

Environmental, Social and Governance Singapore



Environmental, Social and Governance (ESG) issues are now or will become the top of agendas for governments and businesses. Clients are frequently asking us to help them horizon scan – to look ahead to identify risks and trends, as well as the opportunities created by the changes in ESG laws and practices. ESG issues cut across many sectors and frequently are cross-border in nature.



Benefit from our global presence to support your business' needs

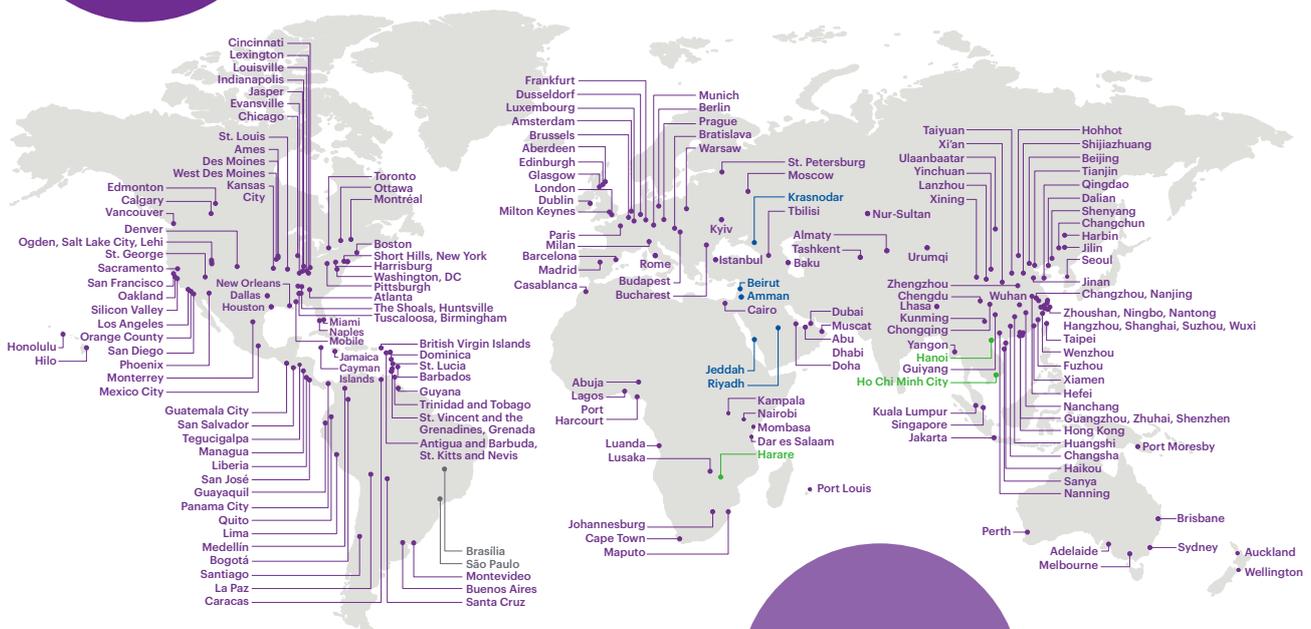
Governments, non-governmental organizations (NGOs) and the general public are exerting pressure on companies to change the way they do business, requiring them to be mindful of their impact on the Earth's limited resources and environment. While such pressures can complicate matters, it also provides an opportunity for businesses to engage these and other stakeholders.

At Dentons Rodyk, we will work together with you for various aspects of ESG-related considerations. These include formulating your ESG strategy, running a gap/risk analysis on your existing ESG set-up, ESG-related

compliances, board responsibility, diversity and inclusion and supply-chain related services. Should the need arise, we are more than ready to address major events swiftly by conducting investigations and handling civil litigations.

As environmental and natural resources issues are regional and global in nature, you can rely on our global presence to support your business' needs. When you work with us, you will be instantly connected to the Dentons environment - a global network of lawyers experienced in international and regional regulations.

