

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION:
COUNCIL - PART I**

Informal Working Group - Environment

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to council2022@isa.org.jm.

1. Name(s) of Delegation(s) making the proposal:

Australia

2. Please indicate the relevant provision to which the textual proposal refers.

Draft regulation 50(2)

3. Kindly provide the proposed amendments to the regulation or standard or guideline in the text box below, using the “track changes” function in Microsoft Word. Please only reproduce the parts of the text that are being amended or deleted.

2. Paragraph 1 above shall not apply if such disposal, dumping or discharge into the Marine Environment is carried out for the safety of the vessel or Installation or the safety of human life, provided that all reasonable measures are taken to minimize the likelihood of damage to human life and of Serious Harm to the Marine Environment. A Contractor shall report any disposal, dumping or discharge under this paragraph to the Authority, as soon as possible.

2bis. ~~and, if such Serious harm~~ Harm to the Marine Environment has occurred occurs as a result of disposal, dumping or discharge in accordance with paragraph 2, the Contractor shall, ~~to~~ monitor and mitigate ~~its the~~ impacts of such harm, and such disposal, dumping or discharge shall be reported forthwith to the Authority.

4. Please indicate the rationale for the proposal. [150 word limit]

The proposed structural changes to the text of paragraph 50(2) provide greater clarity upon the face of the Regulation that it is the Contractor who is obliged to monitor and mitigate the impact of harm caused by any disposal, dumping or discharge, and to report such disposal, dumping or discharge to the Authority. In addition, this structure separates the exemption from paragraph 50(1) from the consequential obligations upon a Contractor.