


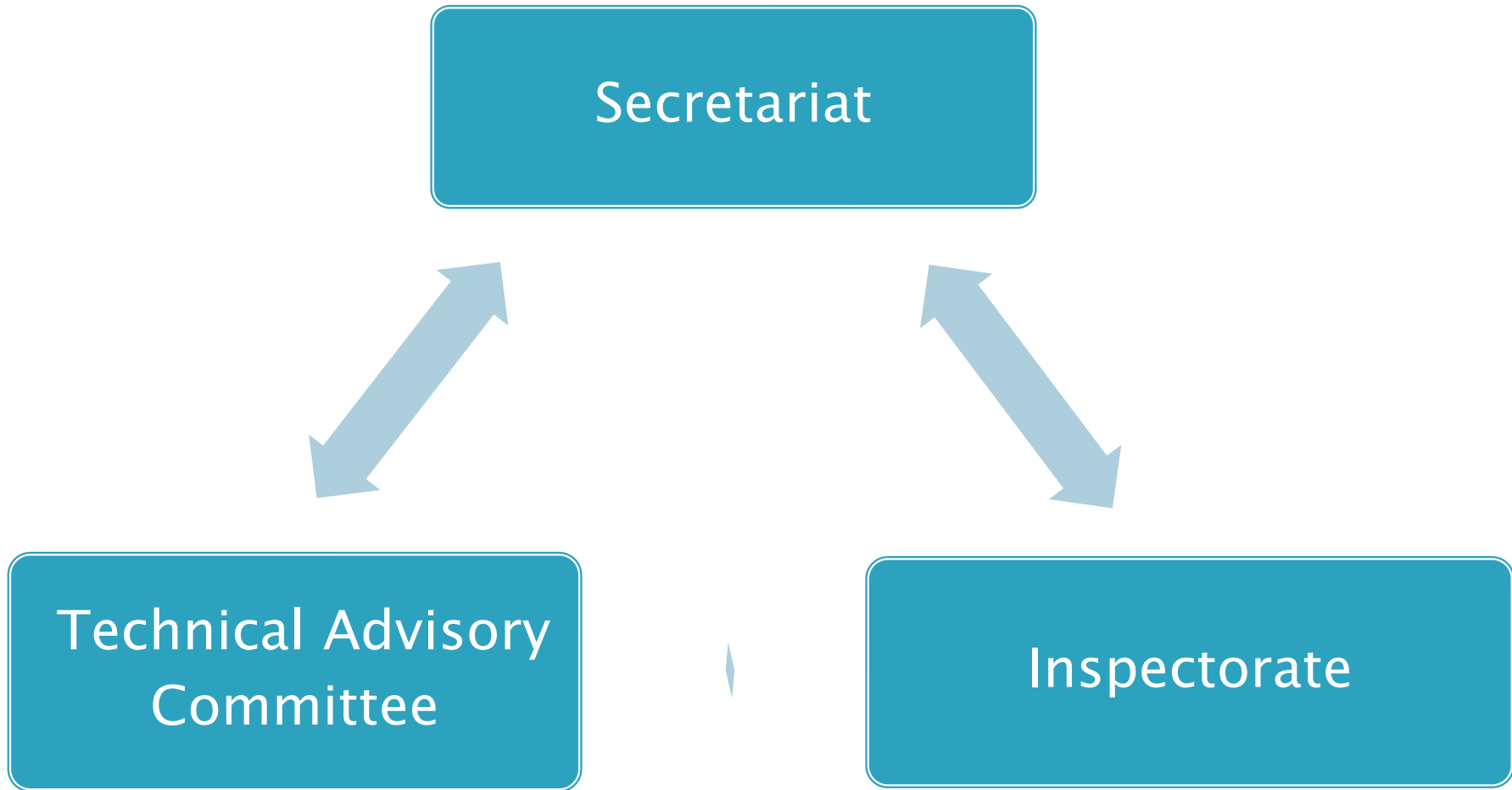
National law Enforcement Mechanisms

Nauru Workshop

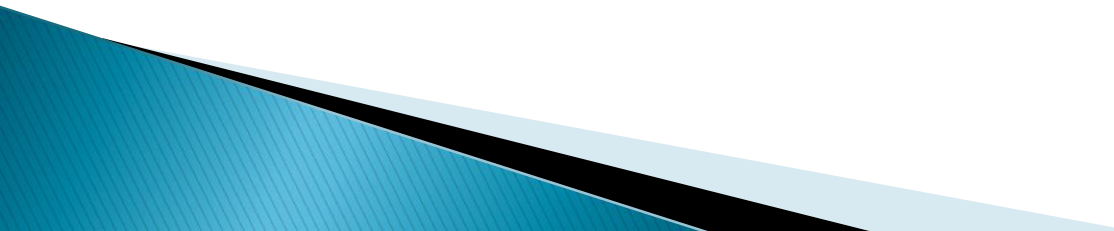
Seabed Mineral Act Overview

- ▶ DSM Pacific Regional Project – assist member countries to develop and establish their legal framework to regulate DSM Activities.
 - ▶ Draft bill reviewed in 2016 by Government stakeholders including NGOs.
 - ▶ Enacted in April, 2017
 - ▶ Regulate DSM Activities within national EEZ and sponsorship arrangement beyond national jurisdiction.
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Operation of the Act.




Administrative Action

- ❖ Issue written warnings;
 - ❖ Enter into written agreement providing for the Title Holder to undertake a programme of remedial action and to mitigate the risk of re-occurrence of breaches;
 - ❖ Issue Enforcement Orders
 - ❖ Impose and administrative penalty.
 - ❖ Impose temporary restrictions or cease operations on the SMA of the Title Holder
 - ❖ Commence a process to vary, suspend or revoke the Title, including a variation to impose additional conditions on the Title.
