

Nature's Rights Bill [HL]

[AS INTRODUCED]

CONTENTS

PART 1

INTRODUCTORY

- 1 Purpose of this Act

PART 2

RECOGNITION OF NATURE AND THE INTEGRATED RIGHT FRAMEWORK

- 2 Recognition of Nature as a legal subject
- 3 Rights of Nature
- 4 Integrated Rights Framework
- 5 Duty of care towards Nature
- 6 Interpretation of rights, duties and conflicts

PART 3

INTEGRATION INTO LAW, POLICY AND DECISION-MAKING

- 7 Integration of rights and duties into law, policy and decision-making
- 8 Relationship with existing public authorities, regulators and permits
- 9 Rights Impact Assessments
- 10 Economic and financial system alignment
- 11 Reporting obligations
- 12 Phased implementation and adaptive management
- 13 Incentives and regenerative transition support
- 14 Priority legislative and policy alignment programme

PART 4

ECOLOGICAL GOVERNANCE AND IMPLEMENTATION

- 15 Nature Guardianship Council
- 16 Composition and governance of the Nature Guardianship Council
- 17 Bioregional implementation
- 18 Bioregional Councils
- 19 Nature Designated Entities
- 20 Bioregional Implementation Plans

- 21 Public participation and access to information
- 22 Pilot schemes
- 23 Guidance, standards and codes of practice
- 24 Education, training and capacity-building
- 25 Monitoring and annual reporting
- 26 Parliamentary oversight

PART 5

DISPUTE RESOLUTION, TRIBUNAL AND ENFORCEMENT

- 27 Non-adversarial resolution
- 28 Nature's Rights Tribunal
- 29 Jurisdiction of the Tribunal
- 30 Standing and representation
- 31 Remedies
- 32 Enforcement notices and compliance action
- 33 Offences and liability
- 34 Precautionary principle and burden of proof
- 35 Advocate to the Court
- 36 Access to justice and funding
- 37 Immunity of Nature and Nature Designated Entities
- 38 Appeals

PART 6

FINAL PROVISIONS

- 39 International and overseas application
- 40 Relationship with other environmental and rights protections
- 41 Review of this Act
- 42 Interpretation
- 43 Consequential and supplementary provision
- 44 Regulations
- 45 Parliamentary procedure for regulations
- 46 Extent and application
- 47 Financial provision
- 48 Commencement
- 49 Crown application
- 50 Short title

-
- Schedule 1 – Integrated rights framework
 - Schedule 2 – Priority legislative and policy alignment
 - Schedule 3 – Guidance, standards and codes of practice
 - Schedule 4 – Sanctions, remedies and enforcement measures

[AS INTRODUCED]

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TO

Recognise Nature as a legal subject; establish and protect the rights of Nature; establish a legal duty of care for public bodies, businesses, and individuals; provide procedural rights for the protection of Nature; establish an Integrated Rights Framework; establish mechanisms for dispute resolution and legal enforcement; make provision about Parliamentary scrutiny; establish a Nature Guardianship Council and Bioregional Councils; establish a Nature's Rights Tribunal; create a governance structure for implementation and integration; provide for phased implementation and periodic review; ensure compliance with international environmental obligations; promote public awareness and education; and for connected purposes.

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART 1

INTRODUCTORY

1 Purpose of this Act

The purpose of this Act is to establish a legal framework for the recognition, protection, implementation and integration of the rights of Nature across law, policy, regulation, public administration, public and private decision-making, and economic and financial systems.

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PART 2

RECOGNITION OF NATURE AND THE INTEGRATED RIGHT FRAMEWORK

2 Recognition of Nature as a legal subject

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- (1) Nature is recognised as a legal subject and rights-bearing entity.
- (2) The rights of Nature established by this Act vest in Nature as an interconnected living whole.
- (3) Those rights may be represented and enforced in accordance with this Act.

- (4) The rights of Nature may be asserted in relation to a particular ecosystem, habitat, species, natural community, or natural system according to the nature, scale, location and ecological connections of the harm or risk concerned.
- (5) Recognition of Nature as a legal subject does not of itself –
 - (a) transfer ownership of land, water, natural resources or other property, 5
 - (b) create a right of public access to land or water,
 - (c) prevent the lawful use of land or property where that use is compatible with the rights and duties established under this Act (see section 42), or
 - (d) make Nature liable for natural processes, functions or events. 10

3 Rights of Nature

- (1) Nature has the following inherent rights –
 - (a) the right to exist, persist and evolve within safe ecological limits;
 - (b) the right to maintain and regenerate ecological integrity;
 - (c) the right to restoration and regeneration where harm has occurred; 15
 - (d) the right to be free from pollution, contamination and degradation that threatens ecological integrity, resilience or health;
 - (e) the right to maintain natural cycles, functions and processes, including hydrological, climatic, geological, soil, nutrient, reproductive, evolutionary and ecological processes; 20
 - (f) the right to maintain ecological connectivity, diversity, abundance and resilience.
- (2) The rights set out in subsection (1) apply to Nature as an interconnected living whole and may be applied, represented and enforced in relation to particular ecosystems, habitats, species, natural communities, natural features or natural systems. 25
- (3) A breach affecting a particular ecosystem, habitat, species community or natural system constitutes a breach of the rights of Nature to the extent of the harm, risk, ecological connection or systemic effect concerned.
- (4) The rights set out in this section are to be interpreted in accordance with the Integrated Rights Framework. 30

4 Integrated Rights Framework

- (1) The Integrated Rights Framework is established for the purpose of guiding the interpretation, implementation and application of this Act.
- (2) The Framework establishes a hierarchy of rights, as follows – 35
 - (a) first, the rights of Nature are recognised as the foundation of human life, society and economic activity;
 - (b) second, human rights are to be protected and fulfilled within the ecological conditions necessary for life, and

- (c) third, economic, corporate and property rights are to be exercised within, and in a manner that supports rather than undermines, the rights of Nature and human rights.
- (3) In applying the Framework, public authorities, United Kingdom entities (see section 42), the Nature Guardianship Council (see section 15), Bioregional Councils (see section 18) and the Nature's Rights Tribunal (see section 28) must ensure that decisions are compatible with the rights and duties established under this Act and must seek, where reasonably practicable, outcomes that protect, restore or regenerate Nature while supporting human wellbeing and lawful economic activity. 5
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- (4) The Sustainable Development Goals must be interpreted and applied in accordance with the rights of Nature.
- (5) The Framework applies to Ministerial decisions to introduce legislation, and regulatory, policy, fiscal, financial, planning, procurement, investment, operational and adjudicative decision-making. 15
- (6) Schedule 1 makes further provision about the Framework.

5 Duty of care towards Nature

- (1) A duty of care towards Nature is established by this Act.
- (2) The duty of care applies to public authorities, United Kingdom entities and, to the extent provided by or under this Act, other persons whose activities may significantly affect Nature. 20
- (3) A person subject to the duty of care must take reasonable and proportionate steps to—
 - (a) protect, preserve and restore Nature;
 - (b) prevent, reduce and mitigate harm to Nature; 25
 - (c) remedy ecological damage caused or contributed to by that authority, entity or person's activities;
 - (d) support ecological integrity, resilience and regeneration;
 - (e) act consistently with the Integrated Rights Framework.
- (4) In determining what is reasonable and proportionate under subsection (3), regard must be had to— 30
 - (a) the nature, scale and foreseeability of the harm or risk;
 - (b) the ecological significance, vulnerability and regenerative capacity of the affected ecosystem, habitat, species community or natural system;
 - (c) the degree of control, responsibility or influence exercised by the authority, entity or person concerned; 35
 - (d) the availability of less harmful alternatives;
 - (e) the need for a just transition (see section 42);
 - (f) any relevant guidance issued under this Act.

- (5) Compliance with the duty of care may require action to prevent harm, to cease or modify harmful activity, to restore ecological damage, or to support regeneration.

6 Interpretation of rights, duties and conflicts

- (1) The Rights and duties established under this Act must be interpreted and applied consistently with the Integrated Rights Framework. 5
- (2) Where a question arises as to the relationship between the rights of Nature, human rights, economic rights, corporate rights or property rights, the decision-maker must apply the hierarchy established by the Framework.
- (3) An interference with the rights of Nature may be justified only where the decision-maker is satisfied that – 10
- (a) the interference is lawful,
 - (b) the interference pursues a legitimate purpose compatible with this Act,
 - (c) there is no reasonably available less harmful alternative, 15
 - (d) the interference does not cause or contribute to serious, irreversible, cumulative or systemic harm to ecological integrity or safe ecological limits,
 - (e) the interference is consistent with the duty of care and the Framework, and 20
 - (f) appropriate prevention, mitigation, restoration and regenerative measures are secured.
- (4) In applying subsection (3), particular regard must be given to –
- (a) ecological integrity;
 - (b) safe ecological limits; 25
 - (c) the rights and needs of present and future generations;
 - (d) the rights and wellbeing of affected communities;
 - (e) cumulative and systemic effects;
 - (f) scientific uncertainty and the precautionary principle;
 - (g) the need for a just transition. 30
- (5) In applying this section, decision-makers must apply the hierarchy established by the Framework.
- (6) Nothing in this section prevents a decision-maker from authorising activity that supports human wellbeing, public benefit or economic activity where that activity is compatible with the rights and duties established under this Act and contributes, so far as reasonably practicable, to ecological protection, restoration or regeneration. 35
- (7) No Crown body, public authority or United Kingdom entity is exempt from the rights and duties established under this Act solely on the grounds of national security, public interest, administrative convenience or economic hardship, except as expressly provided by or under this Act. 40

PART 3

INTEGRATION INTO LAW, POLICY AND DECISION-MAKING

7 Integration of rights and duties into law, policy and decision-making

- (1) Public authorities must exercise their functions consistently with the rights and duties established under this Act and with the Integrated Rights Framework, so far as compatible with their statutory functions. 5
- (2) The rights and duties established under this Act must be integrated into all relevant legislation and, regulations, and all public policies, strategies, plans, programmes, guidance and decision-making, which is made after the day on which this section comes into force, including in relation to – 10
 - (a) planning and development;
 - (b) environmental regulation and permitting;
 - (c) water, catchment, coastal and marine governance;
 - (d) biodiversity, nature recovery and ecosystem restoration;
 - (e) agriculture, fisheries, forestry and land management; 15
 - (f) energy, transport, infrastructure and industrial development;
 - (g) public procurement, subsidies, taxation and spending;
 - (h) banking, credit, lending, investment, insurance, pensions and financial regulation;
 - (i) trade, supply chains and overseas activities of United Kingdom entities; 20
 - (j) any other matter that may materially affect Nature.
- (3) Public authorities must, when preparing or revising any policy, strategy, plan, programme or guidance that may materially affect Nature, have regard to – 25
 - (a) the rights of Nature;
 - (b) the duty of care;
 - (c) the Integrated Rights Framework;
 - (d) ecological integrity and safe ecological limits;
 - (e) cumulative, indirect and systemic effects;
 - (f) the need for a just transition;
 - (g) any relevant guidance issued under this Act. 30
- (4) The Secretary of State must ensure that all existing laws, policies, regulations and administrative practices are reviewed and, where necessary, must put forward proposals for them to be amended or applied so as to align progressively with the rights and duties established under this Act.
- (5) The Secretary of State must, within 12 months of the day on which this Act is passed, publish a programme for the review and alignment of priority legislation, policy and regulation. 35
- (6) Schedule 2 makes provision about priority areas for legislative and policy alignment.

