

Canadian Law Ch. 3 Note

Chapter 3: Managing Legal Risks

Assessing the Legal Environment:

When a business assesses its legal environment it reduces the likelihood and impact of mistakes that are:

- Costly in terms of the expense of legal services and damage claims
- Distracting in terms of time and effort
- Harmful in terms of relationships and reputation in the industry

This chapter explores how a business can manage its interaction with the law and legal issues. It considers two basic approaches—(1) preventative and (2) reactive.

Preventative approach → evaluation of the risks associated with the business's activities in order to minimize their impact. The emphasis is on the compliance with legal requirements and anticipation of changes in the legal environment.

Reactive approach → recognizes legal problems may still materialize, so the firm needs a strategy in place to deal with such developments.

These 2 approaches are combined in a management plan that reduces the impact of *legal risk* on the organization.

Legal risk → a business risk with legal implications.

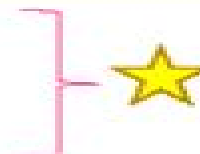
Legal Risk Management Plan:

Enterprise risk management → the process of identifying and managing all business risks (i.e. fines, penalties, compliance orders, license suspensions, and liability for payments).

**In smaller organizations, the risk management function may be performed by the chief executive or delegate or even by someone outside the organization, such as an insurance agent or a risk management consultant.

Regardless of where primary responsibility lies, risk management is not a task for any one individual. No single person within an organization has complete knowledge. Risk management involves the cooperation of managers and employees at every level.

- **Step 1:** Identify the legal risks
- **Step 2:** Evaluate the risks
- **Step 3:** Devise a risk management plan
- **Step 4:** Implement the plan



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Environmental Law in Singapore LYE Lin Heng, 2021-07-20 Derived from the renowned multi volume International Encyclopaedia of Laws this book provides ready access to legislation and practice concerning the environment in Singapore A general introduction covers geographic considerations political social and cultural aspects of environmental study the sources and principles of environmental law environmental legislation and the role of public authorities The main body of the book deals first with laws aimed directly at protecting the environment from pollution in specific areas such as air water waste soil noise and radiation Then a section on nature and conservation management covers protection of natural and cultural resources such as monuments landscapes parks and reserves wildlife agriculture forests fish subsoil and minerals Further treatment includes the application of zoning and land use planning rules on liability and administrative and judicial remedies to environmental issues There is also an analysis of the impact of international and regional legislation and treaties on environmental regulation Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable resource for environmental lawyers handling cases affecting Singapore Academics and researchers as well as business investors and the various international organizations in the field will welcome this very useful guide and will appreciate its value in the study of comparative environmental law and policy **APAIS 1991: Australian public**

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