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		Document Owner	OHS Manager
	LEGAL REQUIREMENTS AND OTHER REQUIREMENTS PROCEDURE	Revision	00
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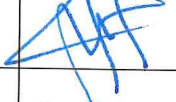
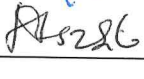
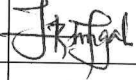



LEGAL REQUIREMENTS AND OTHER REQUIREMENTS PROCEDURE


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PURPOSE

To determine and have access to up-to-date legal requirements and other requirements that are applicable to its OH&S risks and OH&S management system; determine how these legal requirements and other requirements apply to the organization and what needs to be communicated and take these legal requirements and other requirements into account when establishing, implementing, maintaining and continually improving its OHS management system

SCOPE


This procedure applies to all business operations and processes that are within the defined scope of the OHS Management System.

REFERENCE DOCUMENTS

- a) Compliance Evaluation Process
- b) ISO 45001:2018: Standard
- c) Applicable Tanzania Acts, and Regulation
- d) TNCL Legal Register
- e) TNCL Evaluation of Legal Compliance Register

DEFINITIONS AND ABBREVIATIONS

- a) **Legal requirements and other requirements** - legal requirements that an organization has to comply with and other requirements that an organization has to or chooses to comply with.
- b) **Regulation** - a rule or directive made and maintained by an authority
- c) **Statutory** – is a written law passed by a body of the legislature
- d) **Compliance** – means acting in accordance with a request or a command, rule, or instruction. It can be narrowly defined as the process by which an organization ensures that it observes and complies with external statutory laws and regulations.
- e) OHS - Occupational Health and Safety
- f) SMS – Safety Management System
- g) SMP – Safety Management Plan
- h) HOD – Head of Department
- i) SOP - Standard Operating Procedure
- j) SMSR - Safety Management System Representative
- k) TNCL – Tembo Nickel Cooperation Limited

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RESPONSIBILITIES

OHS Manager

The OHS Manager shall:

- Ensure that the management team has access to the existing site system which contains all the Safety legal obligations applicable to TNCL.
- Ensure that sufficient financial resources are made available to the OHS Department in order to achieve legal compliance.
- Be familiar with Safety legal requirements applicable to the mine.

Safety Management System Representative

The SMSR shall:

- Be competent in the understanding and application of the Safety legal obligations applicable to TNCL.
- Ensure Safety and legal compliance is achieved in all activities, changes, and modifications that take place at TNCL.
- Ensure that the legal obligations register in the current onsite system is updated and accessible to all employees.
- Communicate legal obligations to Manager's and subsequently to the management team

The OHS Manager may delegate any of the above responsibilities to the OHS department Personnel.

Heads of Department


Each HOD shall:

- Be aware of the OHS legal obligations applicable to their area of responsibility.
- Communicate legal updates and changes to the employees in their area of responsibility.
- Enforce legal compliance throughout the workplace.


PROCEDURE

Access to up-to-date Legal Requirements and Other Requirements

- Process Owners shall identify all relevant legal requirements and other requirements that apply to their areas and maintain up-to-date information.
- A compilation of all up-to-date legal and other requirements shall be centralized to the OHS department and shall be available in the shared folder in the intranet.
- Mandatory legal requirements related to TNCL environmental aspects, Hazards, and OHS risks shall include, if applicable
- Legal requirements shall include:

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- i. Legislation (national, regional, or international), including statutes and regulations;
 - ii. Decrees and directives;
 - iii. Orders, rules, or guidance issued by regulators;
 - iv. Requirements specified in permits, licenses, or other forms of authorization;
 - v. Judgments of courts or administrative tribunals;
 - vi. Treaties, conventions, protocols;
 - vii. Collective bargaining agreements.
- e) Other requirements shall include, if applicable:
- a) The organization's requirements;
 - b) Contractual conditions;
 - c) Agreements with public authorities or customers
 - d) Employment agreements;
 - e) Agreements with interested parties;
 - f) Agreements with community groups or non-governmental organizations
 - g) Agreements with health authorities;
 - h) Non-regulatory standards, consensus standards, and guidelines;
 - i) Voluntary principles, codes of practice, technical specifications, charters;
 - j) Voluntary labelling or environmental commitments
 - k) Relevant organizational or industry standards
 - l) Public commitments of the organization or its parent organization.
- f) Process Owners shall, regularly, check any revision to existing regulations or new regulations applicable by checking in one or more of the following methods:
- i. Update via Government Gazette, etc.
 - ii. Notification from relevant authorities
 - iii. Public media e.g. newspaper
 - iv. Tanzania Parliament website (<http://www.parliament.go.tz>)
- g) A set of the updated Legal Register of Relevant Laws & Other Requirements shall be kept in the OHS & Administration departments and communicated to all relevant personnel.
- h) Specific requirements stipulated by the customer, for carrying out specific services/activities may not be maintained in the same register (legal register)
- i) The specific process owner shall compile these requirements and ensure that the requirements are being met. The relevant records shall be properly filed to allow for verification at any time. All job sites shall keep a record of all permits, licenses, approvals & certificates held by individuals in a site register.

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1.1 Applicability of Legal requirements and other requirements

All relevant legal and other requirements shall be assessed by process owners to identify sections that apply to TNCL's business scope. Process owners may request the use company lawyer to have an exhaustive identification of the sections that are applicable and the actions needed to address them. After the identification of section that are applicable to the organization process owners to which the applicable sections applies shall take appropriate actions to address the requirements and ensure it is effectively met.

