

Decision on judicial review reserved

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(Climate Change Commission, 2022a)

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A decision on a judicial review of aspects of Ināia tonu nei, our first advice to the Government, has been reserved.

A hearing on the appeal for a judicial review, brought by Lawyers for Climate Action New Zealand (LCANZ) against the Climate Change Commission and Minister of Climate Change James Shaw, was heard at the High Court in Wellington last week.

The Honourable Justice Mallon has reserved her decision, with a judgment expected in coming weeks.

About the application for judicial review

This case is the first challenge to the expert advice of the Climate Change Commission by a special interest group.

The point of difference between the Commission and the applicant is how quickly emissions should be reduced between now and 2030.

The applicant argues for making deeper and steeper cuts in emissions by 2030 regardless of the impact on communities, businesses and people.

LCANZ seeks orders:

- requiring the Commission to reconsider its NDC advice and recommended budgets
- requiring the Minister to reconsider the NDC in light of the Court's judgment.

We have rigorously defended the grounds we've been challenged on - claims we are not sufficiently ambitious are wrong and misrepresent our advice.

Under its obligations in the Climate Change Response Act, the Commission's advice must be based on delivering an economically and technically achievable, and socially just transition to net zero by 2050.

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