

Spring 2008

Taking Responsibility

PERSONAL LIABILITY UNDER
ENVIRONMENTAL LAW

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Taking Responsibility Personal Liability Under Environmental Law

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Taking Responsibility Personal Liability Under Environmental Law:

Taking Responsibility Stephen Tromans, Gillian Irvine, 2014-04-08 A report written by two environmental lawyers which explains the responsibilities of company directors under UK and European environmental law and their potential personal liabilities. It sets out what steps to take to avert liabilities and what to do in the event of environmental problems including chapters on whistle blowing by employees and liabilities for overseas activities. *The European Union's Eco-Management and Audit Scheme (EMAS)* Michael S. Wenk, 2005-04-05 This text definitively breaks down each component of the Eco Management and Audit Scheme regulation EMAS even its appendices and EU guidance documents providing a step by step analysis of the Scheme. In addition the work offers case examples of three of Akzo Nobel manufacturing locations which have been registered to EMAS providing real world advice on how to meet the requirements of the Scheme. **Directors'**

Personal Liability for Corporate Fault Helen Anderson, Rick Krever, 2008-10-22 The corporation's ability to avoid the costs of risks that materialize as a result of its pursuit of profits is a departure from the market model. It can easily be seen as an evasion of the obligations that go with being the uncoercing freely acting and choosing invisible hand. Dramatic corporate collapses and major human and economic disasters due to bad corporate conduct have strengthened the common sense view that if the corporate directors and officers have made the deliberate act their own in some way they may be held responsible on the same basis that liberal law holds all individuals responsible for their intended actions in the non corporate settings. Accordingly recent decades have seen an increasing number of statutory interventions worldwide that impose direct responsibilities on directors and other corporate officers in respect of a wide range of regulatory regimes: environmental regulation, occupational health and safety and other employment standards, human rights statutes, transportation regimes, consumer and competition laws, protections for creditors and workers against insolvent trading and the like. Legitimacy crises have pushed legislators to enlarge the number of responsibilities, to increase the amounts of the fines that may be levied and to make it clear that in some cases prison sentences will be imposed. This collection of essays describes and analyzes the legal regimes governing directors' liability for corporate fault and default across eleven important trading jurisdictions. It asks: Are the reform provisions especially director duties of due diligence sharply enough aimed to attain the goal of corporate accountability? Will it be easy or difficult for defendants to establish that due diligence was exercised? Is it possible that more reliance on self policing may lead to less documenting and reporting of wrongs and dangers? What impact may schemes of greater self monitoring have on State regulation? In what ways might corporations react to these demands that they become guardians of the public weal? The authors, each an authority in his or her respective jurisdiction, recognize that the reforms are a reaction to the political problems created by the ill fit of the corporation with the economic and political value systems that we purport to hold dear. As they survey the ways that vibrant economies can frame laws to influence the conduct of directors and companies they invite further exploration into the political, economic, practical and evolutionary factors that may explain

the convergence and divergence of both statute law and judicial doctrines and the desirability or inevitability of this deeply significant trend

The CBI Environmental Management Handbook Ruth Hillary, 2016-01-08 A guide to all aspects of environmental management for businesses The volume offers information on state of the art techniques trends and developments taking a user's perspective capturing key viewpoints and drawing together best practice through the use of case studies These display the practical implications of the topics under discussion and are set out to enable users to relate their information to their own experience

Installing Environmental Management Systems Christopher Sheldon, Mark Yoxon, 2002 A comprehensive guide for all businesses seeking ISO 14000 14001 and EMAS qualifications An accessible practical handbook for corporate executives and project managers on how to establish and maintain an effective environmental management system EMS including both ISO 14001 and the European Eco Management and Audit Scheme EMAS It draws on the authors extensive hands on experience in both implementing environmental management systems and training others to do so Set out in a straightforward series of steps the guide is concise and full of helpful examples and insider tips it will be the standard manual for managers and consultants

