on policy planning and implementation and progress on the application of Ireland's just transition principles into national and sectoral climate policies, the Commission may request Government Departments to provide information on national and sectoral climate policies. This may include information on draft policy proposals.

Departments and State Agency bodies will make best efforts, in so far as practicable, to provide access to the relevant information within a reasonable timescale for use by the Commission.

Nominated Departmental representatives will be the main contact point between the Commission and each Government Department.

The Secretariat will manage communication between nominated representatives and the Commission to ensure effective exchange of relevant information.

5. Data Protection and information sharing

With reference to any personal data relating to the operation of the Commission, the Secretariat will ensure all requirements of General Data Protection Regulation are fulfilled and will be data controller for matters related to the Commission.

Where the Commission requests information from other public bodies on planned or existing policies, the public body concerned will ensure that information is shared on the basis of and in line with relevant legislation, as applicable.

The Commission is a public entity as described under the Freedom of Information Act 2014, and so members of the public have the right to access records held by the Commission. Commission reports, meeting agendas and minutes will be made publicly available on the Commission's webpage. The Secretariat will act as decision maker in relation to Freedom of Information requests.

6. Duration

This MoU will take effect from the date of signing for the duration of the mandate of the Commission, which is three years from the appointment of its members, ending on 22 October 2027.