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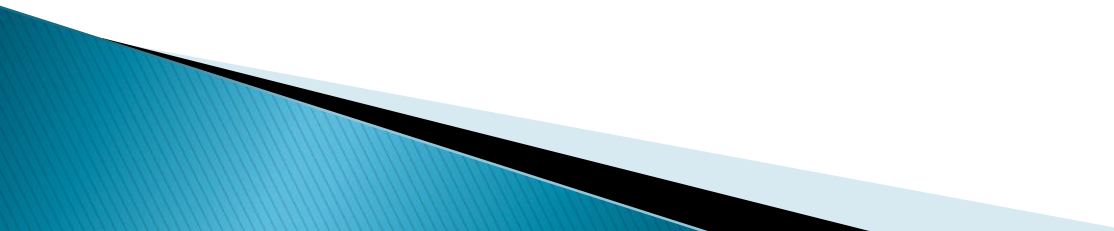
Enforcement Order

An enforcement Order made may in reasonable terms:

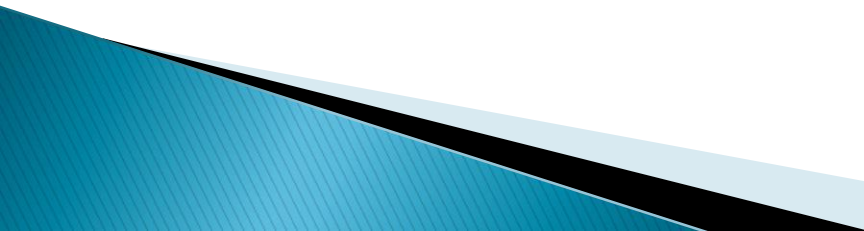
- a. Require a person to:
 - Take corrective active action;
 - Stop taking harmful actions;
 - pay money to another person to cover reasonable costs incurred due to failure to comply.

 - b. Include a mandatory timeframe for the required action or inaction.
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Sponsorship of Activities in the Area

- ❖ Company Registration.
 - ❖ Adherence to Laws and Rules
 - ❖ Termination of Sponsorship Certificate
 - ❖ Variation, suspension and revocation of a Sponsorship Certificate
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Challenges

- ▶ Lack of Legal Staff dedicated to develop regulations required to operationalize the Act.
 - ▶ Lack of Standard Training Programme for Inspectors – safety matters and SOP.
 - ▶ Lack of standard monitoring and management system – eg. Vessel Monitoring System
 - ▶ Regional Coordinating Body
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Thank you