Accountability of DOE Contractors with Environmental Laws United States. Congress. House. Committee on Energy and Commerce. Subcommittee on Transportation and Hazardous Materials, 1990

Enforcement of European Union Environmental Law Martin Hedemann-Robinson, 2007-03-12 Offering a detailed legal account of the various legal arrangements at EU level this book is an ideal reference tool for practitioners and legal scholars As well as examining the principle sources of EU environmental law enforcement it also contributes to the legal and political debates that surround the subject Spanning three parts the author examines and assesses the practical impact of the legal arrangements at EU level that are used for the purpose of upholding EU environmental norms Providing a comprehensive account of the current state of EU environmental law enforcement and developments affecting it Enforcing European Union Environmental Law focuses on the principal sources of EU environmental law enforcement examining the role of the European Commission the possibilities for private law enforcement the responsibilities of Member State national authorities An essential read for those studying researching and working in the areas of environmental and European Union law

Corporate Environmental Accountability in International Law Elisa Morgera, 2020-09-03 This fully updated second edition of Corporate Accountability in International Environmental Law examines systematically all international sources of corporate accountability standards with specific reference to environmental protection and elaborates on their theoretical and practical implications for international environmental law The book argues that although international environmental law does not bind multinational corporations and other business entities growing practice points to the emergence and consolidation of international legal standards These standards allow adapting and translating inter State obligations embodied in international environmental law into specific normative benchmarks to determine the legitimacy of the conduct of the private sector against internationally recognized values and

rules The role of international organizations who in the absence of State intervention identify and promote the application of selected international environmental standards is analyzed in depth This analysis demonstrates how these international organizations are a driving force in establishing and operationalizing international standards for corporate environmental accountability The new edition includes a recent assessment of the Rio 20 Summit analysis of the UN Framework on Business and Human Rights and the 2012 Performance Standards It contains a discussion on the role of fair and equitable benefit sharing under the Convention on Biological Diversity and international human rights law and analysis of the monitoring practice of the UN Special Rapporteur on Indigenous Peoples Rights This is an open access title available under the terms of a CC BY NC ND 4 0 International licence It is offered as a free PDF download from OUP and selected open access locations

Contrasts in American and Jewish Law Daniel Pollack, 2001 American law and the American legal system are rights based whereas Jewish law and the halakhic system are duty based This distinction goes to the heart of the two legal systems the basis on which each is founded how they conceptualize human nature and the social order and how they function The American legal system is a human construction forged in a secular society The halakhic system while honed and clarified over the centuries by human decisors is ultimately grounded in a text revealed by God In consequence the two legal systems approach problems quite differently This is explained and illustrated in this volume by discussions of such compelling social issues as euthanasia medical treatment without consent search and seizure in schools procreation rights of prisoners liability for environmental damage termination of parental rights due to mental incapacity and the capacity of the mentally retarded to give informed consent , **Blumberg on Corporate Groups** Phillip I. Blumberg, 2005-01-01 This new five volume Second Edition of Blumberg on *Public Health and Environment Law* Christopher Reynolds, 2011-07-14 Public and Environmental Health Law is a successor to Public Health Law and Regulation 2nd edition and offers a critical and up to date assessment of the legislation cases and policies that impact on public health practice in Australia and New Zealand As with earlier editions this book outlines and discusses laws in a range of important areas including environmental health food safety communicable disease obesity tobacco and alcohol the human health impacts of pollution control and planning law Particular focus is given to new directions in public and environmental health law including the risk based approaches reflected in recent legislation and statutory duties to protect public health New issues are also raised and discussed including sustainability the challenges of climate change preparedness for pandemics and other public health emergencies and health impact assessment Introductory chapters set public and environmental health law in the context of the wider legal system and discuss issues such as its constitutional structure international trends and obligations rights questions including natural justice and the proper exercise of statutory power by officers The principles of legislation and its interpretation and the laws of evidence with a particular focus on the use of epidemiological data as evidence are also examined Public and Environmental Health Law is designed for students of environmental health and public health for environmental health

officers medical officers and others working in the field and for all persons interested in the potential for law and legislation to further the practice of public health It is written in a way that highlights the potential for law to act strategically as a tool for improving public health outcomes is extensively referenced to statutes and cases and is accompanied by a detailed bibliography