8 Relationship with existing public authorities, regulators and permits

- (1) Nothing in this Act removes, transfers or limits the functions of an existing public authority or regulator unless expressly provided by or under this Act.
- (2) Existing public authorities and regulators must continue to exercise their functions in accordance with their statutory mandates, but must do so, so far as compatible with those mandates, consistently with the rights and duties established under this Act and the Integrated Rights Framework. 5
- (3) The Nature Guardianship Council is responsible for guidance, standards, coordination, monitoring, support for implementation, and referral or intervention where necessary under this Act. 10
- (4) The Nature Guardianship Council is not to be treated as replacing an existing public authority or regulator unless regulations made under this Act expressly provide.
- (5) Public authorities and regulators must cooperate with the Nature Guardianship Council for the purposes of implementing this Act, including— 15
 - (a) sharing relevant information;
 - (b) participating in coordination arrangements;
 - (c) having regard to guidance issued under this Act;
 - (d) assisting with Rights Impact Assessments where appropriate (see section 9); 20
 - (e) supporting implementation, monitoring and enforcement within their areas of responsibility.
- (6) A permit, licence, consent, approval, authorisation or exemption granted under any enactment does not of itself constitute compliance with the rights and duties established under this Act. 25
- (7) A public authority or regulator must not grant, vary, renew or continue a permit, licence, consent, approval, authorisation or exemption unless satisfied, so far as relevant and proportionate, that the decision is compatible with—
 - (a) the rights and duties established under this Act;
 - (b) the Integrated Rights Framework; 30
 - (c) the duty of care;
 - (d) ecological integrity and safe ecological limits;
 - (e) any relevant guidance issued under this Act.
- (8) Where a permit, licence, consent, approval, authorisation or exemption was granted before the relevant provisions of this Act came into force, the public authority or regulator responsible for it must review it in accordance with the priority legislative and policy alignment programme, any relevant guidance, and such timetable as may be prescribed by regulations. 35
- (9) Following a review under subsection (8), the public authority or regulator must take such reasonable and proportionate steps as are available under the relevant enactment to secure compatibility with the rights and duties established under this Act, including where appropriate— 40

- (a) varying conditions,
 - (b) imposing additional monitoring, reporting, mitigation, restoration or regenerative requirements,
 - (c) requiring a Rights Impact Assessment,
 - (d) suspending the permit, licence, consent, approval, authorisation or exemption, 5
 - (e) revoking it,
 - (f) refusing renewal, or
 - (g) referring the matter to the Nature Guardianship Council or the Tribunal. 10
- (10) No permit, licence, consent, approval, authorisation or exemption authorises serious, irreversible, cumulative or systemic harm to Nature unless expressly permitted under this Act and justified in accordance with section 9.
- (11) Where there is an inconsistency between a permit, licence, consent, approval, authorisation or exemption and the rights and duties established under this Act, the public authority, regulator and holder must, so far as reasonably practicable, interpret and apply the permit, licence, consent, approval, authorisation or exemption consistently with the rights and duties established under this Act. 15
- (12) Where an inconsistency cannot be resolved by interpretation, the public authority or regulator must take reasonable and proportionate steps to remove or reduce the inconsistency, having regard to— 20
 - (a) the seriousness, reversibility, cumulative nature and systemic nature of the harm or risk;
 - (b) ecological integrity and safe ecological limits; 25
 - (c) the precautionary principle;
 - (d) the reliance interests of the permit holder;
 - (e) the rights and wellbeing of affected communities;
 - (f) the need for a just transition;
 - (g) the availability of less harmful alternatives. 30
- (13) Nothing in this section prevents urgent action, interim relief or enforcement action where there is a risk of serious, irreversible, cumulative or systemic harm to Nature.
- (14) The Secretary of State may by regulations make further provision about the review, variation, suspension, revocation, renewal or alignment of permits, licences, consents, approvals, authorisations and exemptions for the purposes of this Act. 35

9 Rights Impact Assessments

- (1) A public authority or United Kingdom entity must carry out a Rights Impact Assessment where a proposed decision, policy, plan, programme, project, activity, financial decision or regulatory measure may materially affect Nature. 40
- (2) A Rights Impact Assessment must assess —

- (a) the potential impact on the rights of Nature;
 - (b) compatibility with the duty of care;
 - (c) compatibility with the Integrated Rights Framework;
 - (d) implications for ecological integrity and safe ecological limits;
 - (e) implications for human rights, public wellbeing, affected communities and future generations; 5
 - (f) implications for economic, corporate or property rights within the hierarchy established by the Framework;
 - (g) direct, indirect, cumulative, cross-boundary and systemic effects;
 - (h) whether the proposal entrenches ecologically harmful incentives or externalises ecological costs; 10
 - (i) whether there are reasonably available less harmful alternatives;
 - (j) what prevention, mitigation, restoration and regenerative measures may be required.
- (3) A Rights Impact Assessment must be proportionate to – 15
 - (a) the nature and scale of the proposed decision or activity;
 - (b) the seriousness and likelihood of the potential harm;
 - (c) the ecological significance, vulnerability or regenerative capacity of the affected ecosystem, habitat, species community or natural system;
 - (d) the degree of uncertainty; 20
 - (e) the level of control or influence exercised by the decision-maker.
- (4) Where an Environmental Impact Assessment, Strategic Environmental Assessment, Habitats Regulations Assessment, flood risk assessment, climate assessment, sustainability assessment or other statutory assessment is required, the Rights Impact Assessment may be integrated into that assessment. 25
- (5) Where a Rights Impact Assessment is integrated into another assessment, the decision-maker must ensure that the assessment expressly addresses the matters in subsection (2).
- (6) The Nature Guardianship Council must issue guidance on the preparation, publication, review and use of Rights Impact Assessments. 30
- (7) The Secretary of State may by regulations prescribe categories of decision, activity, entity or threshold to which this section applies.

10 Economic and financial system alignment

- (1) Economic and financial activity must be interpreted and carried out consistently with the rights and duties established under this Act and the Integrated Rights Framework, so far as provided by or under this Act. 35
- (2) Public authorities exercising functions in relation to economic policy, fiscal policy, public finance, public procurement, subsidies, guarantees, investment frameworks, financial regulation, financial risk, banking, credit, insurance or pensions must exercise those functions, so far as compatible with their statutory mandates, in accordance with the rights and duties established under this Act. 40

- (3) United Kingdom entities engaged in banking, lending, investment, insurance, pensions, asset management, financial reporting, fiduciary decision-making or other financial activity must integrate the rights and duties established under this Act into relevant decision-making processes, including where relevant – 5
- (a) the allocation of capital, credit and financial support;
 - (b) lending, underwriting and investment strategy;
 - (c) stewardship, ownership and engagement practices;
 - (d) fiduciary decision-making;
 - (e) the identification, assessment and management of ecological dependencies, impacts and risks; 10
 - (f) transition planning, risk management and long-term strategy;
 - (g) financial reporting and disclosure;
 - (h) the design of financial products, services and instruments.
- (4) In exercising functions or making decisions affecting the flow of capital, credit, insurance or financial support, public authorities and United Kingdom entities must have regard to the need to – 15
- (a) reduce support for activities inconsistent with the rights and duties established under this Act;
 - (b) support regenerative, restorative and ecologically just activities and systems; 20
 - (c) prevent the externalisation of ecological costs;
 - (d) identify and reduce systemic ecological risk;
 - (e) support a just transition.
- (5) The Nature Guardianship Council may issue sector-specific guidance for the application of this section to banking, credit, lending, investment, insurance, pensions, financial reporting, fiduciary decision-making and related economic activities. 25

11 Reporting obligations

- (1) A United Kingdom entity that meets a reporting threshold prescribed by the Secretary of State must submit an annual report to the Nature Guardianship Council. 30
- (2) An annual report under this section must include material regarding –
- (a) the entity's compliance with the rights and duties established under this Act; 35
 - (b) steps taken to integrate the Integrated Rights Framework into the entity's governance, strategy, operations and decision-making;
 - (c) actual or potential impacts on Nature arising from the entity's activities, operations, investments, procurement, supply chains or overseas activities; 40
 - (d) steps taken to prevent, reduce, mitigate or remedy ecological harm;
 - (e) restoration or regenerative measures undertaken or supported;
 - (f) progress towards phased implementation requirements;

- (g) where applicable, the extent to which the entity's financing, lending, underwriting, investment, procurement, treasury, pension, insurance or asset management practices support or undermine compliance with the rights and duties established under this Act;
 - (h) any other matter prescribed by regulations made by the Secretary of State. 5
- (3) The Secretary of State may by regulations prescribe reporting thresholds by reference to –
 - (a) turnover,
 - (b) balance sheet value, 10
 - (c) number of employees,
 - (d) sector,
 - (e) ecological footprint,
 - (f) emissions, resource use, land use, water use, pollution, biodiversity impact or other ecological indicators, 15
 - (g) the entity's influence over capital, credit, insurance, guarantees or investment,
 - (h) the entity's role in supply chains, or
 - (i) any other relevant matter.
- (4) A United Kingdom entity that does not meet a reporting threshold is not required to submit an annual report unless the Nature Guardianship Council directs otherwise on the ground that the entity's activities have, or may have, significant ecological impact. 20
- (5) The Nature Guardianship Council must issue guidance on the form, content, verification, publication and review of reports under this section. 25
- (6) The Secretary of State may by regulations –
 - (a) prescribe reporting thresholds;
 - (b) provide for exemptions, simplified reporting or staged reporting requirements for smaller entities, community bodies, charities or entities with limited ecological impact. 30

12 Phased implementation and adaptive management

- (1) The Secretary of State may by regulations provide for the phased implementation of this Act.
- (2) Regulations made under subsection (1) must provide for –
 - (a) an initial phase; 35
 - (b) a timetable for progress towards full alignment with the provisions of this Act.
- (3) The Nature Guardianship Council may recommend adjustments to the targets, timelines, standards or guidance issued by the Secretary of State where such adjustments are in its view necessary to reflect –
 - (a) developments in scientific understanding, 40

- (b) monitoring and implementation outcomes,
 - (c) ecological conditions in particular bioregions,
 - (d) sector-specific conditions,
 - (e) the need for a just transition, or
 - (f) international obligations. 5
- (4) Any adjustment proposed under subsection (3) must maintain or enhance the purpose of this Act (as stated in section 1) and must not weaken the protection of the rights of Nature except where necessary to secure a more effective implementation pathway consistent with the Integrated Rights Framework.
- (5) The Nature Guardianship Council must publish reasons for any significant recommendation for adjustment made under this section. 10

13 Incentives and regenerative transition support

- (1) The Secretary of State must, in consultation with the Nature Guardianship Council, establish or promote schemes to support compliance with this Act and the transition to systems that support the regeneration and restoration of Nature (“regenerative transition support”). 15
- (2) Schemes under subsection (1) may include –
 - (a) grants, loans, guarantees or other financial assistance;
 - (b) tax reliefs, subsidies or fiscal incentives;
 - (c) public procurement measures; 20
 - (d) technical assistance, training and capacity-building;
 - (e) support for restoration, regeneration, nature recovery and ecological monitoring;
 - (f) support for farmers, land managers, fishers, local authorities, community bodies, small and medium-sized enterprises and affected workers or communities; 25
 - (g) support for innovation, research and development consistent with the rights and duties established under this Act;
 - (h) transition support for sectors, regions or bioregions facing particular implementation challenges; 30
 - (i) any other measure that supports implementation of the rights and duties established under this Act.
- (3) In designing schemes under this section, the Secretary of State must have regard to –
 - (a) the Integrated Rights Framework; 35
 - (b) the need for a just transition;
 - (c) ecological integrity and safe ecological limits;
 - (d) the need to prevent serious, irreversible, cumulative or systemic harm to Nature;
 - (e) the desirability of redirecting public and private finance towards regenerative and restorative activities; 40

- (f) the need to avoid subsidising or incentivising activities inconsistent with the rights and duties established under this Act.
 - (4) The Secretary of State must keep under review existing grants, subsidies, tax reliefs, procurement policies and other public financial support mechanisms that may materially affect Nature. 5
 - (5) Where the Secretary of State considers that an existing mechanism materially undermines the rights and duties established under this Act, the Secretary of State must take reasonable steps to amend, replace or phase out that mechanism, having regard to the need for a just transition.
 - (6) The Nature Guardianship Council may issue guidance on regenerative transition support, including guidance for public authorities and United Kingdom entities on aligning incentives, procurement, investment and support mechanisms with the provisions of this Act. 10
- 14 Priority legislative and policy alignment programme**
- (1) The Secretary of State must, within 12 months of the day on which this Act is passed, publish a priority legislative and policy alignment programme. 15
 - (2) The programme must identify enactments, regulations, policies, strategies, guidance and administrative practices requiring review or amendment for the purposes of implementing this Act.
 - (3) The programme must include, in particular, a review of law and policy relating to – 20
 - (a) planning and development control;
 - (b) environmental permitting and regulation;
 - (c) water, rivers, catchments, wetlands, coasts and marine areas;
 - (d) biodiversity, nature recovery and protected sites; 25
 - (e) forestry, woodlands, trees and ancient woodlands;
 - (f) agriculture, soil, fisheries and land management;
 - (g) climate change, energy and infrastructure;
 - (h) public procurement, subsidies, taxation and spending;
 - (i) banking, finance, investment, insurance and pensions; 30
 - (j) corporate governance, reporting and fiduciary duties;
 - (k) local authority powers, by-laws and community governance;
 - (l) public participation, access to information and access to justice;
 - (m) any other relevant area identified by the Secretary of State or the Nature Guardianship Council. 35
 - (4) The Secretary of State must consult the Nature Guardianship Council, devolved administrations, relevant public authorities, affected communities and such other persons as the Secretary of State considers appropriate before publishing the programme.
 - (5) The Secretary of State must lay the programme before Parliament. 40

- (6) The Secretary of State must review and update the programme at intervals of not more than three years.