207
locations



Locations in purple represent Dentons offices.
 Locations in blue represent associate firms, offices or special alliances as required by law or regulation.
 Locations in green represent approved combinations that have not yet been formalized.
 Locations in gray represent Brazil Strategic Alliance.

82
countries

October 2021

One of Singapore's largest and oldest law firms

Trusted since 1861, Dentons Rodyk is one of Singapore's largest and oldest law firms with a team of around 200 lawyers offering clients a full suite of legal services necessary to do business locally and globally.

Global hub and gateway to ASEAN

Being located in Singapore, Dentons Rodyk is strategically located at the heart of Southeast Asia which provides excellent global connectivity to serve the fast-growing markets of the Asia-Pacific region and beyond.

Full Service Global Law Firm Capabilities

Now the world's largest law firm, Dentons' global team builds agile, tailored solutions to meet the local, national and global needs of private and public clients of any size in over 200 locations serving more than 80 countries.

“

“They are a fantastic firm to work with on all fronts – highly recommended!”

– *Chambers Asia Pacific*

Recognition



Outstanding firm
Asialaw Profiles, 2021

6 lawyers listed
Who's Who Legal, 2021

Ranked 14
Global Restructuring Review 30 (GRR 30), 2020

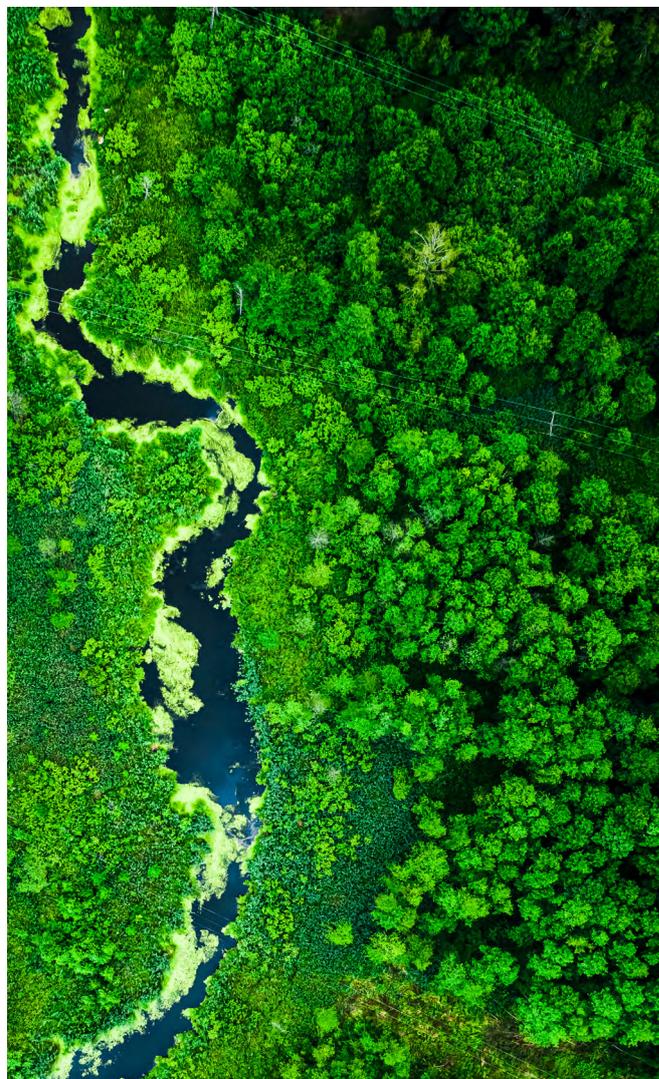
Ranked
Benchmark Litigation Asia-Pacific, 2019

Our Environment and Natural Resources Practice

As countries around the world pursue economic growth and development, it leads to far-reaching ramifications in the environment where multiple jurisdictions are often affected at the same time. People and communities feel the negative effects as their health and livelihood are negatively affected. However, at the same time, these environmental issues have lately been gaining significant amount of awareness and individuals, communities, organizations and companies are striving to alleviate the negative impacts. Governments are also taking action on a national level by introducing regulations to businesses and organizations to help curb the harmful effects to the environment, Singapore included.

