

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> SESSION:**

**COUNCIL - PART I**

***Informal Working Group – Inspections, Compliance and Enforcement***

*Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete.*

**1. Name(s) of Delegation(s) making the proposal:** Republic of Costa Rica

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

Regulation 101, Part XI - ISBA/25/C/WP.1

**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.**

Regulation 101 Complaints

1. A person aggrieved by an action of an Inspector under this Part may complain in writing to the Compliance Committee, which shall consider the complaint as soon as practicable and send a report to the Council and the Secretary-General, ~~who shall consider the complaint as soon as practicable.~~
2. The Compliance Committee shall recommend Secretary-General ~~may take~~ such reasonable action as is necessary in response to the complaint and inform the council.

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

1- A compliance Committee is the ideal body to exercise oversight of the inspection, compliance and enforcement. Costa Rica believes there should be a Compliance Committee to exercise oversight over the Inspectorate, to receive reports and disseminate information under Regulation 100, to address any complaints pursuant to Regulation 101, as well as being responsible for the issuance of compliance notices under Regulation 103 (instead of the SG as his functions are of administrative nature)

We see the Compliance Committee, formed by members appointed by the Council.

We believe the inspection mechanism and the appointment of inspectors,(supervised by the Compliance Committee ) should also be undertaken by the Council (on the recommendation of the LTC) prior to the adoption of the Draft Regulations.