PART 4

ECOLOGICAL GOVERNANCE AND IMPLEMENTATION

15 Nature Guardianship Council

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- (1) A body corporate called the Nature Guardianship Council is established.
- (2) The principal functions of the Nature Guardianship Council are to—
 - (a) issue guidance, standards and codes of practice for the implementation of the rights and duties established under this Act;
 - (b) support public authorities, United Kingdom entities and Bioregional Councils in applying the Integrated Rights Framework; 10
 - (c) monitor and report on implementation of this Act;
 - (d) advise the Secretary of State, devolved administrations, public authorities and regulators on matters relating to this Act;
 - (e) support the development of Rights Impact Assessment methodologies; 15
 - (f) support non-adversarial resolution of disputes relevant to the provisions of this Act;
 - (g) refer matters to the Tribunal where necessary;
 - (h) maintain registers required under this Act;
 - (i) support public participation, education and capacity-building relevant to the provisions of this Act; 20
 - (j) support pilot schemes and adaptive implementation related to this Act;
 - (k) issue sector-specific guidance, including for economic and financial systems; 25
 - (l) perform any other function conferred by or under this Act.
- (3) The Nature Guardianship Council must exercise its functions consistently with—
 - (a) the rights and duties established under this Act;
 - (b) the Integrated Rights Framework; 30
 - (c) ecological integrity and safe ecological limits;
 - (d) the need for a just transition;
 - (e) the precautionary principle;
 - (f) inclusive public participation.
- (4) The Nature Guardianship Council must act independently in the exercise of its advisory, monitoring, reporting and referral functions. 35
- (5) The Nature Guardianship Council must not be treated as replacing an existing public authority or regulator except to the extent expressly provided by or under this Act.

- (6) The Nature Guardianship Council must have regard to relevant scientific evidence, ecological knowledge, local knowledge, traditional knowledge where applicable, and the rights and wellbeing of affected communities.

16 Composition and governance of the Nature Guardianship Council

- (1) The Secretary of State must by regulations make provision regarding the membership, appointment, governance, procedure and accountability of the Nature Guardianship Council. 5
- (2) The membership of the Nature Guardianship Council must include persons with knowledge or experience of –
- (a) ecology, biodiversity, ecosystem restoration or Earth systems science, 10
 - (b) environmental law, public law, human rights law or ecological jurisprudence,
 - (c) climate change, planetary boundaries or Earth system boundaries,
 - (d) environmental economics, sustainable finance or regenerative economic systems, 15
 - (e) public administration, planning, regulation or local government,
 - (f) public participation, community governance or access to justice,
 - (g) matters relating to youth and future generations, and
 - (h) such other matters as the Secretary of State considers relevant.
- (3) The regulations must provide for appointments to be made by the Secretary of State through a transparent and merit-based process. 20
- (4) In making appointments, the Secretary of State must have regard to the expertise, geography, age, gender, ethnicity, experience and community representation.
- (5) The Nature Guardianship Council must publish – 25
- (a) its governance arrangements,
 - (b) its rules for managing conflicts of interest,
 - (c) a code of conduct,
 - (d) its annual accounts, and
 - (e) such other information as may be prescribed by regulations. 30

17 Bioregional implementation

- (1) The Nature Guardianship Council must issue guidance to make provision for bioregional implementation of the provisions of this Act.
- (2) For the purposes of this Act, bioregional implementation must have regard to – 35
- (a) ecological coherence;
 - (b) watersheds, catchments and natural boundaries;
 - (c) ecosystems, habitats, landscapes and seascapes;
 - (d) ecological connectivity and cumulative effects;
 - (e) existing administrative, statutory and local government boundaries; 40

- (f) community cohesion and cultural connection;
 - (g) practical delivery and accountability.
- (3) The Secretary of State may by regulations provide for bioregional implementation of the provisions of this Act through—
 - (a) Bioregional Councils, 5
 - (b) joint committees,
 - (c) designated lead authorities,
 - (d) partnerships between public authorities, communities and civil society organisations,
 - (e) catchment, landscape, seascape or ecosystem-based governance arrangements, 10
 - (f) pilot schemes, or
 - (g) such other arrangements as the Secretary of State considers appropriate.
- (4) Bioregional implementation arrangements must remain consistent with the rights and duties established under this Act and the Integrated Rights Framework. 15
- (5) The Nature Guardianship Council must ensure that bioregional implementation arrangements are ecologically coherent while remaining administratively workable.
- (6) Nothing in this section prevents implementation arrangements from aligning with existing administrative or statutory structures where this is consistent with ecological coherence and the purpose of this Act. 20

18 Bioregional Councils

- (1) The Secretary of State may make regulations establishing Bioregional Councils for one or more bioregions or for areas designated for bioregional implementation under section 17. 25
- (2) A Bioregional Council established under subsection (1) is established for the purpose of supporting local and regional implementation of the rights and duties established under this Act.
- (3) A Bioregional Council may — 30
 - (a) monitor ecological conditions and indicators within its area;
 - (b) support public participation and access to information;
 - (c) receive concerns, petitions and complaints relating to actual or potential impacts on Nature;
 - (d) facilitate dialogue, mediation and non-adversarial resolution of disputes relevant to the provisions of this Act; 35
 - (e) advise public authorities, United Kingdom entities and communities on implementation of the provisions of this Act;
 - (f) support the preparation and review of Bioregional Implementation Plans (see section 20); 40

- (g) refer serious, unresolved, systemic or cross-boundary matters relevant to the provisions of this Act to the Nature Guardianship Council or the Tribunal;
 - (h) support education, outreach and local governance initiatives relevant to the provisions of this Act; 5
 - (i) assist with Rights Impact Assessments where appropriate;
 - (j) receive and consider applications for Nature Designated Entity status in accordance with section 19;
 - (k) perform any other function conferred by or under this Act.
- (4) A Bioregional Council must exercise its functions consistently with— 10
 - (a) the rights and duties established under this Act;
 - (b) the Integrated Rights Framework;
 - (c) guidance issued by the Nature Guardianship Council;
 - (d) ecological integrity and safe ecological limits;
 - (e) inclusive public participation; 15
 - (f) the need for a just transition.
- (5) The Secretary of State must make by regulations make provision about the membership, appointment, procedure, accountability and funding of Bioregional Councils.
- (6) The membership of a Bioregional Council must, so far as practicable, include persons with knowledge or experience of— 20
 - (a) ecology, environmental science or ecosystem restoration,
 - (b) law, planning, public administration or local governance,
 - (c) local communities, including marginalised communities,
 - (d) matters relating to youth and future generations, 25
 - (e) land, water, coastal, marine or catchment management,
 - (f) traditional or local ecological knowledge where applicable, and
 - (g) such other matters as may be prescribed in the regulations made under subsection (5).
- (7) Bioregional Councils must cooperate with the Nature Guardianship Council, public authorities, regulators and each other. 30

19 Nature Designated Entities

- (1) A natural feature, ecosystem, habitat, species community, or natural system may be designated as a Nature Designated Entity in accordance with this section. 35
- (2) The purpose of designation is to support the representation, protection, restoration or regeneration of the rights of Nature in relation to a particular natural feature, ecosystem, habitat, species community, natural community or natural system.
- (3) Designation as a Nature Designated Entity does not— 40
 - (a) transfer ownership of land, water, natural resources or other property,

- (b) create a right of public access to land or water,
 - (c) create a new protected area status,
 - (d) prevent the lawful use of land or property where that use is compatible with the rights and duties established under this Act, or
 - (e) authorise the Nature Guardianship Council, a Bioregional Council or any other person to take possession or control of land, water, natural resources or other property. 5
- (4) An application for designation may be made by –
 - (a) a public authority,
 - (b) a Bioregional Council, 10
 - (c) a registered charity,
 - (d) a community body established for community benefit,
 - (e) an affected community,
 - (f) a public-interest organisation,
 - (g) an owner or occupier of land or water within the proposed area, 15
 - (h) the Nature Guardianship Council, where requested by a public authority, Bioregional Council or affected community, or
 - (i) such other person as may be prescribed by regulations made by the Secretary of State.
- (5) An application must – 20
 - (a) identify the proposed Nature Designated Entity;
 - (b) describe its extent by reference to a map, plan or other means sufficient to identify it with reasonable certainty;
 - (c) state the ecological characteristics and basis on which designation is sought; 25
 - (d) identify, so far as reasonably practicable, any known owners, occupiers, public authorities and affected communities;
 - (e) explain how designation would assist the representation, protection, restoration or regeneration of the rights of Nature;
 - (f) include such other information as may be required by regulations made by the Secretary of State. 30
- (6) In determining whether to designate a Nature Designated Entity, the decision-maker must have regard to –
 - (a) the ecological integrity, rarity, irreplaceability, antiquity, vulnerability or regenerative capacity of the proposed entity; 35
 - (b) its biodiversity, habitat, hydrological, climatic, soil, carbon, cultural-ecological, landscape or seascape significance;
 - (c) its contribution to ecological connectivity, resilience or restoration;
 - (d) any risk of serious, irreversible, cumulative or systemic harm to nature;
 - (e) whether designation would materially assist the representation, protection, restoration or regeneration of the rights of Nature; 40
 - (f) the views of owners, occupiers, public authorities, affected communities and other persons consulted under this section;

- (g) whether designation would duplicate, support or strengthen existing legal protections;
 - (h) any relevant guidance issued by the Nature Guardianship Council.
- (7) Before determining an application, the decision-maker must consult –
 - (a) any person appearing to be an owner or occupier of land or water within the proposed extent, so far as reasonably practicable; 5
 - (b) relevant public authorities;
 - (c) affected communities;
 - (d) the Nature Guardianship Council, where it is not the decision-maker;
 - (e) such other persons as may be prescribed by regulations made by the Secretary of State. 10
- (8) A designation must be made by Designation Order.
- (9) A Designation Order must –
 - (a) identify the Nature Designated Entity;
 - (b) describe its extent; 15
 - (c) state the reasons for designation;
 - (d) specify the date on which designation takes effect;
 - (e) identify any representation or guardianship arrangements;
 - (f) specify any monitoring, reporting or review arrangements.
- (10) A Designation Order may make provision for representation or guardianship arrangements, including the appointment as a representative or guardian of the Nature Designated Entity of – 20
 - (a) the Nature Guardianship Council,
 - (b) a Bioregional Council,
 - (c) a public authority, 25
 - (d) a community body,
 - (e) a registered charity,
 - (f) a panel of representatives, or
 - (g) such other person or body as may be prescribed by regulations made by the Secretary of State. 30
- (11) A representative or guardian appointed under subsection (10) must act for the purpose of representing, protecting, restoring or regenerating the rights of Nature in relation to the Nature Designated Entity.
- (12) A representative or guardian appointed under subsection (10) does not acquire ownership of, or control over, land, water, natural resources or other property by virtue of that appointment. 35
- (13) The Nature Guardianship Council must maintain and publish a register of Nature Designated Entities and Designation Orders.
- (14) A Designation Order may be varied or revoked in accordance with regulations made by the Secretary of State, provided that consultation and reasons are published. 40

- (15) The applicant, or any person materially affected by a decision to grant, refuse, vary or revoke designation, may appeal to the Tribunal in accordance with Tribunal rules.
- (16) The Secretary of State may by regulations make further provision about applications, consultation, criteria, Tribunal rules, procedure, representation, review, variation, revocation and appeals in relation to Nature Designated Entities. 5

20 Bioregional Implementation Plans

- (1) The Nature Guardianship Council must issue guidance on the preparation of Bioregional Implementation Plans. 10
- (2) A Bioregional Implementation Plan is a plan for supporting the implementation of the rights and duties established under this Act within a bioregion or other area designated for bioregional implementation.
- (3) A Bioregional Implementation Plan may include –
 - (a) an assessment of ecological conditions, pressures and risks; 15
 - (b) ecological integrity indicators and restoration priorities;
 - (c) measures to support compliance with the duty of care;
 - (d) measures to support public authorities and United Kingdom entities in applying the Integrated Rights Framework;
 - (e) proposals for restoration, regeneration and nature recovery; 20
 - (f) measures to support public participation and access to information relevant to the provisions of this Act;
 - (g) proposals for non-adversarial dispute resolution relevant to the provisions of this Act;
 - (h) measures to support a just transition; 25
 - (i) measures relating to Nature Designated Entities;
 - (j) monitoring and reporting arrangements; and
 - (k) such other matters as may be prescribed by regulations made by the Secretary of State.
- (4) Bioregional Implementation Plans must be prepared through inclusive consultation with public authorities, communities, affected persons, relevant experts and such other persons as may be appropriate. 30
- (5) Public authorities must have regard to any relevant Bioregional Implementation Plan when exercising functions that may materially affect Nature. 35
- (6) A Bioregional Implementation Plan does not override an enactment, development plan or, marine plan, but must be taken into account so far as relevant when such enactments or plans are prepared, reviewed or applied.
- (7) The Secretary of State may by regulations make further provision about the preparation, approval, publication, review and effect of Bioregional Implementation Plans. 40

21 Public participation and access to information

- (1) Public authorities, the Nature Guardianship Council and Bioregional Councils must support meaningful public participation in decisions, policies, plans and processes under this Act.
- (2) Public authorities, the Nature Guardianship Council and Bioregional Councils must, where appropriate – 5
 - (a) publish information in accessible form;
 - (b) provide adequate time for public engagement;
 - (c) take reasonable steps to engage affected communities;
 - (d) take reasonable steps to reduce barriers to participation; 10
 - (e) have regard to the views of children and young people;
 - (f) have regard to the interests of future generations;
 - (g) support participation by marginalised or disproportionately affected communities;
 - (h) publish reasons explaining how relevant participation has been considered. 15
- (3) Any person may request environmental or rights-related information held by the Nature Guardianship Council or a Bioregional Council, subject to regulations made by the Secretary of State and any applicable exemptions under information law. 20
- (4) The Secretary of State must ensure that appropriate resources, guidance and mechanisms are available to support effective participation under this Act, having regard to proportionality and the need for a just transition.

