

GLOBAL WARMING AND CLIMATE CHANGE

DOES MANKIND HAVE A FUTURE?

THE LAUNCH OF:

ICLC



CARBON READY LEGAL

26 NOVEMBER 2008

FOSSIL FUELS AND CLIMATE CHANGE

Climate change, as a result of burning hydrocarbons, is the single greatest threat to man as global warming melts the ice caps and precipitates extremes of weather.

The realisation that this threat cannot be ignored has resulted in various initiatives including the Kyoto Protocol, United Nations Framework for Climate Change and shortly, the Climate Change Act 2008.

As the United Kingdom sets limits on its carbon emissions and creates polices and procedures to meet a prescribed target of 80% reduction in emissions by 2050, businesses must now balance growth against an urgent move to a low carbon economy.

To this end, it will be necessary for all businesses, both in the UK and abroad (with interest in the UK), local authorities, financial institutions and any energy consumer, to seek

1. to reduce energy consumption
2. to reduce energy costs
3. to develop energy-efficient procedures
4. to meet social responsibility
5. to meet statutorily imposed targets
6. to avoid prosecutions through lack of compliance.

Compliance with new, and possibly confusing and/or complex, policies and procedures to meet imposed targets may cause businesses difficulties. To overcome those difficulties, Burton Burton & Ho Solicitors and CourtCom Limited, have set up the International Centre for Legal Compliance.

THE INTERNATIONAL CENTRE FOR LEGAL COMPLIANCE (ICLC)

ICLC is the academic and professional centre of excellence providing research capability in carbon trading and emissions law, waste, financial and business processes and health & safety compliance for global businesses. ICLC offers consultancy services to businesses in the UK, China and India who operate globally.

ICLC is a joint venture between CourtCom Limited and Burton Burton & Ho Solicitors (BBHO).

Jeremy Barnett, a practising Barrister specialising in regulatory matters, visiting Professor of Computing for Law at Leeds University and member of the IEA International Carbon Capture and Storage Regulators Network, leads CourtCom.

William Ho, as senior partner of BBHO, a UK based solicitors practice with a particular specialism in attracting capital from the People's Republic of China to Europe and vice versa, has considerable experience of UK/China legal matters.

The head of research is Macella Wan who studied law at Hull University before joining BBHO in 2006.

In addition, ICLC will have the benefit from the expertise of an Advisory Board, comprising of leading academics in UK/East Asian Business and Law. Their areas of interest include Carbon Capture and Storage, legal and regulatory issues, financing and initiatives, CO2 pipeline access, health and safety and Carbon Trading.

Members of the Advisory Board include:

- Professor Peter Buckley from the Centre of International Business, University of Leeds
- Alan Ho, General Manager of The Harmony Climate Group Carbon Assets Consulting (Beijing) Co Ltd.
- Professor Surya Subedi, School of Law, University of Leeds
- Sharon Bamford, founding Chief Executive of the UK India Business Council (UKIBC).
- Professor John Oakland, Oakland Consulting and Carbon Ready Limited.
- Dr Hinrich Voss, Post Doctorial Fellow at the White Rose East Asia Centre, University of Leeds.
- David Criddle, Business Consultant, the Eudaimon Group, and Brunswick MCL Group.
- Professor Peter Dew, Computer Science, University of Leeds.
- Michael Shen, currently undertaking research into International Economic Law at the Centre for International Governance at the University of Leeds, will manage the Advisory Board.

The expertise provided by ICLC will ensure that no business clients, based in the UK or in China or India, will fail to comply with any relevant Regulation so as to attract sanctions under the law.

CARBON READY LEGAL (CRLegal)

CRLegal will provide a comprehensive legal service to clients, in the UK and abroad, in anticipation of the Climate Change Act introducing the legal framework for regulating carbon credits, carbon trading and the reduction of carbon emissions and waste, with the consequential effects on litigation, product liability, planning and competition.

CRLegal, in addition to advising UK businesses on the evolving area of Carbon Emissions Regulation, will also assist Asian businesses to understand the emerging regulations and advise on the creation of carbon credits available for sale in these markets.

Carbon Law

The regulation of carbon emissions is one of the most dynamic areas of international legal regulation. The move to a low carbon economy involves companies and organisations working to reduce carbon emissions. The UK Government is encouraging the development of low carbon technologies. In particular, the growth of Carbon Capture and Storage (CCS) has provoked the discussion on an international regulatory framework necessary to govern this market.

Major financial initiatives include:

- The growth of international trading in carbon credits, with markets already established in Chicago and London.
- Investment in incubators that specialise in low carbon technology
- Various renewable energy tax/tariff schemes for carbon saving
- Incentives for CCS

Product Safety

As manufacturing continues to be global with operations in different locations, businesses need to consider regulation in diverse jurisdictions with their own independent regulatory regimes. It is now common for Design, Research and Development, Production, and Product Testing to take place in different countries in the Far East. Further complications arise when components are sourced from disparate locations.

The European General Product Safety Directive and the Toys Safety Directive have now imposed new Regulatory obligations upon Manufacturers, Importers and Distributors. Many goods destined for different markets, with possibly conflicting regulations, are normally manufactured in the same factory thus causing production difficulties.

Health and Safety

As global manufacturers relocate their production to China and India, Health and Safety in these emerging economies will grow in importance. A history of poor implementation of regulations, corruption and collusion between factory owners and local officials and a lack of education and training has resulted in high levels of fatal accidents at work and other workplace disasters.

New regulations and enforcement bodies have been introduced in China and India, and with further developments anticipated in other Far Eastern, African and South American countries producers will need advice on these new regulations or look to new markets for more economical or efficient methods of manufacturing.

China has ratified the ILO convention 155 pledging to ensure hazard minimisation, safe systems of work and adequate employee protection and is increasing the influence of the State Administration of Work Safety [SAWS]. The new Production Safety Law, adopted in 2002 puts responsibility for production on the shoulders of top management. As such greater understanding of these regulations and methods of complying must be implemented if the business is to continue being economical.

THE COMPLETE SERVICE

ICLC and CRLegal can help:

If you are a UK or an overseas business unsure of your obligations under the Climate Change Act 2008;

If you are a UK or overseas business in need of advice or representation in:

1. Environmental Law
2. Planning Law
3. Highway Law
4. Health and Safety
5. Public/Administrative law
6. Product Liability;

If you are a UK business, with interest in China or India;

If you are concerned with Climate Change, Global warming and reducing carbon emissions in line with new Regulations whilst trying to run a business;

CONTACT

William Ho, Macella Wan or Michael Shen

BURTON BURTON & HO

Yorkshire House

East Parade

Leeds LS1 5SX

0113-2978787