1.2 Communication

Applicable legal requirements and other requirements shall be communicated to relevant workers to ensure they are aware of the actions that are needed to achieve compliance.

The OHS and Human Resources department shall be responsible periodically for circulating the latest copy of the register to all HODs whenever there are any updates.

1.3 Integrating Legal Requirements and Other Requirements into the OHS

TNCL shall take these legal requirements and other requirements into account when establishing, implementing, maintaining, and continually improving its OHS Management system. TNCL shall include Legal requirements and other requirements in its operation by including them in, OHS policies, including in the strategic and functional objectives of the organization, they form the agenda in the management review meeting and they shall be checked during internal audit programs.

Legal Register

A legal register is prepared to define TNCL's applicable legal requirements related to health and safety. The document will be intended as the primary reference to ensure legal compliance.

The OHS Manager will use legal experts to review and update the Legal Register at regular intervals (every two years at most). The review must include TNCL compliance requirements for:


- a) Change to legislation and regulations
- b) New operations
- c) Changes to existing operations
- d) Identified potential areas of legal liability
- e) All issues covered by the initial scope

All current applicable laws with an OHS management component

Additional reviews may be investigated at any time to address legal requirements in response to specific risks (i.e. new legislation, changes to operating conditions/methods, etc.).

Attempts will be made to ensure that the document is accurate and comprehensive at the time of review. The OHS Manager should be informed if any errors or omissions are noted.

The HODs shall be consulted internally on OHS legal issues. An initial identification of all

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applicable legal and other requirements will be conducted for the health and safety system by an appointed Consultant.

The OHS Manager shall be tasked to identify the applicable legal and other Safety requirements to which TNCL subscribes in the Safety Legal Register.

New or changed laws applicable to TNCL will be interpreted for its requirements by the Consultants appointed by the organization.

The OHS Manager or his / her nominated designate shall communicate any changes to Safety legislation to the HODs as and when they happen.

All legislation will be printed, on request, as uncontrolled copies in order to accommodate employees who do not have access to the electronic format.

The OHS Manager is to ensure that the Legal Register continues to meet the needs of the Departments particularly when new projects/processes come online or existing processes are changed. Notification of corrections or improvement suggestions should be forwarded to the OHS Manager.

Reference: TNCL-OHS-REG-0010, Legal Register

Training

All employees and contractor employees will be given an overview of the legal and other requirements during induction.

Consultation and participation of workers

TNCL will consult with workers where practicable or their representatives when determining how to fulfill legal requirements and other requirements

Other Requirements


Requirements other than Legal Requirements will include the following:

- a) Special Instructions
- b) Other requirements e.g. corporate standards, rules, etc.
- c) Department of Labor notification

Compliance Strategy

The OHS Manager or his/her delegate shall allocate actions, due dates, and responsibilities to legal obligations requiring action. He/she shall describe what measures will be implemented to ensure compliance with each obligation. Measures can include:

- a) Facility designs and modifications.

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- b) Authorization applications.
- c) Operational controls.
- d) Operational procedures.

Due dates for actions shall be indicated and responsible persons allocated to each action.

Day-to-day Compliance

The OHS Manager or his/her delegate shall inform personnel (including contractors) of their job-specific Safety obligations. He/she shall ensure that legal obligations are incorporated into training material and that personnel are trained to be capable of carrying out their assigned roles and responsibilities.

The OHS Manager or his/her delegate shall also establish controls to maintain compliance, assess proposed operational and design changes for their compliance implications, and monitor compliance status every month. These management actions shall be documented.

Maintenance and Improvement of Compliance

The OHS Manager or his/her delegate shall monitor the effectiveness of compliance actions and strategies every month and revise them as needed.

The OHS Manager or his/her delegate shall review compliance obligations at least annually and update the register and strategy to maintain compliance if needed. He/she shall update and maintain the obligations register by information-gathering strategies such as:

- a) Compliance License
- b) Reviewing regulatory websites.

5. SYSTEM EVALUATION


This procedure shall be reviewed at least two years by members of OHS department and presented to the Standard Committee for approval, or when organizational changes take place or are required as part of internal and external audits. The TNCL Document Controller will monitor compliance with the document control system on an ongoing basis.

6. DISTRIBUTION

List physical locations which require a controlled copy of this document.

Table: 1

Copy	Controlled Document Folder Location
Master	Controlled Documents Central Filing System

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7. CONTRAVENTION

Any breach of this procedure shall be regarded as refusal/failure to carry out a lawful instruction and will be dealt with as per the disciplinary procedure.

8. DOCUMENT CHANGE PROCESS


The process of document change starts when the document custodian identifies there is a need to make changes within the document. The document custodian/ owner shall complete the document change request form, sign it off, and submit it to the Document Controller.

The Document controller shall issue the controlled word copy of the document to the respective document custodian/owner so that changes may be made. The document custodian/owner shall resubmit the updated document to the document controller so that the document can be controlled and updated within the Filing system ready for use by the end users.

8.1 Reason for Change

Table: 2

A	As a result of incidents	F	Change in training requirements
B	As a result of the audit findings	G	Results of risk assessments
C	New / changes in governance documents	H	Change due to spelling or grammatical error
D	Changes in legislation	I	New document format
E	Changes in technology	J	To integrate special instruction into the document control system

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10. DECLARATION

I hereby declare that I have taken part in the discussion of this procedure, and I understand its contents and do commit that I shall ensure compliance hereto:

Table: 5

	Name and Surname	Company Number	Designation / Role	Signature	Date Signed
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