22 Pilot schemes

- (1) The Nature Guardianship Council may, with the prior approval of the Secretary of State, establish pilot schemes for the implementation of this Act. 25
- (2) A pilot scheme may relate to – 30
 - (a) a bioregion, catchment, landscape, seascape, local authority area or other area,
 - (b) a sector,
 - (c) a type of public authority or United Kingdom entity,
 - (d) Rights Impact Assessments,
 - (e) Nature Designated Entities,
 - (f) Bioregional Implementation Plans,
 - (g) non-adversarial dispute resolution relevant to the provisions of this Act, 35
 - (h) finance, procurement or investment alignment,
 - (i) reporting and monitoring, or
 - (j) such other matter as may support implementation of the provisions of this Act. 40

- (3) A pilot scheme must be designed to test, evaluate or improve implementation of the rights and duties established under this Act.
- (4) The Nature Guardianship Council must publish the objectives, scope, duration and evaluation criteria for each pilot scheme.
- (5) The Nature Guardianship Council must publish an evaluation report after completion of a pilot scheme. 5
- (6) The results of pilot schemes may inform regulations, guidance, standards and implementation plans under this Act.

23 Guidance, standards and codes of practice

- (1) The Nature Guardianship Council may issue guidance, standards and codes of practice for the purposes of this Act. 10
- (2) Guidance, standards and codes of practice may relate to any of—
 - (a) the Integrated Rights Framework;
 - (b) the duty of care;
 - (c) Rights Impact Assessments; 15
 - (d) ecological integrity and safe ecological limits;
 - (e) Planetary boundaries and Earth system boundaries;
 - (f) reporting and monitoring;
 - (g) public participation relevant to the provisions of this Act;
 - (h) Nature Designated Entities; 20
 - (i) Bioregional Implementation Plans;
 - (j) non-adversarial dispute resolution relevant to the provisions of this Act;
 - (k) restoration and regenerative measures;
 - (l) economic and financial system alignment; 25
 - (m) sector-specific implementation;
 - (n) such other matters as the Nature Guardianship Council considers appropriate.
- (3) A person exercising functions under this Act must have regard to relevant guidance, standards and codes of practice issued under this section. 30
- (4) Before issuing guidance, standards or codes of practice, the Nature Guardianship Council must consult such persons as it considers appropriate.
- (5) The Nature Guardianship Council must keep guidance, standards and codes of practice under review.
- (6) Schedule 3 makes further provision relating to guidance, standards and codes of practice. 35

24 Education, training and capacity-building

- (1) The Nature Guardianship Council must promote education, training and capacity-building to support the implementation of this Act.
- (2) Education, training and capacity-building under this section may include programmes, guidance, resources or support for any of the following—
 - (a) public authorities and regulators; 5
 - (b) courts, tribunals and legal professionals;
 - (c) United Kingdom entities;
 - (d) financial institutions and investors;
 - (e) local authorities and Bioregional Councils; 10
 - (f) communities, civil society organisations and affected persons;
 - (g) schools, universities and other educational institutions;
 - (h) farmers, land managers, fishers and other persons or sectors whose activities may materially affect Nature;
 - (i) such other persons as the Nature Guardianship Council considers appropriate. 15
- (3) The matters addressed under this section may include—
 - (a) the rights of Nature;
 - (b) the Integrated Rights Framework;
 - (c) the duty of care; 20
 - (d) Rights Impact Assessments;
 - (e) ecological integrity and safe ecological limits;
 - (f) planetary boundaries and Earth system boundaries;
 - (g) restorative and regenerative practices;
 - (h) non-adversarial dispute resolution relevant to the provisions of this Act; 25
 - (i) public participation and access to information relevant to the provisions of this Act;
 - (j) implementation by public authorities, United Kingdom entities and financial institutions; 30
 - (k) such other matters as may support the purposes of this Act.
- (4) The Nature Guardianship Council must, so far as reasonably practicable, ensure that education, training and capacity-building materials are accessible and suitable for different audiences.
- (5) The Secretary of State may provide funding or other support for education, training and capacity-building under this section. 35
- (6) The Nature Guardianship Council must cooperate with public authorities, educational institutions, professional bodies, civil society organisations, community bodies and other persons in carrying out functions under this section. 40

25 Monitoring and annual reporting

- (1) The Nature Guardianship Council must monitor the implementation and effectiveness of this Act.
- (2) The Nature Guardianship Council must prepare and publish an annual report.
- (3) The annual report must include— 5
 - (a) an assessment of progress in implementing the rights and duties established under this Act;
 - (b) an assessment of progress in applying the Integrated Rights Framework;
 - (c) information about Rights Impact Assessments; 10
 - (d) information about relevant reporting by United Kingdom entities;
 - (e) information about Nature Designated Entities;
 - (f) information about Bioregional Implementation Plans;
 - (g) information about pilot schemes;
 - (h) information about disputes, referrals and Tribunal proceedings; 15
 - (i) information about guidance, standards and codes of practice issued under this Act;
 - (j) an assessment of barriers to implementation;
 - (k) recommendations for legislative, policy, regulatory or administrative change; 20
 - (l) material on such other matters as may be prescribed by regulations made by the Secretary of State.
- (4) The Nature Guardianship Council must lay the annual report before Parliament.
- (5) The Nature Guardianship Council must send the annual report to the devolved administrations. 25
- (6) The annual report must be published in an accessible form.

26 Parliamentary oversight

- (1) The Secretary of State must lay before Parliament— 30
 - (a) the annual report of the Nature Guardianship Council;
 - (b) the priority legislative and policy alignment programme;
 - (c) any review report prepared under this Act;
 - (d) any other report required by regulations made by the Secretary of State.
- (2) A Minister of the Crown must, within 90 days of the laying of an annual report under subsection (1)(a), make a written statement to Parliament responding to the report. 35
- (3) The statement under subsection (2) must set out—
 - (a) the Government's response to the recommendations of the Nature Guardianship Council; 40

- (b) any action the Government proposes to take;
 - (c) any recommendation the Government does not propose to accept;
 - (d) the reasons for any decision not to accept a recommendation.
- (4) Nothing in this section prevents either House of Parliament from referring any matter relating to this Act to a Committee of that House or of both Houses. 5

PART 5

DISPUTE RESOLUTION, TRIBUNAL AND ENFORCEMENT

27 Non-adversarial resolution

- (1) Disputes, complaints or concerns arising under this Act must, where appropriate, be addressed through non-adversarial resolution before formal enforcement or Tribunal proceedings are commenced. 10
- (2) Non-adversarial resolution under this section may include any of –
 - (a) dialogue;
 - (b) facilitated negotiation; 15
 - (c) mediation;
 - (d) restorative justice processes;
 - (e) expert determination on ecological or technical matters;
 - (f) community-led resolution processes;
 - (g) agreed restoration or transition plans; 20
 - (h) such other processes as may be prescribed by regulations made by the Secretary of State.
- (3) The Nature Guardianship Council and Bioregional Councils may facilitate or support non-adversarial resolution.
- (4) Nothing in this section prevents urgent enforcement action, interim relief or Tribunal proceedings where there is a risk of serious, irreversible, cumulative or systemic harm to Nature. 25
- (5) The Nature Guardianship Council must issue guidance on non-adversarial resolution under this Act.

28 Nature's Rights Tribunal 30

- (1) The Tribunal known as the Nature's Right Tribunal is established for the purpose of determining matters arising under this Act.
- (2) The Secretary of State must by regulations make provision about –
 - (a) the jurisdiction of the Tribunal;
 - (b) the appointment, qualifications and independence of Tribunal members; 35
 - (c) the composition of Tribunal panels;
 - (d) procedure;
 - (e) evidence;

- (f) remedies;
 - (g) appeals;
 - (h) costs;
 - (i) urgent and interim relief;
 - (j) representation of Nature; 5
 - (k) participation by affected persons and communities;
 - (l) the appointment of an Advocate to the Court;
 - (m) such other matters as the Secretary of State considers necessary for the effective operation of the Tribunal.
- (3) Tribunal panels must include, or have access to, appropriate expertise in— 10
- (a) law,
 - (b) ecology, biodiversity or Earth systems science,
 - (c) restorative justice or non-adversarial dispute resolution,
 - (d) public administration, planning, finance or regulation where relevant,
 - (e) local, community or traditional ecological knowledge where appropriate, and 15
 - (f) such other expertise as may be required by the nature of the case.
- (4) The Tribunal must exercise its functions consistently with—
- (a) the rights and duties established under this Act;
 - (b) the Integrated Rights Framework; 20
 - (c) ecological integrity and safe ecological limits;
 - (d) the precautionary principle;
 - (e) restorative justice;
 - (f) the need for a just transition;
 - (g) the rights and wellbeing of affected communities and future generations. 25

29 Jurisdiction of the Tribunal

- (1) The Tribunal may determine—
- (a) applications to enforce the rights and duties established under this Act; 30
 - (b) disputes concerning Rights Impact Assessments;
 - (c) referrals from the Nature Guardianship Council;
 - (d) referrals from Bioregional Councils;
 - (e) appeals relating to Nature Designated Entities;
 - (f) applications for restoration orders (see Schedule 4), injunctions or other remedies under this Act; 35
 - (g) questions concerning compliance by public authorities or United Kingdom entities with duties under this Act;
 - (h) matters concerning the overseas operations, subsidiaries, contractors or supply chains of United Kingdom entities to the extent provided by this Act; 40
 - (i) disputes concerning reporting obligations under this Act;

- (j) such other matters as may be prescribed by regulations made by the Secretary of State.
- (2) The Tribunal may decline to determine a matter where—
 - (a) the matter would be more appropriately determined by another court, tribunal, regulator or public authority, 5
 - (b) adequate alternative remedies are available,
 - (c) the matter is premature,
 - (d) non-adversarial resolution has not been attempted and there is no urgent need for determination, or
 - (e) determination would not materially assist the protection, restoration or regeneration of the rights of Nature. 10
- (3) Subsection (2) does not apply where there is a risk of serious, irreversible, cumulative or systemic harm to Nature.
- (4) The Tribunal may refer a matter, or part of a matter, to another court, tribunal, regulator or public authority where appropriate. 15
- (5) Nothing in this Act prevents a court or tribunal from taking account of the rights and duties established under this Act where relevant to proceedings before it.

30 Standing and representation

- (1) Proceedings to enforce the rights and duties established under this Act may be brought to the Tribunal in the name of Nature. 20
- (2) Proceedings in the name of Nature may be brought by any of—
 - (a) the Nature Guardianship Council;
 - (b) a Bioregional Council;
 - (c) a representative appointed for a Nature Designated Entity; 25
 - (d) a public authority;
 - (e) a registered charity;
 - (f) a community body established for community benefit;
 - (g) an affected community;
 - (h) a person directly affected by the alleged breach; 30
 - (i) a public-interest organisation;
 - (j) such other person as may be prescribed by regulations made by the Secretary of State.
- (3) The Tribunal may grant permission for proceedings to be brought by a person not listed in subsection (2) where satisfied that— 35
 - (a) the proceedings are brought in good faith,
 - (b) the applicant has a sufficient interest in the protection, restoration or regeneration of the rights of Nature, and
 - (c) the proceedings may materially assist the determination of an issue under this Act. 40

- (4) A person bringing proceedings in the name of Nature must act for the purpose of protecting, restoring or regenerating the rights of Nature.
- (5) The Tribunal may appoint a representative for Nature where necessary to ensure that the rights of Nature are properly represented.
- (6) The Tribunal may give directions to avoid duplication, conflict or inconsistency where more than one person seeks to represent Nature in relation to the same matter. 5
- (7) Any remedy granted in proceedings brought in the name of Nature must, so far as practicable, benefit Nature, the affected ecosystem, habitat, species community or natural system, or communities and future generations dependent upon its ecological integrity. 10

31 Remedies

- (1) Where the Tribunal finds that the rights and duties established under this Act have been, are being, or are likely to be breached, it may grant such order or remedy as it considers just and appropriate. 15
- (2) Orders and remedies under this section may include—
 - (a) a declaration;
 - (b) an injunction;
 - (c) an interim injunction;
 - (d) a restoration order (see Schedule 4); 20
 - (e) a regeneration order;
 - (f) a remediation or mitigation order;
 - (g) an order requiring preparation, revision or implementation of a Rights Impact Assessment;
 - (h) an order requiring preparation or implementation of a compliance plan, transition plan or restoration plan; 25
 - (i) an order requiring monitoring, reporting or independent verification;
 - (j) an order requiring cessation, suspension or modification of an activity;
 - (k) a recommendation to a regulator, public authority or Minister;
 - (l) referral to another court, tribunal, regulator or public authority; 30
 - (m) a financial penalty where authorised by regulations made by the Secretary of State;
 - (n) a costs order where authorised by regulations made by the Secretary of State;
 - (o) such other remedy as may be prescribed by regulations made by the Secretary of State. 35
- (3) In determining the appropriate remedy, the Tribunal must have regard to—
 - (a) the nature, seriousness and duration of the breach or risk;
 - (b) the ecological significance, vulnerability and regenerative capacity of the affected ecosystem, habitat, species community or natural system; 40
 - (c) whether the harm is serious, irreversible, cumulative or systemic;

