

A fisherman wearing a pink headwrap and white shorts stands in a small wooden boat on a river. He is holding a large, dark fishing net that is spread out across the water. The background is filled with lush green trees and foliage. The text 'ISO 14001 4.3.2 LEGAL AND OTHER REQUIREMENTS' is overlaid in large, bold, yellow letters with a black outline.

**ISO 14001 4.3.2  
LEGAL AND OTHER  
REQUIREMENTS**



# Lesson Learning Goals

At the end of this lesson you should be able to:

- List three ways an organization could obtain information on legislative requirements for environment-related issues
- Name three reasons legal awareness is critical to an effective EMS
- Identify three types of “other requirements” specified in ISO 14001
- Describe a procedure for establishing legal awareness in an organization

# ISO 14001 Legal and Other Requirements says:

The organization shall establish and maintain a procedure to have access to legal and other requirements to which the organization subscribes that are applicable to the environmental aspects of its activities, products, or services

# What are Legal Requirements?

- Relevant national, regional, and local laws and regulations
- Government operating permits, licences, and approvals
- Relevant international standards and conventions
- Contracts and other documents that include legal obligations

# Examples of “Other Requirements”

- Industry codes of practice
- Non-regulatory standards (e.g., ISO 14001)
- Agreements with public authorities
- Company policies and procedures
- Voluntary compliance agreements (e.g., possible future commitment by MRC members to ISO adoption)

# Importance of Legal and Other Requirements

- Conformance with legal and other requirements is a core commitment in the Environmental Policy
- Legal and other requirements must be considered when setting environmental objectives and targets
- Failure to comply with legal and other requirements can be very costly to the organization

# How are Legal and Other Requirements Identified?

- Legal journals
- Commercial legal database search services
- Information from membership in industry associations
- Government publications and news releases
- Personal contacts in government

# Procedure for Tracking Legal and Other Requirements

- Identify all regulatory agencies (i.e., national, provincial, local) that have authority to pass laws affecting the environmental aspects of the organization's operations
- Appoint someone in the organization to contact the regulatory agencies frequently for information on changes to laws and on potential new laws



# Procedure for Tracking Legal and Other Requirements (Cont'd)

- Contract with a commercial legal search service to provide the required information
- Determine whether legislative awareness publications or information services are available
- Establish a committee or group through an Industry Association to track and distribute information on relevant legal requirements

# Implementing a Procedure for Legal Awareness

- Establish procedures for receiving, filing and distributing legal and other requirements
- Develop a registry of legal and other requirements
- Identify the planning / decision making points in the company where it is important to consider legal and other requirements:
  - » setting objectives and targets
  - » compliance monitoring/assessment
  - » management review
  - » business planning

# Procedure for Legal Awareness (Cont'd)

- Develop a matrix linking legal requirements to company operations and environmental aspects
- Identify who in the organization should be aware of legal requirements to ensure that the company stays in compliance
- Provide these personnel with the information they need to manage compliance:
  - » Summary of legal requirements
  - » Copies of permits and legislation
  - » List of emission limits and criteria

# Concluding Thoughts

Important points to remember are:

- Organizations must have a procedure to identify, access, and keep up to date legal and other requirements relevant to its environmental aspects
- Responsibility should be assigned for maintaining the procedure, and for communicating legal and related information to those who need it

# Concluding Thoughts (Cont'd)

Additional points to remember are:

- Personnel whose activities may affect the environment should be made aware of legal and other requirements relevant to their job responsibilities
- The Environmental Policy commits the organization to compliance with legal and other requirements
- Consideration of legal and other requirements is essential when setting environmental objectives and targets