On October 2019, the National Environment Agency (NEA) of Singapore introduced the Resource Sustainability Act (RSA) with new measures introduced to producers and retailers to reduce wastage of plastics, food and electronics. These measures require entities to register with NEA and submit reports and future plans on waste reduction. If businesses are not compliant, the penalties they could face are very strong.

As these measures are new and may be quite unfamiliar, let us work together with you in navigating them so that you can be adaptable to the ever-changing world.



New Resource Sustainability

Act, 2019 (Singapore)

Plastic Packaging

What this means for you?

If you are an eligible entity, to begin with, you will have to register with the NEA, report your packaging data for 2021 (including imports), and submit the methodology you used for reporting. Once this is done, you will have to develop and submit your own 3R plans (reduce, reuse and recycle).

Among other things, the plan should contain:

- Details of key initiatives, including consumer and industry outreach
- How you will reduce/reuse/recycle current packaging, including recyclability of packaging materials
- Developing Key Performance Indicators – how will improvements be measured
- Other documents, including sustainability reporting, plan timelines etc

No later than 2025, the NEA will implement an extended producer responsibility (EPR) framework for packaging that will impact your business directly, foreseeably through direct regulation. Therefore it is very important to understand the forthcoming changes and how this new law works.

What can we do for you?

- Guide you through the entire process of registering with NEA, working together with their initiatives so that you will be set up as a trailblazer of sustainability
- Engage experts to help you develop recycling plans and aligning them with NEA requirements
- Help you to prepare compliance related documentations and sustainability reports to NEA

Food Waste

What this means for you?

If you are a new developer of large commercial and industrial premises, from 2021, you will be required to allocate and set aside space for on-site food waste treatment systems in their design plans. This includes shopping malls, hotels, large food manufacturers, large food caterers, and Gross Floor Areas above 20,000 square metres with more than 20 food tenants.

The owners of existing commercial and industrial premises that generate large amounts of food waste will be allowed to choose the food waste treatment method that best suits their operations. From 2024, all large commercial and industrial food waste generators will have to segregate their food waste for treatment (either on site or off site at a licensed waste disposal facility by engaging a licensed waste collector). This will impact your business directly (whether you are a new or existing entity) and might result in punitive action if the law is not complied with.



What can we do for you?

- Identify the most suitable treatment plan for your food waste depending on the type of entity. It can be either converting food waste to animal feed, composts or biofuel or sending it to a licensed waste disposal facility
- Work together with NEA initiatives such as to develop a recycling plan or to install on-site food waste treatment systems
- Prepare compliance related documentations and sustainability reports to NEA

Electronic Waste (E-Waste)

What this means for you?

The regulations apply to producers, retailers, collectors, Producer Responsibility Scheme (PRS) operators, and consumers of e-waste. Regulated products include Information and Communications Technology (ICT) equipment, batteries, lamps, solar PV panels, and large appliances.

If the e-waste regulations apply to you, there are several obligations that kick in from July 2021, particularly for producers and retailers of the relevant electronic products. These include but are not limited to:

For producers:

- Registering with the NEA and submitting records of regulated products
- Becoming a member of a licensed PRS
- Collection and disposal of unwanted products
- Keeping records on regulated non-consumer products collected and how they are managed

For retailers:

- Providing 1 for 1 take back of regulated consumer products
- In-store collection of e-waste

The PRS framework for e-waste will impact your business through direct regulation. If not compliant, penalties under Part 6 of the RSA are very strong. Therefore it is important to align your business with the forthcoming changes right away.

What can we do for you?

- Help you understand how the Extended Producer Responsibility (EPR) and the RSA applies to your business
- Work together with you through the entire registration process with NEA and helping you to submit records of regulated products
- Submit relevant compliance-related documentation and sustainability reporting to NEA



Representative experience

ESG Services

Energy Transition, Climate Change Mitigation and Adaptation

Engie: Conducted legal diligence to scope out the I-REC regulatory environment in Singapore.