- (d) the conduct, knowledge, control and resources of the person responsible;
 - (e) the need for restoration, regeneration and prevention of future harm;
 - (f) impacts on affected communities;
 - (g) the need for a just transition; 5
 - (h) whether non-adversarial resolution has been attempted;
 - (i) proportionality;
 - (j) any relevant guidance issued under this Act.
 - (4) A restoration or regeneration order must specify, so far as appropriate – 10
 - (a) the ecological harm to be addressed;
 - (b) the actions required;
 - (c) the person responsible for carrying out the actions;
 - (d) the timetable for compliance;
 - (e) monitoring and reporting requirements;
 - (f) requirements for independent ecological advice or verification; 15
 - (g) arrangements for community participation where appropriate.
 - (5) The Tribunal must, so far as practicable, prioritise remedies that prevent harm, restore ecological integrity, support regeneration and secure compliance with the Integrated Rights Framework.
- 32 Enforcement notices and compliance action** 20
- (1) Where the Nature Guardianship Council has reasonable grounds to believe that a person is failing, has failed, or is likely to fail to comply with the rights and duties established under this Act, it may issue an enforcement notice.
 - (2) An enforcement notice may require the person to – 25
 - (a) provide information,
 - (b) carry out or revise a Rights Impact Assessment,
 - (c) prepare a compliance plan,
 - (d) cease, suspend or modify an activity,
 - (e) take steps to prevent, mitigate or remedy harm,
 - (f) undertake monitoring or reporting, 30
 - (g) participate in non-adversarial resolution, or
 - (h) take such other action as may be prescribed by regulations made by the Secretary of State.
 - (3) An enforcement notice must – 35
 - (a) identify the alleged failure or risk;
 - (b) state the reasons for the notice;
 - (c) specify the action required;
 - (d) specify the period for compliance;
 - (e) explain any right of review or appeal;
 - (f) state the consequences of non-compliance. 40

- (4) A person receiving an enforcement notice may appeal to the Tribunal in accordance with Tribunal rules.
- (5) Failure to comply with an enforcement notice may be referred to the Tribunal.
- (6) The Nature Guardianship Council may withdraw or vary an enforcement notice.

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33 Offences and liability

- (1) A person commits an offence under this Act if –
 - (a) the person intentionally or recklessly causes serious harm to Nature in breach of the rights and duties established under this Act,
 - (b) the person knowingly fails to comply with an enforcement notice, restoration order, injunction or other order made under this Act,
 - (c) the person knowingly or recklessly provides false or misleading information required under this Act, or
 - (d) the person intentionally obstructs the Nature Guardianship Council, a Bioregional Council, the Tribunal or a person lawfully exercising functions under this Act.
- (2) A person guilty of an offence under this section is liable –
 - (a) on conviction on indictment, to imprisonment for a term not exceeding 20 years, or to a fine, or to both;
 - (b) on summary conviction, to imprisonment for a term not exceeding six months, or to a fine, or to both.
- (3) Where an offence under this Act is committed by a legal entity and is proved to have been committed with the consent or connivance of, or to be attributable to neglect by, an officer of the entity, that officer also commits the offence.
- (4) In subsection (3), “officer” includes a director, manager, secretary, partner, trustee or other person purporting to act in a similar capacity.
- (5) Nothing in this section prevents civil, administrative, regulatory or restorative remedies from being granted in relation to conduct that does not constitute an offence.
- (6) Nothing in this section makes Nature or a Nature Designated Entity liable for any offence.

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34 Precautionary principle and burden of proof

- (1) The precautionary principle applies to the interpretation and application of this Act.
- (2) Where there is a risk of serious, irreversible, cumulative or systemic harm to Nature, lack of full scientific certainty must not be used as a reason for postponing reasonable and proportionate measures to prevent or reduce that harm.

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- (3) Where a public authority or United Kingdom entity proposes to authorise, fund, insure, undertake or support an activity that may cause serious, irreversible, cumulative or systemic harm to Nature, that public authority or United Kingdom entity must demonstrate that—
 - (a) the risk has been assessed; 5
 - (b) reasonably available less harmful alternatives have been considered;
 - (c) prevention, mitigation, restoration and regenerative measures have been secured;
 - (d) the proposal is compatible with the duty of care and the Integrated Rights Framework; 10
 - (e) the proposal will not cause or contribute to serious, irreversible, cumulative or systemic harm to ecological integrity or safe ecological limits.
- (4) The Secretary of State may by regulations make further provision about evidential burdens in proceedings under this Act. 15
- (5) Nothing in this section prevents the Tribunal from drawing appropriate inferences from a failure to provide information reasonably required under this Act.
- (6) Schedule 4 makes further provision regarding sanctions, remedies and enforcement measures. 20

35 Advocate to the Court

- (1) The Tribunal may appoint one or more persons as Advocate to the Court to assist the Tribunal in proceedings under this Act.
- (2) An Advocate to the Court may provide impartial legal, scientific, ecological, technical, community, cultural, social or other relevant assistance. 25
- (3) The Tribunal may appoint an Advocate to the Court where it considers that such assistance would support the fair, informed and effective determination of a matter.
- (4) Tribunal rules may make provision about Advocates'—
 - (a) appointment, 30
 - (b) eligibility,
 - (c) independence,
 - (d) remuneration, and
 - (e) participation in proceedings,
 and about such other matters regarding Advocates as may be necessary. 35

36 Access to justice and funding

- (1) The Secretary of State must ensure that appropriate mechanisms are available to support access to justice in proceedings and non-adversarial resolution under this Act.

- (2) Mechanisms under subsection (1) may include—
 - (a) an environmental justice fund,
 - (b) legal aid or legal assistance,
 - (c) approved representation schemes,
 - (d) pro bono panels, 5
 - (e) expert assistance;
 - (f) fee remission,
 - (g) costs protection, or
 - (h) other mechanisms.
- (3) Funding or support under this section must prioritise— 10
 - (a) representation of Nature;
 - (b) proceedings concerning serious, irreversible, cumulative or systemic harm to nature;
 - (c) public-interest applicants;
 - (d) affected communities; 15
 - (e) persons who would otherwise be unable effectively to participate;
 - (f) cases raising issues of wider importance under this Act.
- (4) Tribunal rules may make provision for costs, including protective costs orders, costs caps, fee remission and circumstances in which costs may or may not be awarded. 20
- (5) Nothing in this section creates an unlimited entitlement to publicly- funded legal representation.
- (6) The Secretary of State must have regard to the need for effective, fair and proportionate access to justice when making funding arrangements under this section. 25

37 Immunity of Nature and Nature Designated Entities

- (1) Nature and any Nature Designated Entity are immune from legal proceedings brought against them in any court or tribunal.
- (2) Nature and any Nature Designated Entity may not be joined as a defendant or respondent in legal proceedings. 30
- (3) No duty, liability or cause of action arises against Nature or any Nature Designated Entity by reason only of any natural process, function or event, including—
 - (a) flooding;
 - (b) erosion; 35
 - (c) sediment movement;
 - (d) drought;
 - (e) fire;
 - (f) storm;
 - (g) disease; 40

- (h) species movement;
 - (i) ecological succession;
 - (j) any other natural dynamic.
- (4) Nothing in this section prevents proceedings from being brought against a public authority, United Kingdom entity, person, owner, occupier, regulator or other legal person in respect of acts or omissions for which that person may be liable. 5
- (5) Nothing in this section prevents proceedings relating solely to the administration, representation or protection of a Nature Designated Entity, provided that – 10
 - (a) the proceedings are brought against the relevant representative in that representative capacity only;
 - (b) no claim may be made for damages, compensation, costs or other monetary relief from Nature or the Nature Designated Entity;
 - (c) no order may impose personal liability on Nature or the Nature Designated Entity; 15
 - (d) any relief granted is limited to declarations or directions necessary for the representation, protection, restoration or administration of the Nature Designated Entity.
- 38 Appeals** 20
- (1) A decision of the Tribunal may be appealed to the High Court.
- (2) Tribunal rules may make provision about permission to appeal.
- (3) An appeal under this section may be brought by any of – 25
 - (a) a party to the proceedings;
 - (b) the Nature Guardianship Council;
 - (c) a representative of Nature appointed in the proceedings;
 - (d) a person materially affected by the decision;
 - (e) such other person as may be prescribed by regulations made by the Secretary of State.
- (4) The High Court may – 30
 - (a) uphold the decision,
 - (b) set aside the decision,
 - (c) remit the matter to the Tribunal,
 - (d) substitute its own decision where appropriate, or
 - (e) make such other order as it considers just. 35

PART 6

FINAL PROVISIONS

39 International and overseas application

- (1) This Act applies to the overseas activities of United Kingdom entities to the extent provided by or under this Act. 5
- (2) A United Kingdom entity must take reasonable and proportionate steps to ensure that activities outside the United Kingdom that are subject to its material direction, control or influence are carried out consistently with the rights and duties established under this Act.
- (3) The duty in subsection (2) applies in relation to— 10
 - (a) overseas subsidiaries;
 - (b) contractors;
 - (c) supply chains;
 - (d) investments;
 - (e) lending, underwriting and insurance; 15
 - (f) procurement;
 - (g) joint ventures or partnerships;
 - (h) any other activity or relationship subject to material direction, control or influence from within the United Kingdom.
- (4) In applying this Act to activities outside the United Kingdom, regard must be had to— 20
 - (a) the ecological conditions of the place where the activity occurs;
 - (b) the rights and wellbeing of affected communities;
 - (c) applicable local law;
 - (d) applicable international law; 25
 - (e) the degree of direction, control or influence exercised from within the United Kingdom;
 - (f) the availability of reasonably practicable measures to prevent, reduce, mitigate, remedy or restore ecological harm;
 - (g) the need for a just transition; 30
 - (h) the rights and duties established under this Act and the Integrated Rights Framework.
- (5) Nothing in this Act purports to alter the law of a jurisdiction outside the United Kingdom.
- (6) Nothing in this Act requires a United Kingdom entity to act in breach of applicable local law or binding international law, but where compliance with such law would prevent full compliance with the rights and duties established under this Act, the United Kingdom entity must take all reasonable and proportionate steps within its direction, control or influence to— 35
 - (a) avoid or reduce harm to Nature; 40
 - (b) prevent serious, irreversible, cumulative or systemic harm to Nature;

- (c) secure mitigation, restoration or regeneration where harm occurs;
 - (d) use its influence to promote compliance with the rights and duties established under this Act;
 - (e) revise, suspend or terminate the relevant activity, relationship or arrangement where continuation would materially undermine the rights and duties established under this Act and where it is reasonable and proportionate to do so;
- and must report the conflict, the steps taken and any remaining risk in accordance with reporting requirements under this Act.
- (7) Existing international environmental, climate, biodiversity, human rights, trade, investment or other obligations are to be treated, for the purposes of this Act, as minimum standards and not as preventing the United Kingdom from imposing higher standards of ecological protection, restoration, due diligence, reporting or accountability on UK United Kingdom entities under this Act.
- (8) This Act must, so far as possible, be read and applied consistently with the international obligations of the United Kingdom.
- (9) Where a question arises as to the relationship between the rights and duties established under this Act and an international obligation of the United Kingdom, the decision-maker must interpret and apply this Act in a manner that gives the greatest effect reasonably possible to –
 - (a) the rights and duties established under this Act;
 - (b) the Integrated Rights Framework;
 - (c) ecological integrity and safe ecological limits;
 - (d) human rights and the wellbeing of affected communities;
 - (e) the international obligations of the United Kingdom.
- (10) The Secretary of State may by regulations make further provision about the application of this Act to overseas activities, subsidiaries, contractors, supply chains, investments, lending, underwriting and insurance by United Kingdom entities.

40 Relationship with other environmental and rights protections

- (1) Nothing in this Act limits or reduces any protection, right, duty, remedy or cause of action arising under any other enactment, rule of law, international obligation or retained environmental principle.
- (2) Where another enactment or rule of law provides stronger protection for Nature, ecological integrity, environmental quality, human health, public participation or access to justice, that stronger protection is not displaced by this Act.
- (3) Where possible, other enactments and rules of law must be read and applied consistently with the rights and duties established under this Act and the Integrated Rights Framework.

- (4) Nothing in this Act prevents a court, tribunal, public authority or regulator from granting or applying any remedy, sanction or protective measure available under any other enactment or rule of law provided that that application does not undermine the rights and duties established under this Act and the principles of the Integrated Rights Framework.

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41 Review of this Act

- (1) Within three years of the day on which this Act is passed, the Secretary of State must review the operation of its provisions.
- (2) Subsequent reviews must be completed at intervals of not more than five years.
- (3) A review under this section must consider –
- (a) the effectiveness of the Act in recognising, protecting, restoring and regenerating the rights of Nature;
 - (b) the operation of the Integrated Rights Framework;
 - (c) the effectiveness of the duty of care;
 - (d) the effectiveness of Rights Impact Assessments;
 - (e) the operation of the Nature Guardianship Council, Bioregional Councils and the Tribunal;
 - (f) the operation of Nature Designated Entity designation;
 - (g) progress on legislative and policy alignment;
 - (h) the effectiveness of incentives and regenerative transition support;
 - (i) access to justice and public participation relevant to the provisions of this Act;
 - (j) impacts on affected communities, public authorities, United Kingdom entities and sectors;
 - (k) alignment with scientific understanding, including planetary boundaries and Earth system boundaries;
 - (l) alignment with international obligations;
 - (m) any need for amendment of this Act or other legislation.
- (4) In carrying out a review, the Secretary of State must consult –
- (a) the Nature Guardianship Council;
 - (b) the devolved administrations;
 - (c) public authorities and regulators;
 - (d) Bioregional Councils;
 - (e) affected communities;
 - (f) representatives of Nature Designated Entities;
 - (g) United Kingdom entities and sector representatives;
 - (h) civil society organisations;
 - (i) scientific and legal experts;
 - (j) such other persons as the Secretary of State considers appropriate.
- (5) The Secretary of State must lay a report of the review before Parliament.

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- (6) The report must include any recommendations for legislative, policy, regulatory or administrative change.

42 Interpretation

- (1) In this Act—

- “bioregion” means an ecologically coherent area identified by reference to natural boundaries, watersheds, ecosystems, catchments, landscape or seascape characteristics, cultural connection and community cohesion; 5
- “community body established for community benefit” means a body which— 10
- (a) is not carried on for profit,
 - (b) has as its main purpose the benefit of a defined local community, and
 - (c) has a written constitution providing for local community participation in its governance; 15
- “duty of care” means the duty established by section 5;
- “Earth system boundaries” means scientifically- established safe environmental thresholds, and, where applicable, just environmental thresholds, for maintaining Earth system stability and minimising significant harm to humans and Nature, including thresholds relating to climate, biodiversity, water, nutrient cycles, land systems, aerosols, ocean systems and novel entities at global, regional or local scales; 20
- “ecological integrity” means the health and capacity of ecosystems to maintain their structure, composition, functions, processes, connectivity, productivity, diversity, resilience and regenerative capacity over time; 25
- “economic rights” includes corporate, commercial, contractual, fiscal, investment and property rights and interests;
- “financial activity” means any activity involving the provision, allocation, intermediation, management, underwriting, investment, safeguarding or pricing of money, credit, capital, assets, liabilities, guarantees or financial risk; 30
- “financial institution” means a bank, building society, insurer, reinsurer, asset manager, pension provider, investment firm, fund, payment institution, public financial body or any other body engaged in financial activity; 35
- “Integrated Rights Framework” or “the Framework” means the framework established by section 4 and further described in Schedule 1;
- “just transition” means a fair and inclusive societal transition to systems, policies, practices and economic activity that are consistent with the rights and duties established under this Act, having regard to the rights, wellbeing and livelihoods of affected workers, communities and sectors, the need to prevent and reduce ecological harm, and the need to support restoration and regeneration of nature and social equity; 40

- “Nature” means the interconnected community of living organisms, ecosystems, habitats, species, landscapes, seascapes, geological processes, waters, soils, atmosphere, climate systems and natural cycles, including the evolutionary and regenerative dynamics of life on Earth;
- “Nature Guardianship Council” or “Council” means the body established by section 15; 5
- “planetary boundaries” means scientifically-established global limits within which humanity can operate while maintaining the stability and resilience of Earth systems, including boundaries relating to climate change, biosphere integrity, land-system change, freshwater change, biogeochemical flows, ocean acidification, atmospheric aerosol loading, stratospheric ozone depletion and novel entities; 10
- “public authority” means any person or body carrying out functions of a public nature, other than a court or tribunal acting judicially, and includes a Minister of the Crown, government department, local authority and any body established by or under an enactment. For the purpose of this Act ‘public authority’ does not include either House of Parliament; 15
- “registered charity” means a charity registered in a register maintained by the Charity Commission for England and Wales, the Office of the Scottish Charity Regulator or the Charity Commission for Northern Ireland; 20
- “regulator” includes any public authority exercising functions relating to environmental protection, planning, water, land, marine management, agriculture, forestry, fisheries, energy, infrastructure, financial services, pensions, insurance, corporate governance, public procurement or any other matter that may materially affect Nature; 25
- “Restoration Order” has the meaning set out in Schedule 4;
- “the rights and duties” means the rights of Nature, the Integrated Rights Framework, the duty of care, and the procedural rights and related obligations established by or under this Act; 30
- “Rights Impact Assessment” means an assessment carried out under section 9;
- “safe ecological limits” means the ecological thresholds, conditions and limits necessary to maintain or restore ecological integrity and the stability, resilience and regenerative capacity of Nature, including planetary boundaries, Earth system boundaries and any regional, local, sector-specific or bioregional standards adopted under this Act; 35
- “special ecological importance” includes ecological rarity, irreplaceability, antiquity, biodiversity value, habitat continuity, ecological connectivity, carbon storage, hydrological function, cultural-ecological significance, vulnerability to harm, or importance for the maintenance or restoration of ecological integrity; 40
- “Tribunal” means the Nature’s Rights Tribunal established by section 28; 45
- “United Kingdom entity” means a public authority, company, partnership, charity, corporation, business, financial institution or other legal entity

that is registered, incorporated, headquartered, domiciled or controlled within the United Kingdom, and includes overseas subsidiaries, contractors or supply chains to the extent that they are subject to material direction, control or influence from within the United Kingdom for the purposes of this Act. For the purpose of this Act “United Kingdom entity” does not include either House of Parliament;	5
(2) References in this Act to the rights of Nature include the rights of particular ecosystems, habitats, species communities, rivers, woodlands, wetlands, landscapes, seascapes, soils, waters and other natural systems, whether or not designated as Nature Designated Entities.	10
(3) References to economic rights include corporate, commercial, contractual, fiscal, investment and property rights and interests.	
(4) References to safe ecological limits include planetary boundaries, Earth system boundaries and any regional, local, sector-specific or Bioregional standards adopted under this Act.	15
43 Consequential and supplementary provision	
(1) The Secretary of State may by regulations make such consequential, supplementary, incidental, procedural transitional, transitory or saving provision as the Secretary of State considers appropriate for the purposes of, or in consequence of giving full effect to this Act.	20
(2) Regulations under this section may amend, repeal or revoke provision made by or under an enactment.	
(3) The power in subsection (2) may be exercised only where the Secretary of State considers the amendment, repeal or revocation necessary to –	
(a) give effect to the rights and duties established under this Act,	25
(b) secure consistency with the Integrated Rights Framework,	
(c) implement the priority legislative and policy alignment programme,	
(d) remove inconsistency, duplication or uncertainty arising from this Act, or	
(e) support effective implementation of this Act.	30
(4) Before making regulations under this section that amend, repeal or revoke primary legislation, the Secretary of State must consult –	
(a) the Nature Guardianship Council;	
(b) any relevant devolved administration;	
(c) relevant public authorities or regulators;	35
(d) persons likely to be materially affected;	
(e) such other persons as the Secretary of State considers appropriate.	
(5) Regulations under this section may not remove or reduce a protection for Nature, human health, environmental quality, public participation or access to justice unless the Secretary of State is satisfied that the change maintains or enhances the overall protection provided by the law.	40

44 Regulations

- (1) A power to make regulations under this Act is exercisable by statutory instrument.
- (2) Regulations under this Act may make different provision for different purposes, persons, sectors, areas, bioregions, public authorities or UK United Kingdom entities; 5
- (3) Regulations under this Act must be made consistently with—
 - (a) the rights and duties established under this Act;
 - (b) the Integrated Rights Framework;
 - (c) ecological integrity and safe ecological limits; 10
 - (d) the need for a just transition;
 - (e) the purpose of this Act.
- (4) Regulations under this Act may not reduce the level of protection afforded to Nature by this Act unless the Secretary of State is satisfied that the change is necessary to secure more effective implementation of the rights and duties established under this Act and remains consistent with the Integrated Rights Framework. 15
- (5) Before making regulations under this Act, the Secretary of State must consult—
 - (a) the Nature Guardianship Council;
 - (b) such public authorities or regulators as the Secretary of State considers relevant; 20
 - (c) such persons likely to be affected as the Secretary of State considers appropriate;
 - (d) such other persons as the Secretary of State considers appropriate.
- (6) Subsection (5) does not apply where the Secretary of State considers that regulations must be made urgently to prevent or respond to serious, irreversible, cumulative or systemic harm to Nature. 25
- (7) Where subsection (6) applies, the Secretary of State must publish reasons for proceeding without consultation.

45 Parliamentary procedure for regulations

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- (1) A statutory instrument containing regulations under any of the following provisions may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament—
 - (a) section 15, so far as establishing the Nature Guardianship Council;
 - (b) section 17, so far as establishing Bioregional Councils; 35
 - (c) section 28, so far as establishing the Nature's Rights Tribunal;
 - (d) section 33, so far as prescribing criminal offences or penalties;
 - (e) section 46, so far as making consequential amendments to primary legislation;
 - (f) any other provision where regulations amend or repeal primary legislation. 40

- (2) A statutory instrument containing any other regulations under this Act is subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Regulations made by virtue of section 43(6) may be made without a draft being approved under subsection (1), but the statutory instrument containing them must be laid before Parliament as soon as reasonably practicable after being made, and they cease to have effect at the end of the period of 40 days beginning with the day on which the statutory instrument is made unless, during that period, the instrument is approved by a resolution of each House of Parliament. 5
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- (4) In calculating the period of 40 days for the purposes of subsection (3), no account is to be taken of any time during which Parliament is dissolved or prorogued, or during which both Houses of Parliament are adjourned for more than four days.

46 Extent and application 15

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) Regulations under this Act may make provision for the application, adaptation or commencement of provisions in relation to Scotland, Wales or Northern Ireland.
- (3) Before making regulations under this Act that contain provision within devolved competence, the Secretary of State must consult the relevant devolved administration. 20
- (4) Nothing in this Act prevents a devolved administration or legislature from providing stronger protection for Nature than is provided by this Act.

47 Financial provision 25

There is to be paid out of money provided by Parliament—

- (a) any expenditure incurred by the Secretary of State under or by virtue of this Act;
- (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided. 30

48 Commencement

- (1) On the day on which this Act is passed—
 - (a) this Part comes into force;
 - (b) the other provisions in this Act come into force for the purpose of making regulations; 35
 - (c) section 1 (purpose) comes into force.
- (2) The remaining provisions of this Act come into force on such day or days as the Secretary of State may by regulations appoint.

- (3) Regulations under subsection (2) may appoint different days for different purposes, provisions, persons, sectors, areas, bioregions, public authorities or United Kingdom entities.
- (4) The Secretary of State must exercise the power in subsection (2) with a view to securing the phased and effective implementation of this Act. 5
- (5) The Secretary of State must publish an implementation timetable within six months of the day on which this Act is passed.
- (6) The implementation timetable must set out the expected dates for the commencement of the principal provisions of this Act, including provisions relating to – 10
 - (a) the Nature Guardianship Council;
 - (b) Rights Impact Assessments;
 - (c) reporting obligations;
 - (d) Bioregional Councils;
 - (e) Nature Designated Entities; 15
 - (f) the Tribunal;
 - (g) incentives and regenerative transition support;
 - (h) the priority legislative and policy alignment programme.

49 Crown application

This Act binds the Crown. 20

50 Short title

This Act may be cited as the Nature's Rights Act 2026.

SCHEDULES

SCHEDULE 1

Section 4

INTEGRATED RIGHTS FRAMEWORK

Right-relationship and non-adversarial application

- 1 (1) The Framework is to be applied so as to promote right-relationship between Nature, people and the economy. 5
- (2) Right-relationship includes –
 - (a) recognition of interdependence;
 - (b) respect for ecological limits;
 - (c) prevention of harm; 10
 - (d) restoration and regeneration where harm has occurred;
 - (e) reciprocity between human activity and the living systems that sustain it;
 - (f) fair treatment of affected communities;
 - (g) protection of future generations; 15
 - (h) non-adversarial and restorative approaches to conflict wherever appropriate.
- (3) The Framework is intended to reduce avoidable conflicts between rights by clarifying the legal relationship between Nature, people and economic activity. 20

Sustainable Development Goals

- 2 (1) No Sustainable Development Goal, target or indicator is to be pursued in a manner that undermines ecological integrity, safe ecological limits or the rights and duties established under this Act.
- (2) The Framework is intended to support development that is regenerative, restorative and consistent with the conditions for life. 25

Interpretation of economic activity

- 3 (1) Economic activity is to be interpreted as a means of supporting human wellbeing within ecological limits, not as an end overriding the rights and duties established under this Act. 30
- (2) In applying this Act, regard must be had to whether economic activity –
 - (a) supports or undermines ecological integrity;
 - (b) respects safe ecological limits;
 - (c) prevents, reduces or externalises ecological harm;
 - (d) supports restoration and regeneration; 35
 - (e) contributes to a just transition;
 - (f) serves the public good.

