

## Key features of a good quality legal register

What are the key features of a good quality legal register? What are the relevant requirements of environment (ISO 14001), occupational health and safety (ISO 45001), and energy (ISO 50001) management system Standards that link to these features?

### A good quality legal register contains all legislation relevant to the organisation's activities

The legal register should contain legislation that applies to the organisation and the legislation that applies will be based on the type, size and location/s of the organisation, the activities the organisation carries out and the industry the organisation operates in. The register should not include any legislation that isn't relevant, otherwise time is wasted reviewing legislation that doesn't impact the organisation. There should be no relevant legislation missing from the register. Building the register correctly is key to ensuring all relevant legislation has been included.

#### Relevant Standards requirements:

**ISO 14001:2015 (Clause 6.1.3):** "The organisation shall **determine** and have **access** to their compliance obligations relevant to its environmental aspects."

**ISO 45001:2018 (Clause 6.1.3):** "The organisation shall **determine** and have **access** to up-to-date legal requirements and other requirements that are applicable to its hazards, OH&S risks and OH&S management system."

**ISO 50001:2018 (Clause 4.2):** "The organisation shall have **access** to the **applicable** legal requirements and other requirements related to its energy efficiency, energy use and energy consumption."

### A good quality legal register is kept up to date

New legislation is brought into force all the time, as well as amendments regularly being made to existing laws. The legal register needs to be updated to reflect any new or amended legislation that applies to the organisation, as well as any legislation that has been revoked or replaced. The Standards don't specify how often the legal register should be updated and this should be based on the organisation's activities and how much legislation applies. It is recommended the register is reviewed monthly to avoid the risk of missing any important changes in legislation.

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**ISO 45001:2018 (Clause 6.1.3):** "The organisation shall **determine** and have **access** to **up-to-date** legal requirements and other requirements that are applicable to its hazards, OH&S risks and OH&S management system." "The organisation shall maintain and retain documented information on legal requirements and other requirements and ensure it is **updated** to reflect any **changes**."

**ISO 50001:2018 (Clause 4.2):** “The organisation shall have **access** to the **applicable** legal requirements and other requirements related to its energy efficiency, energy use and energy consumption.”

### A good quality legal register clearly outlines the compliance duties within each piece of legislation

The register should not only show which pieces of legislation are applicable but also how each law applies to the organisation, i.e. the compliance duties the legislation puts on the organisation. This information will be dependent on the activities the organisation carries out. Explanatory text should be included that details what each piece of legislation requires the organisation to do.

#### Relevant Standards requirements:

**ISO 14001:2015 (Clause 6.1.3):** “The organisation shall determine **how** these compliance obligations **apply** to the organisation.”

**ISO 45001:2018 (Clause 6.1.3):** “The organisation shall determine **how** these legal requirements and other requirements **apply** to the organisation and what needs to be communicated.”

**ISO 50001:2018 (Clause 4.2):** “The organisation shall determine **how** these requirements **apply** to its energy efficiency, energy use and energy consumption.”

### A good quality legal register records evaluation of compliance

The Standards require organisations to undertake periodic evaluations of compliance and the results of these evaluations should be documented within the legal register. This keeps everything to do with compliance within one place. The information in the register can help with undertaking the evaluation of compliance exercise by providing information on what the compliance duties are and therefore what actions need to be taken to ensure compliance.

#### Relevant Standards requirements:

**ISO 14001:2015 (Clause 9.1.2):** “The organisation shall determine the **frequency** that compliance will be evaluated, **evaluate compliance** and take action if needed.” AND “The organisation shall **retain documented information** as evidence of the compliance evaluation **results**.”

**ISO 45001:2015 (Clause 9.1.2):** “The organisation shall determine the **frequency** and method for the evaluation of compliance, **evaluate compliance** and take action if needed.... **Retain documented information** of the compliance evaluation **results**.”

**ISO 50001:2018 (Clause 9.1.2):** “At **planned intervals**, the organisation shall **evaluate compliance** with legal and other requirements. The organisation shall **retain documented information** on the **results** of the evaluation of compliance and any actions taken.”

### A good quality legal register records actions identified to address any areas of non-compliance or opportunities for improvement and their progress

If the evaluation of compliance identifies any areas of non-compliance or opportunities for improvement, the legal register should record the compliance actions or recommendations that have been identified to address these, as well as being able to track progress against them. By recording these actions in the legal register this also helps to keep everything to do with compliance in one place.

**Relevant Standards requirements:**

**ISO 14001:2015 (Clause 6.1.4):** “The organisation shall plan to **take actions** to address its compliance obligations.”

**ISO 14001:2015 (Clause 9.1.2):** “The organisation shall determine the frequency that compliance will be evaluated, evaluate compliance and **take action** if needed.”

**ISO 45001:2015 (Clause 6.1.4):** “The organisation shall **plan actions** to address legal requirements and other requirements.”

**ISO 45001:2015 (Clause 9.1.2):** “The organisation shall determine the frequency and method for the evaluation of compliance, evaluate compliance and **take action** if needed.”

**ISO 50001:2018 (Clause 9.1.2):** “At planned intervals, the organisation shall evaluate compliance with legal and other requirements. The organisation shall retain documented information on the results of the evaluation of compliance and **any actions taken**.”

**A good quality legal register provides a clear understanding of the organisation’s compliance status**

The legal register should clearly show current compliance status against each piece of legislation so it can be demonstrated that the organisation has knowledge and understanding of this. This would also easily highlight any compliance issues or areas that need to be addressed and could facilitate effective communication of compliance status to relevant personnel. This could be in the form of a RAG/traffic light system.

**Relevant Standards requirements:**

**ISO 14001:2015 (Clause 9.1.2):** “The organisation shall maintain **knowledge and understanding** of its compliance status.”

**ISO 45001 (Clause 9.1.2):** “The organisation shall maintain **knowledge and understanding** of its compliance status with legal requirements and other requirements.”

**A good quality legal register includes ‘other requirements’ if applicable**

The terminology used in the Standards is ‘legal requirements and other requirements’ (ISO 45001:2018 and ISO 50001:2018) and ‘compliance obligations’ (ISO 14001:2015). Annex A of ISO 14001:2015 explains that compliance obligations include legal requirements and other requirements. ‘Other requirements’ are other obligations that an organisation has or chooses to comply with in relation to the environment or health and safety. If the organisation has any ‘other

requirements' these need to be documented. Note not all organisations have applicable other requirements.

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*If the legal register contains all the key features mentioned you can be confident it meets the requirements of the Standards and will form a useful document within the management system.*