

Name of Project: Financial Provision Protecting the Environment and the Public Purse	
ToR Reference No.: 2022-VIII/02	
Version: <input type="checkbox"/> Draft <input type="checkbox"/> Final <input checked="" type="checkbox"/> Adopted	Date: 30-Sep-21
TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL	

1. Work type and title

1.1 Identify which Expert Team this needs to go to for initial consideration	
Industry and air	<input type="checkbox"/>
Waste and TFS	<input type="checkbox"/>
Water and land	<input type="checkbox"/>
Nature protection	<input type="checkbox"/>
Cross-cutting tools and approaches	<input checked="" type="checkbox"/>
1.2 Type of work you need funding for	
Exchange visits	<input type="checkbox"/>
Peer reviews (e.g. IRI)	<input type="checkbox"/>
Conference	<input type="checkbox"/>
Development of tools/guidance	<input checked="" type="checkbox"/>
Comparison studies	<input type="checkbox"/>
Assessing legislation (checklist)	<input type="checkbox"/>
Other, (please describe):	<input type="checkbox"/>
1.3 Full name of work	
<i>Financial Provision: Protecting the Environment and the Public Purse Capacity Building – Development of webtool</i>	
1.4 Abbreviated name of work or project	
Financial Provision Protecting the Environment and the Public Purse	

2. Outline business case (why this piece of work?)

2.1 Name the legislative driver(s) where they exist
<ul style="list-style-type: none"> • Landfill and Mining Waste Directives. • Environmental Liability Directive and Seveso. • Industrial Emissions Directive and related domestic legislation.



This is a broad issue which cuts across many legislative drivers and sectors.

2.2 Link to IMPEL MASP priority work areas

1. Assist members to implement new legislation.
2. Build capacity in member organisations through the IMPEL Review Initiatives.
3. Work on 'problem areas' of implementation identified by IMPEL and the European Commission.
4. Other, (please specify):

2.3 Why is this work needed?

The impact of direct environmental incidents as well as business insolvency resulting in risk to the environment must be protected against.

In cases where there is either an environmental incident which results in actual/potential harm to the environment or where a company becomes insolvent and can no longer meet its obligations, suitable financial provision can mitigate or prevent an impact on both the environment and/or the public purse.