Interpretation of property and corporate rights

- 4 (1) Property rights and corporate rights are to be respected and protected within the Framework.
- (2) Such rights must be exercised in a manner consistent with the rights and duties established under this Act. 5
- (3) In applying this Act, decision-makers must not treat ownership, investment, corporate status or financial interest as conferring a right to cause serious, irreversible, cumulative or systemic harm to Nature.
- (4) Nothing in this Schedule prevents lawful use of land, property or corporate assets where that use is compatible with the rights and duties established under this Act. 10

Application across decision-making

- 5 (1) The Framework applies to—
 - (a) regulation;
 - (b) public administration; 15
 - (c) planning and development;
 - (d) environmental regulation and permitting;
 - (e) fiscal policy, public spending, taxation, procurement and subsidies;
 - (f) banking, credit, lending, investment, insurance, pensions and financial regulation; 20
 - (g) corporate governance, reporting and fiduciary decision-making;
 - (h) public and private operational decision-making by United Kingdom entities;
 - (i) dispute resolution, enforcement and adjudication;
 - (j) any other matter that may materially affect Nature. 25
- (2) The Framework must be applied in a manner that is proportionate to the nature, scale and significance of the decision or activity concerned.

Bioregional application

- 6 (1) The Framework is to be applied with regard to the ecological realities of each bioregion or other area of implementation. 30
- (2) In applying the Framework at bioregional or local scale, regard must be had to—
 - (a) ecological integrity;
 - (b) ecological connectivity;
 - (c) watersheds, catchments, landscapes and seascapes; 35
 - (d) local ecological conditions and resource limits;
 - (e) cultural-ecological relationships;
 - (f) affected communities;
 - (g) restoration and regenerative capacity;
 - (h) cumulative and systemic effects. 40

Guidance

- 7 The Nature Guardianship Council may issue guidance on the interpretation and application of this Schedule.

SCHEDULE 2

Section 7

PRIORITY LEGISLATIVE AND POLICY ALIGNMENT

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Purpose of this Schedule

- 1 (1) This Schedule identifies priority areas for review and alignment under section 7.
- (2) The purpose of the review and alignment programme is to ensure that existing law, policy, regulation and administrative practice are progressively aligned with the rights and duties established under this Act and the Integrated Rights Framework. 10

Planning and development

- 2 The programme must consider law, policy and practice relating to—
- (a) town and country planning; 15
 - (b) nationally significant infrastructure;
 - (c) spatial development strategies;
 - (d) local plans and development plans;
 - (e) environmental assessment in planning;
 - (f) permitted development; 20
 - (g) planning conditions and obligations;
 - (h) development consent orders;
 - (i) building control where relevant to Nature;
 - (j) biodiversity net gain and nature recovery requirements;
 - (k) any other planning matter that may materially affect Nature. 25

Environmental regulation and permitting

- 3 The programme must consider law, policy and practice relating to—
- (a) environmental permitting;
 - (b) pollution control;
 - (c) waste; 30
 - (d) water quality;
 - (e) air quality;
 - (f) soil health and contamination;
 - (g) chemicals and novel entities;
 - (h) environmental monitoring; 35
 - (i) enforcement powers;

- (j) environmental sanctions;
- (k) restoration and remediation duties.

Water, rivers, catchments, wetlands, coasts and marine areas

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| 4 | The programme must consider law, policy and practice relating to— | |
| | (a) rivers, streams and catchments; | 5 |
| | (b) floodplains and wetlands; | |
| | (c) groundwater; | |
| | (d) water abstraction; | |
| | (e) sewage and wastewater; | |
| | (f) agricultural and industrial runoff; | 10 |
| | (g) coastal and marine ecosystems; | |
| | (h) estuaries; | |
| | (i) fisheries and aquaculture; | |
| | (j) flood risk management; | |
| | (k) catchment-based governance; | 15 |
| | (l) river restoration; | |
| | (m) local authority powers and byelaws affecting water bodies. | |

Biodiversity, nature recovery and protected sites

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| 5 | The programme must consider law, policy and practice relating to— | |
| | (a) biodiversity duties; | 20 |
| | (b) protected sites; | |
| | (c) species protection; | |
| | (d) habitats; | |
| | (e) local nature recovery strategies; | |
| | (f) nature recovery networks; | 25 |
| | (g) ecological connectivity; | |
| | (h) restoration and regeneration duties; | |
| | (i) invasive non-native species; | |
| | (j) ecological monitoring; | |
| | (k) cumulative effects on biodiversity. | 30 |

Forestry, woodlands, trees and ancient woodlands

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| 6 | The programme must consider law, policy and practice relating to— | |
| | (a) forestry; | |
| | (b) woodland creation; | |
| | (c) ancient woodland; | 35 |
| | (d) veteran trees; | |
| | (e) hedgerows; | |
| | (f) tree protection; | |
| | (g) felling licences; | |

- (h) plantation forestry;
- (i) natural regeneration;
- (j) woodland biodiversity;
- (k) soil, fungal and hydrological systems associated with woodland;
- (l) ecological continuity and irreplaceability; 5
- (m) restoration of degraded woodland ecosystems.

Agriculture, soil, fisheries and land management

- 7 The programme must consider law, policy and practice relating to—
- (a) agriculture;
 - (b) soil health; 10
 - (c) land drainage;
 - (d) pesticides and fertilisers;
 - (e) nutrient management;
 - (f) livestock systems;
 - (g) regenerative agriculture; 15
 - (h) fisheries;
 - (i) upland management;
 - (j) peatlands;
 - (k) moorlands;
 - (l) common land; 20
 - (m) land management schemes;
 - (n) transition support for farmers, fishers and land managers.

Climate change, energy and infrastructure

- 8 The programme must consider law, policy and practice relating to—
- (a) climate mitigation; 25
 - (b) climate adaptation;
 - (c) energy generation and transmission;
 - (d) fossil fuel extraction and infrastructure;
 - (e) renewable energy infrastructure;
 - (f) transport infrastructure; 30
 - (g) industrial strategy;
 - (h) carbon budgets;
 - (i) carbon markets and offsets;
 - (j) nature-based solutions;
 - (k) climate resilience; 35
 - (l) the interaction between climate action and ecological integrity.

Public procurement, subsidies, taxation and spending

- 9 The programme must consider law, policy and practice relating to—
- (a) public procurement;

- (b) public contracts;
- (c) subsidies;
- (d) grants;
- (e) tax reliefs;
- (f) guarantees; 5
- (g) public investment;
- (h) public-private partnerships;
- (i) spending reviews;
- (j) value-for-money assessments;
- (k) natural capital and ecological accounting; 10
- (l) harmful subsidies;
- (m) regenerative transition support.

Banking, finance, investment, insurance and pensions

- 10 The programme must consider law, policy and practice relating to—
- (a) banking; 15
 - (b) credit and lending;
 - (c) investment;
 - (d) asset management;
 - (e) insurance and reinsurance;
 - (f) pensions; 20
 - (g) fiduciary duties;
 - (h) stewardship;
 - (i) financial reporting;
 - (j) financial risk;
 - (k) prudential regulation where relevant; 25
 - (l) transition planning;
 - (m) disclosure of ecological dependencies, impacts and risks;
 - (n) capital allocation to ecologically harmful or regenerative activities;
 - (o) systemic ecological risk.

Corporate governance, reporting and supply chains 30

- 11 The programme must consider law, policy and practice relating to—
- (a) directors' duties;
 - (b) company reporting;
 - (c) sustainability reporting;
 - (d) due diligence; 35
 - (e) parent company responsibility;
 - (f) supply chains;
 - (g) overseas subsidiaries and contractors;
 - (h) procurement by UK United Kingdom entities;
 - (i) environmental and social responsibility policies; 40

- (j) transition planning;
- (k) corporate risk management;
- (l) liability for serious ecological harm.

Local authority powers, byelaws and community governance

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| 12 | The programme must consider law, policy and practice relating to – | 5 |
| | <ul style="list-style-type: none"> (a) local authority powers; (b) byelaws; (c) local nature recovery; (d) community governance; (e) parish, town and community councils; (f) combined authorities; (g) local environmental enforcement; (h) community participation; (i) public-interest applications for Nature Designated Entities; (j) local rights of rivers, woodlands or other natural systems; (k) model byelaws or local implementation guidance. |

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Public participation, access to information and access to justice

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| 13 | The alignment programme must consider law, policy and practice relating to – | |
| | <ul style="list-style-type: none"> (a) environmental information; (b) consultation; (c) participation by affected communities; (d) participation by children and young people; (e) access to justice; (f) costs protection; (g) public-interest standing; (h) legal aid and legal assistance; (i) community representation; (j) procedural fairness; (k) non-adversarial dispute resolution. |

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Devolution and cross-border ecosystems

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|----|--|----------------------------|
| 14 | The alignment programme must consider law, policy and practice relating to – | |
| | <ul style="list-style-type: none"> (a) devolved competence; (b) cross-border ecosystems; (c) river basins and catchments crossing administrative boundaries; (d) marine and coastal areas; (e) shared environmental monitoring; (f) cooperation between administrations; |

35 |

- (g) international obligations;
- (h) implementation in respect of reserved and devolved matters.

Review and reporting

- | | | |
|----|---|----|
| 15 | (1) The Secretary of State must keep the priority areas in this Schedule under review. | 5 |
| | (2) The Secretary of State may by regulations amend this Schedule to add, remove or vary priority areas, provided that any amendment is consistent with the rights and duties established under this Act and the Integrated Rights Framework. | |
| | (3) Before amending this Schedule, the Secretary of State must consult the Nature Guardianship Council and such other persons as the Secretary of State considers appropriate. | 10 |

SCHEDULE 3

Section 23

GUIDANCE, STANDARDS AND CODES OF PRACTICE

<i>Purpose of guidance, standards and codes of practice</i>	15
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| 1 | Guidance, standards and codes of practice issued under this Act are intended to support the practical implementation of the rights and duties established under this Act and the Integrated Rights Framework. | |
|---|---|--|

Rights Impact Assessment guidance

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| 2 | The Nature Guardianship Council must issue guidance about Rights Impact Assessments, including regarding – | 20 |
| | (a) screening criteria; | |
| | (b) proportionality; | |
| | (c) scope and methodology; | |
| | (d) assessment of direct, indirect, cumulative, transboundary and systemic effects; | 25 |
| | (e) assessment of ecological integrity and safe ecological limits; | |
| | (f) assessment of human rights, affected communities and future generations; | |
| | (g) assessment of economic, corporate and property rights within the Framework; | 30 |
| | (h) assessment of alternatives; | |
| | (i) prevention, mitigation, restoration and regenerative measures; | |
| | (j) publication and consultation; | |
| | (k) independent verification where appropriate; | 35 |
| | (l) integration with existing environmental assessments; | |
| | (m) review and monitoring. | |

Ecological integrity and safe ecological limits

- 3 Guidance may make provision about—
- (a) ecological indicators;
 - (b) ecological baselines;
 - (c) thresholds of serious, irreversible, cumulative or systemic harm; 5
 - (d) ecological connectivity;
 - (e) biodiversity, abundance and resilience;
 - (f) soil health;
 - (g) hydrological function;
 - (h) climate regulation; 10
 - (i) nutrient cycles;
 - (j) pollution and contamination;
 - (k) novel entities;
 - (l) ecosystem restoration;
 - (m) regenerative capacity; 15
 - (n) scientific uncertainty.

Sector-specific guidance

- 4 The Nature Guardianship Council may issue sector-specific guidance for sectors or systems with significant ecological dependencies, impacts or risks, including— 20
- (a) agriculture;
 - (b) fisheries and aquaculture;
 - (c) forestry and woodland management;
 - (d) water and wastewater;
 - (e) energy; 25
 - (f) transport;
 - (g) infrastructure;
 - (h) construction and development;
 - (i) mineral extraction;
 - (j) manufacturing; 30
 - (k) chemicals;
 - (l) waste;
 - (m) retail and supply chains;
 - (n) public procurement;
 - (o) banking, credit and lending; 35
 - (p) investment and asset management;
 - (q) insurance and reinsurance;
 - (r) pensions;
 - (s) financial reporting;
 - (t) corporate governance; 40
 - (u) tourism and recreation;

- (v) digital infrastructure where relevant;
- (w) such other sectors as the Nature Guardianship Council considers appropriate.