Gram Oorja: Advising Gram Oorja, a solar projects implementation company as they raise US\$2 million – 10 million through the Asian Development Bank’s PFAN system. Project is already in the pipeline and has been shortlisted to be presented to investors.

Chew’s Agriculture Pte Ltd: Advising a renowned Singapore farm operator in relation to the build, own and operate (BOO) of a waste-to-energy facility by a service provider listed on SGX in the farm premises to convert organic chicken manure into energy.

Nomadd Desert Solar Solutions: Acted for Nomadd, a spin-out company from KAUST in its Series A and Series B equity fundraising rounds involving investors DSM Venturing and specialist Saudi Arabian construction company CEPCO. Nomadd designs and supplies fully automated, waterless cleaning robots, corresponding software as well as after-sales services to photovoltaic (PV) developers and engineering procurement and construction (EPC) companies.

Environmental Law and Compliance

A Singapore Healthcare Group: Conducted a presentation on Singapore’s Resource Sustainability Act of 2019 to understand how it would impact the Group.

Environment and human health related product advertising: Advised ACCO on Indian and Singapore law to check their product against allowable environmental claims and human health linkages.

Logos Property: advising with the drafting of risk management practices and guidelines in accordance with Singapore law including environmental and property related concerns. Also advised on several Singapore law issues in relation to the handling of complaints, investigations and legal actions resulting from workplace safety.

Biodiversity Law

Various clients (Biodiversity Law/Access and Benefit-Sharing): End-to-end services for companies helping them comply with Indian Biological Diversity Laws. Includes advising them on analysing their internal supply chains to identify compliance points for access to genetic resources, negotiating with the government for payment of fees. Currently advising Proctor & Gamble as their legal counsel for all Indian Biodiversity Act related matters. Previously advised Lupin Pharma and Jubilant Life Sciences on biodiversity law compliance.

The International Federation of Pharmaceutical Manufacturers and Associations (Switzerland):

Assisted the organisation to navigate access and benefit sharing laws in Bangladesh to check their applicability on an influenza strain from Bangladesh (not COVID-19).



Public Policy and International Law

Government of India: Built a curriculum for Indian government stakeholders to understand the new international ocean agreement and how it impacts the Indian Ocean Region, India's shipping sector, fisheries and other revenues from marine resources. This project was funded by the Konrad Adenauer Stiftung Foundation (Germany).

National Institute of Public Finance and Policy (India): Report on the legal regime and challenges implementing the Access and Benefit Sharing Law in India, including its sector-wise revenue potential.

Sustainable India Finance Facility: Memorandum of Understanding (MOU) signed between Sustainable India Finance Facility (fund created by UNEP, BNP Paribas and World Agroforestry Center) and law firm offering exclusive end-to-end services for public and private sector clients in the environment and energy space to collaborate on transformative opportunities for forests, biodiversity, energy access and social impact by bridging the gap between the government, private sector and communities.

Sustainable Finance and Investments

Indian Green Bond Council: Drafted the background document (FAQs) to accompany SEBI's Disclosure Requirements for Green Debt Securities.

Syndicate of banks: Advising DBS and OCBC in their grant of approximately S\$296.25 million green loan club financing to a special purpose joint venture company to finance the acquisition of Grade-A eco-friendly office towers at 7 and 9 Tampines Grande, Singapore.

DBS Bank: Acting in its grant of a S\$300 million multi-currency sustainability-linked loan to CapitaLand. The five-year term loan and revolving credit facility is the first and largest sustainability-linked loan in Asia's real estate sector.

The SPV of a Singapore listed company: Acted for the borrower in its club financing from a syndicate of banks of more than S\$300 million for various purposes, including towards the development of an industrial property and working capital requirements of the group across the Asia Pacific region. Part of the facilities are able to be utilised as a green loan financing in line with the Green Loan Principles by the Loan Market Association and the Asia Pacific Loan Market Association and is the first green loan secured by the Singapore-based property developer.

Sunpower Group Ltd: Advising



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