Wolf and Stanley on Environmental Law Susan Wolf, Neil Stanley, 2013-10-23 Written with real clarity by authors teaching and researching in the field Wolf and Stanley on Environmental Law offers an excellent starting point for both law and non law students encountering this diverse and rapidly developing subject for the first time The focus of the book is on the regulation and control of pollution and includes chapters on environmental permitting waste management air and water pollution and contaminated land The book also includes the administration and enforcement of environmental law EU environmental law the environmental torts and the private regulation of environmental law The book is supported by a range of learning features designed to help students Consolidate your learning Chapter learning objectives and detailed summaries clarify and highlight key points Understand how the law works in practice Law in Action features demonstrate the application of pollution control law Plan your research Detailed end of chapter further reading sections outline articles books and online resources that provide next steps for your research This sixth edition has been updated and revised to take into account recent developments in the subject including coverage of the Environmental Permitting England and Wales Regulations 2010 developments in the Environment Agency enforcement and sanctions policy documents updates relating to the defence of statutory authority in the tort of private nuisance and current issue relating to compliance with the Aarhus Convention Suitable for students of environmental law and the wider environmental studies Wolf and Stanley on Environmental Law is a valuable guide to this wide ranging subject

Time and Environmental Law Benjamin J. Richardson, 2017-08-03 Disciplined by industrial clock time modern life distances people from nature s biorhythms such as its ecological evolutionary and climatic processes The law is complicit in numerous ways It compresses time through fast track legislation and accelerated resource exploitation It suffers from temporal inertia such as grandfathering existing activities that limits the law s responsiveness to changing circumstances Insouciance about past ecological damage and neglect of its restoration are equally serious temporal flaws we cannot live sustainably while Earth remains degraded and unrepaired Applying international and interdisciplinary perspectives on these issues Time and Environmental Law explores how to align law with the ecological timescape and enable humankind to tell nature s time Lending insight into environmental behaviour and impacts this book pioneers a new understanding of environmental law for all societies and makes recommendations for its reform Minding nature not the clock requires regenerating Earth adapting to its changes and living more slowly

Shifting Horizons of Public International Law J.L. Kaul, Anupam Jha, 2018-01-08 This book offers a South Asian perspective on international law maintaining a suitable distance from the Western approach The themes discussed reflect the region s particular contribution to the development of international law Each South Asian country has its own important role

to play in promoting regional trade regulating maritime affairs ensuring access to water debating State responsibility engaging with International Criminal Court questioning diplomatic and consular immunities and most importantly upholding human rights These issues are addressed by local contributors from Nepal Bangladesh and Sri Lanka who have come together to represent the whole South Asian region on a single academic platform **International Practice of Law**

Nedim Vogt,1997-01-01 This liber amicorum celebrates the sixtieth birthday of Thomas Baumlr and Robert Karrer who set up their international law practice more than 28 years ago Contributions in the book are from outstanding practitioners and scholars in the field of international law many of whom are experienced authors The liber amicorum comprises sixteen articles on topics ranging from business law to arbitration and from a global perspective APAIS 1992: Australian public affairs information service , *International Insolvency Law* Professor Paul Omar,2013-02-28 International insolvency is a newly established branch of the study of insolvency that owes much to the phenomenon of cross border incorporations and conduct of business in more than one jurisdiction It is largely an offspring of globalization Paul Omar examines the development of domestic rules dealing with cross border instances and the many international projects in the field

Private Equity Darryl J. Cooke,2011 Explaining clearly the law and current practice of private equity transactions this new edition of Private Equity Law and Practice offers advice and information relevant to private equity investors companies seeking funds those financing deals and managers wishing to buy out a company **Modern Real Estate Practice in Ohio**

Fillmore W. Galaty,Wellington J. Allaway,Robert C. Kyle,2001

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