Finance-sector guidance

- | | | |
|---|---|----|
| 5 | Guidance relating to banking, finance, investment, insurance, pensions and related financial activities may address – | 5 |
| | (a) ecological dependencies, impacts and risks; | |
| | (b) systemic ecological risk; | |
| | (c) capital allocation; | |
| | (d) credit and lending decisions; | 10 |
| | (e) underwriting; | |
| | (f) investment strategy; | |
| | (g) stewardship and engagement; | |
| | (h) fiduciary decision-making; | |
| | (i) transition planning; | 15 |
| | (j) financial reporting and disclosure; | |
| | (k) treatment of long-term ecological harm; | |
| | (l) phasing down support for activities inconsistent with the rights and duties established under this Act; | |
| | (m) support for regenerative and restorative activities; | 20 |
| | (n) public finance, guarantees, subsidies and procurement; | |
| | (o) any other matter relevant to alignment with the rights and duties established under this Act. | |

Nature Designated Entity guidance

- | | | |
|---|---|----|
| 6 | The Nature Guardianship Council must issue guidance about Nature Designated Entities, including regarding – | 25 |
| | (a) applications; | |
| | (b) consultation; | |
| | (c) criteria for designation; | |
| | (d) special ecological importance; | 30 |
| | (e) rarity, irreplaceability, antiquity, vulnerability and regenerative capacity; | |
| | (f) mapping and description of proposed entities; | |
| | (g) interaction with existing protected area and conservation regimes; | |
| | (h) representation and guardianship arrangements; | 35 |
| | (i) monitoring and reporting; | |
| | (j) variation and revocation; | |
| | (k) appeals; | |
| | (l) safeguards against ownership transfer, public access implications or unauthorised control of land or water. | 40 |

Bioregional implementation guidance

- 7 The Nature Guardianship Council may issue guidance in relation to bioregions or bioregional implementation areas about—
- (a) identifying bioregions or bioregional implementation areas; 5
 - (b) ecological coherence;
 - (c) administrative workability;
 - (d) catchments, watersheds, landscapes and seascapes;
 - (e) ecological connectivity;
 - (f) cumulative and systemic effects;
 - (g) Bioregional Councils; 10
 - (h) Bioregional Implementation Plans;
 - (i) cooperation between public authorities;
 - (j) cross-boundary ecosystems;
 - (k) community participation;
 - (l) local ecological knowledge; 15
 - (m) monitoring and reporting.

Reporting guidance

- 8 The Nature Guardianship Council may issue guidance about reporting under this Act, including—
- (a) reporting thresholds; 20
 - (b) report content;
 - (c) governance disclosures;
 - (d) ecological impacts;
 - (e) ecological dependencies and risks;
 - (f) overseas activities, subsidiaries, contractors and supply chains; 25
 - (g) finance, investment, lending, insurance and treasury practices;
 - (h) restoration and regenerative measures;
 - (i) progress against implementation plans;
 - (j) verification;
 - (k) publication; 30
 - (l) simplified reporting for smaller entities;
 - (m) avoidance of duplicative reporting.

Training and capacity-building guidance

- 9 The Nature Guardianship Council may issue guidance about training and capacity-building in relation to the provisions of this Act for— 35
- (a) public authorities;
 - (b) regulators;
 - (c) courts and tribunals;
 - (d) legal professionals;
 - (e) United Kingdom entities; 40

- (f) financial institutions;
- (g) local authorities;
- (h) Bioregional Councils;
- (i) communities and civil society organisations;
- (j) educational institutions; 5
- (k) farmers, fishers and land managers;
- (l) such other persons as the Nature Guardianship Council considers appropriate.

Public awareness guidance

- 10 The Nature Guardianship Council may act to support public awareness of – 10
- (a) the rights of Nature;
 - (b) the Integrated Rights Framework;
 - (c) the duty of care;
 - (d) public participation rights in relation the provisions of this Act; 15
 - (e) access to information in relation the provisions of this Act;
 - (f) Nature Designated Entities;
 - (g) local and bioregional implementation;
 - (h) restoration and regeneration;
 - (i) non-adversarial dispute resolution in relation the provisions of this Act. 20

Status of guidance, standards and codes

- 11 (1) A person exercising functions under this Act must have regard to relevant guidance, standards and codes of practice issued under this Act.
- (2) A failure to comply with guidance, standards or a code of practice does not of itself make a person liable to civil or criminal proceedings, but may be taken into account by a court, tribunal, public authority, regulator, the Nature Guardianship Council or a Bioregional Council where relevant. 25
- (3) Compliance with guidance, standards or a code of practice may be taken into account in determining whether a person has complied with the duty of care. 30

SCHEDULE 4

Section 34

SANCTIONS, REMEDIES AND ENFORCEMENT MEASURES

Purpose of sanctions, remedies and enforcement measures

- 1 (1) Sanctions, remedies and enforcement measures under this Act are to be applied for the purpose of – 35
- (a) preventing harm to Nature;

- (b) securing compliance with the rights and duties established under this Act;
 - (c) restoring ecological integrity where harm has occurred;
 - (d) supporting regeneration;
 - (e) preventing recurrence of harm; 5
 - (f) promoting accountability;
 - (g) supporting a just transition;
 - (h) ensuring that remedies benefit nature and affected communities so far as practicable.
- (2) Sanctions and enforcement measures must be effective, proportionate and dissuasive. 10

Restoration orders

- 2 (1) A restoration order may require a person to take specified steps to restore ecological harm.
- (2) A restoration order may include requirements relating to— 15
- (a) habitat restoration;
 - (b) pollution removal or reduction;
 - (c) soil restoration;
 - (d) water quality improvement;
 - (e) hydrological restoration; 20
 - (f) rewilding or natural regeneration where appropriate;
 - (g) species recovery;
 - (h) removal or modification of harmful infrastructure;
 - (i) monitoring and reporting;
 - (j) independent ecological verification; 25
 - (k) community participation;
 - (l) such other measures as may be necessary to restore ecological integrity.
- (3) A restoration order must, so far as practicable, be based on appropriate ecological expertise. 30

Regeneration orders

- 3 (1) A regeneration order may require a person to take steps that go beyond remediation of past harm where such steps are necessary or appropriate to support ecological recovery, resilience or regenerative capacity.
- (2) A regeneration order may include requirements relating to— 35
- (a) long-term ecosystem recovery;
 - (b) ecological connectivity;
 - (c) biodiversity abundance;
 - (d) soil, water, climate or nutrient functions;
 - (e) resilience to climate change; 40

- (f) support for Nature Designated Entities;
- (g) community-led restoration;
- (h) any other measure consistent with the rights and duties established under this Act.

Compliance plans and transition plans

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4 A compliance plan or transition plan under this paragraph may include—

- (a) assessment of current non-alignment;
- (b) steps to prevent or reduce harm;
- (c) operational changes;
- (d) investment or procurement changes;
- (e) finance or insurance changes;
- (f) restoration or regenerative measures;
- (g) timeframes;
- (h) monitoring and reporting;
- (i) governance arrangements;
- (j) public participation where appropriate;
- (k) independent verification.

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Injunctions and interim relief

5 (1) The Tribunal may grant an injunction or interim injunction to prevent or restrain an actual or threatened breach of the rights and duties established under this Act.

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(2) Interim relief may be granted where there is a risk of serious, irreversible, cumulative or systemic harm to Nature.

(3) In deciding whether to grant interim relief, the Tribunal must have regard to—

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- (a) the precautionary principle;
- (b) ecological integrity;
- (c) safe ecological limits;
- (d) urgency;
- (e) proportionality;
- (f) the need for a just transition;
- (g) the likely consequences of granting or refusing relief.

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Financial penalties

6 (1) The Secretary of State may by regulations provide for financial penalties for breaches of requirements under this Act.

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(2) Financial penalties must be proportionate to—

- (a) the seriousness of the breach;
- (b) the ecological harm or risk;
- (c) whether the harm is serious, irreversible, cumulative or systemic;

- (d) whether the breach was intentional, reckless, negligent or repeated;
 - (e) the financial benefit obtained;
 - (f) the financial capacity of the person responsible;
 - (g) steps taken to prevent, mitigate or remedy harm;
 - (h) cooperation with non-adversarial resolution or enforcement processes; 5
 - (i) any other relevant matter.
- (3) Regulations may provide for proceeds of financial penalties to be applied to restoration, regeneration, monitoring, public participation or access to justice in relation to the provisions of this Act. 10

Operational restrictions and permit-related measures

- 7 (1) Where authorised by regulations or another enactment, enforcement measures may include –
- (a) temporary restriction of an activity;
 - (b) suspension of an activity; 15
 - (c) modification of operating conditions;
 - (d) referral to a permitting authority;
 - (e) recommendation for suspension, variation or revocation of a licence, permit or consent;
 - (f) enhanced monitoring; 20
 - (g) independent audit;
 - (h) such other measures as may be appropriate.
- (2) Measures under this paragraph must be proportionate to the breach or risk concerned.

Environmental bonds and financial assurance 25

- 8 (1) Regulations may require persons undertaking activities with significant ecological risk to provide environmental bonds, insurance, guarantees or other financial assurance.
- (2) Financial assurance under this paragraph may be used to secure –
- (a) restoration, 30
 - (b) remediation,
 - (c) monitoring,
 - (d) long-term stewardship,
 - (e) emergency response,
 - (f) compliance with a restoration or regeneration order, or 35
 - (g) such other purpose as may be prescribed.
- (3) Regulations under this paragraph must have regard to proportionality and the need for a just transition.

Remediation where direct restoration is not possible

- 9 (1) Where direct restoration of ecological harm is not possible, the Tribunal may order measures that provide ecological benefit of equivalent or greater value, provided that such measures are consistent with the Integrated Rights Framework. 5
- (2) Measures under this paragraph must not be treated as permitting avoidable ecological harm.
- (3) The Tribunal must have regard to the need to avoid inappropriate reliance on offsetting or compensation where prevention or direct restoration is reasonably practicable. 10

Liability of officers and decision-makers

- 10 (1) The Secretary of State may by regulations make provision for liability of officers, directors, partners, trustees, managers or persons exercising decision-making control where a breach of this Act by a legal entity is attributable to their consent, connivance or neglect. 15
- (2) Liability under this paragraph must be limited to serious, intentional, reckless, knowing, repeated or negligent breaches, as prescribed by the regulations.
- (3) The regulations may provide for – 20
- (a) financial penalties;
 - (b) disqualification from relevant management roles;
 - (c) restoration or compliance obligations;
 - (d) training requirements;
 - (e) community or restorative measures;
 - (f) such other measures as may be appropriate. 25

Restorative justice measures

- 11 (1) The Tribunal may require or approve restorative justice measures where appropriate.
- (2) Restorative justice measures may include – 30
- (a) participation in ecological restoration;
 - (b) community-led restoration projects;
 - (c) apology or acknowledgment of harm;
 - (d) contribution to restoration funds;
 - (e) support for affected communities;
 - (f) education or training; 35
 - (g) long-term stewardship commitments;
 - (h) such other measures as may support restoration, regeneration, accountability or reconciliation.

Restoration and regeneration funds

- 12 (1) The Secretary of State may by regulations establish one or more funds to support restoration, regeneration, monitoring, public participation or access to justice under this Act.
- (2) A fund may receive money from – 5
- (a) financial penalties;
 - (b) voluntary contributions;
 - (c) public funding;
 - (d) court or Tribunal orders;
 - (e) environmental bonds or guarantees; 10
 - (f) grants;
 - (g) such other sources as may be prescribed.
- (3) A fund must be administered consistently with the rights and duties established under this Act and the Integrated Rights Framework.
- (4) The regulations may make provision about governance, transparency, reporting, audit and use of money held in a fund. 15

Enforcement undertakings

- 13 (1) The Secretary of State may by regulations provide for enforcement undertakings.
- (2) An enforcement undertaking is a written undertaking by a person to take specified action to remedy or prevent a breach of the rights and duties established under this Act. 20
- (3) An enforcement undertaking may include commitments relating to –
- (a) cessation or modification of an activity;
 - (b) restoration or regeneration; 25
 - (c) compensation for ecological harm where appropriate;
 - (d) monitoring;
 - (e) reporting;
 - (f) governance changes;
 - (g) community participation; 30
 - (h) finance or procurement changes;
 - (i) training;
 - (j) any other matter consistent with the rights and duties established under this Act.

*Publication of enforcement action*35

- 14 (1) The Secretary of State may by regulations require publication of enforcement notices, undertakings, Tribunal orders, penalties and compliance outcomes.
- (2) Publication under this paragraph must have regard to transparency, public interest, commercial confidentiality, data protection and fairness.

Interaction with other enforcement regimes

- 15 (1) Enforcement action under this Act does not prevent enforcement action under another enactment or rule of law.
- (2) A court, tribunal, regulator or public authority may take account of action taken under this Act when determining whether further enforcement action is appropriate. 5
- (3) The Nature Guardianship Council and relevant regulators must seek to avoid unnecessary duplication while ensuring effective protection of Nature.

Guidance

- 16 The Nature Guardianship Council may issue guidance on the application of this Schedule. 10

Nature's Rights Bill [HL]

[AS INTRODUCED]

A

B I L L

TO

Recognise Nature as a legal subject; establish and protect the rights of Nature; establish a legal duty of care for public bodies, businesses, and individuals; provide procedural rights for the protection of Nature; establish an Integrated Rights Framework; establish mechanisms for dispute resolution and legal enforcement; make provision about Parliamentary scrutiny; establish a Nature Guardianship Council and Bioregional Councils; establish a Nature's Rights Tribunal; create a governance structure for implementation and integration; provide for phased implementation and periodic review; ensure compliance with international environmental obligations; promote public awareness and education; and for connected purposes.

Baroness Bennett of Manor Castle

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