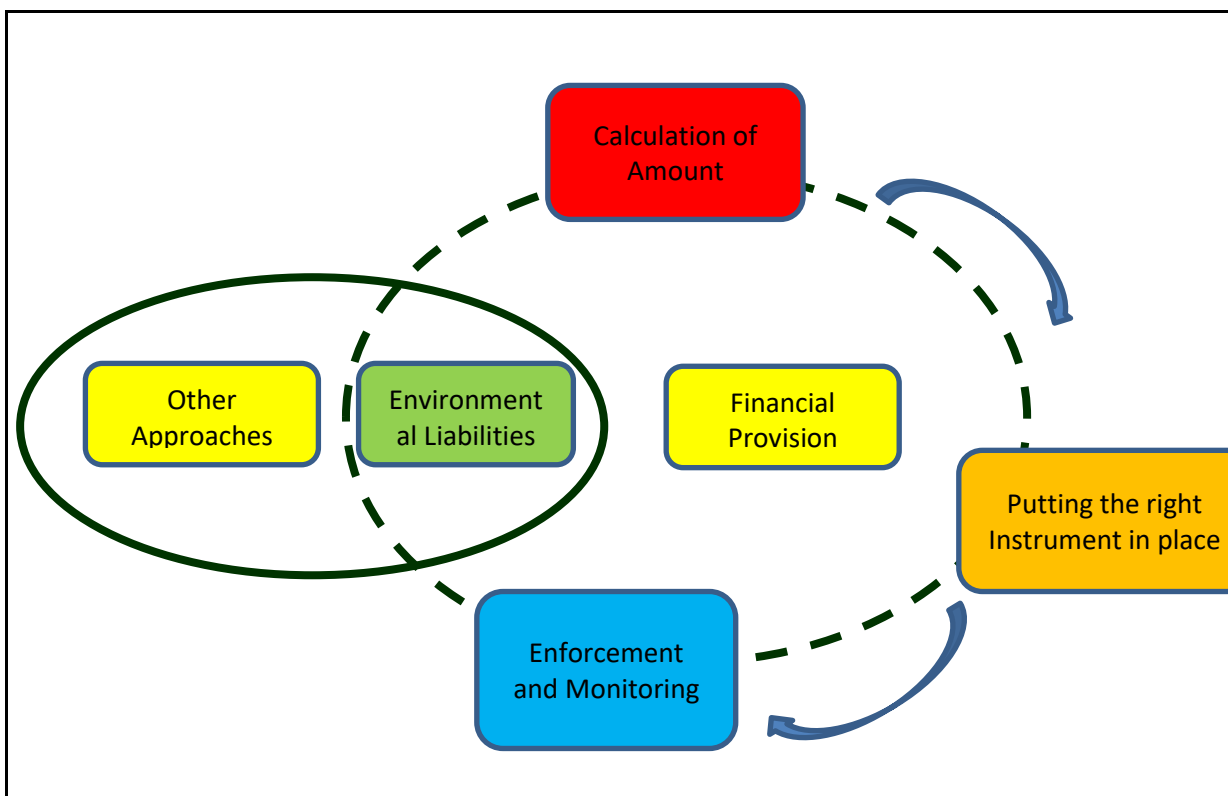
IMPEL delivered a project from 2016 to 2018 to develop a practical guide in support of good regulatory process in financial provision that would better equip regulators and others to make informed decisions about financial provision.

This practical guide has received international acclaim and been described as the Gold Standard in this area of environmental work. It has facilitated a step change in the international conversation and actions to address the issue of the abandoned liabilities.

The aim now is to produce an online tool (similar to the [Doing the Right Things tool](#)) based on the practical guide. This will improve accessibility and allow capacity building in the cross cutting regulatory challenge of financial provision.

Development and publication of the tool is the final stage in a COM backed IMPEL project to produce a practical guide to aid regulators in making better decisions to protect the environment and public purse. At its heart is capacity building and what we can do to export and promote IMPEL products widely and accessibly to improve the implementation and outcomes of environmental law. The webtool project has been given the go-ahead for the past 3 years but has had to be rolled over due to IMPEL governance review, COVID and the IMPEL website being updated.





2.4 Desired outcome of the work

The aim of the project is to build capacity in regulators in particular to generate a better understanding of the availability and suitability of financial tools resulting in improved:

- Protection of the environment
- Protection of the public purse
- Implementation of polluter pays principle
- Investment in pollution prevention

2.5 Does this project link to any previous or current IMPEL projects?

This project builds on the outputs of the Financial Provision – Protecting the Environment and the Public Purse project (2016 to 2018) has strong links with the IMPEL Criteria for the Assessment of Environmental Damage project

This project will take the previous output (report) and make it available as a web-based tool. It is envisaged that it will function in a similar way to the “Doing the Right Things for Permitting” tool, will be “branded” similarly to that tool, and links may be established between the two tools.

The project is aligned with cross cutting expert team work around capacity building.

3. Structure of the proposed activity

3.1 Describe the activities of the proposal

1. Organise content
2. Supply content to web developer
3. Agree output and format with web developer
4. Identify “host” website
5. Web developer produces dashboard and uploads content
6. Web developer trains IMPEL project team and IMPEL, if desired, on uploading new content
7. Project team review and testing
8. Publication of tool (as appropriate) on the IMPEL or other webpage.

All meetings will be virtual

3.2 Describe the products of the proposal

Output: an online tool of the practical guide capable of being hosted on IMPEL web platform

Outcome: Regulatory capacity building for better decision making

