Legal requirements

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**1. Subject**

**1.1 Purpose**

The purpose of this procedure is to identify and understand the legal and regulatory requirements concerning business continuity applicable to our company and to ensure compliance.

**1.2 Scope**

This procedure applies to all departments of our company. Following the analysis of the business impact report on the activity carried out on the site, the elements to take into account are:

* applicable laws and regulations in force
* local requirements (agreements with administrations and local authorities)
* our environmental commitments:
  + pollution of soil, water, air
  + waste treatment
  + classified installations
  + chemicals
  + sound emissions
* specific customer requests (e.g. prohibited products)

Legal and other requirements are established with the assistance of various government agencies, industry associations or other regulatory entities.

Topics covered may include:

* work practices
* security (of staff and the company)
* confidentiality of data (financial and business)
* environmental protection

**1.3 Glossary**

Legal and regulatory requirements: obligations that our company must comply with under applicable laws, regulations and other legal frameworks

BCMS – business continuity management system

BCP - business continuity plan

**2. Responsibility**

The business continuity manager has the authority to write and update this procedure. He is responsible for its implementation via the Intranet and on site.

**3. Documents**

**3.1 Procedures**

Business continuity

Business continuity plan

Warning and communication

**3.2 Instructions and records**

List of legal requirements

Business impact

Business continuity plan

**4. Requirements of the ISO 22301: 2019 standard**

4.2.2 Legal and regulatory requirements

The organization shall:

a) implement and maintain a process to identify, have access to, and assess the applicable legal and regulatory requirements related to the continuity of its products and services, activities and resources;

b) ensure that these applicable legal, regulatory and other requirements are taken into account in implementing and maintaining its BCMS;

c) document this information and keep it up to date.

**5. Development**

**5.1 Legal requirements**

The business continuity manager or his or her deputy reviews recent publications to identify the legal requirements that we must comply with.

The assessment of compliance with legal requirements is carried out periodically (at least once every 2 months). From the inventory of texts appearing in the analysis documents, it verifies that:

* regulatory updates applicable to the company have been taken into account and communicated to the users concerned
* the documents allowing the application of these texts exist
* their application is very effective

Examples of legal and regulatory requirements concerning us:

* occupational health and safety regulations. This concerns all staff, working conditions and the environment
* data protection and privacy laws. This concerns the protection of personal information and other stakeholders
* labor laws. This concerns fair employment practices, staff rights and obligations (training) and working conditions
* financial regulation. This concerns financial information and its communication (anti-bribery)
* environmental regulations. This concerns environmental protection (air and water pollution, waste management, energy efficiency)
* specific legal and regulatory requirements. This concerns sector-specific regulations (healthcare, food safety, transport safety)

A large part of the non-legal requirements are found in the labor code, decrees and orders.

Advice from legal experts is always welcome to conduct a comprehensive review of applicable laws and regulations.

**5.2 Implementation**

The results of the assessment of compliance obligations are kept by the business continuity manager in the List of legal requirements. This document, updated regularly, is proof that our BCMS complies with the legal, regulatory requirements, authorizations and other permits applicable to our company.

When a new text concerns us, an action plan is established.

Examples of actions to be taken related to paragraph 4.2.2 of ISO 22301 after identifying the applicable requirements:

* establish a program to ensure compliance with identified requirements
* integrate the applicable requirements into the BCMS (this may require a new assessment of certain risks)
* regularly monitor compliance with requirements

**5.3 Benefits of meeting the requirements**

Compliance with legal and regulatory requirements is essential to avoid administrative and legal sanctions, as well as to protect stakeholders and the environment.

Other benefits:

* maintain the reputation of the company
* strengthen confidence in the company on its ability to manage risks linked to business continuity
* help ensure business continuity by reducing the likelihood of disruptions
* protect stakeholders during a disaster or crisis
* meet stakeholder expectations

**5.4 Information sources**

Examples of information sources we use:

* analyzes of legal and other requirements
* audit results (internal and external)
* results of regulatory inspections
* analysis of incident records
* results of workplace inspections
* effectiveness of training