Chapter 1 – Environmental Management System (EMS)

Fact-sheet - How to establish a Legal register?





What is the objective?

One of the priorities of an organization when implementing an EMS¹, is to have a **system in place to control the compliance** with the legal requirements and to be **up-to-date** with the local laws and regulations (in case of a change in the law, new regulation enforced, etc.). The management should have **tools and procedures** to monitor the legal compliance. A recommended tool to help the factory to remain up to date with the legal obligations and to accurately track its compliance performance and status is the **legal register**.

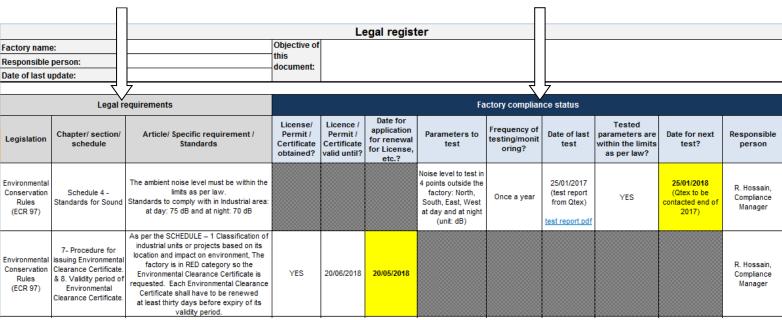


How to achieve this objective?

Step 1: Create a template for the legal register as per the model below.

Step 2: The legal requirements applicable to the factory are identified and specific information is collected (ex: the legal standards to comply with for the discharge of wastewater, etc.).

Step 3: Then, indicate in the legal register the compliance status of the factory: dates of validity of licenses/permits obtained, parameters to test when applicable, frequency of tests, etc.



Step 4: A member of the management has to be clearly designated to be in charge of the legal register and to monitor the updates in the legislation (the responsible person must be an internal employee). Then this person has to update the legal register as soon as there is a change in the legislation² and when there is an update in the compliance status (for example: new test conducted on-site, license renewed so date of expiry to be changed, etc.).



- **Determine** the frequency of the update of the legal register (once a month at least!);
- Make sure no legal requirement is missing in your legal register;
- **Highlight** in the legal register the dates for application of renewal of legal documents & dates of tests to be performed again (cells in yellow in the example above).

¹ An <u>environmental management system</u> (or commonly referred to as an EMS) is a set of practices and processes helping organizations to manage their environmental impacts and improve environmental performance caused by their products, services and activities. An environmental management system provides structure to environmental management and covers areas such as training, record management, inspections, objectives and policies.

² The factory can be informed about changes in the legislation through newsletter/emails sent by the industrial association (ex: BGMEA in Bangladesh, GMAC in Cambodia, etc.) or checking the government websites and communications.







Common non-compliances

Without a legal register, common problems faced by the factories are:

- Expired permits and applications for renewal sent too late;
- Incorrect parameters tested by third party lab because the factory doesn't know exactly what to test and only relies on the third party expertise (mistakes can happen and the factory is not able to cross-check without a legal register).

The factory has only a list of legal requirements but not a legal register:

In the document, below, are indicated only the names of the reference laws related to environmental protection. There is no information about the exact requirements the factory has to comply with, neither is indicated the status of compliance of the factory for each requirement:





Good practices

Example of legal register (extract):

Zoom on this document to see the legal register template of the factory ABC:

