

**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.

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

Federal Republic of Germany

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

Draft Regulation 48bis

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 48bis

Test mining (new text)

1. The purpose of test mining is to ensure that the mining equipment is technically appropriate, the operation economically efficient and that effective protection of the marine environment from harmful effects is ensured. Test mining projects shall as a general rule provide evidence that appropriate equipment is available to ensure the effective protection of the Marine Environment in accordance with Article 145.
2. Before applying for an approval of a Plan of Work, a Contractor has to provide evidence to substantiate the required information in accordance with Regulation 7. A test mining study in accordance with Annex [IVter] shall be submitted with the application for the approval of a Plan of Work.
3. Before Commercial Production may commence in accordance with Regulation 25, a Contractor shall provide evidence demonstrating its ability to ensure effective protection of the Marine Environment, if there has been a material change pursuant to Regulation 57.
4. Contractors should apply for the approval for test mining projects from the Authority in accordance with all relevant Regulations, Standards and Guidelines. The potential effects of test mining projects shall be assessed in the form of an Environmental Impact Assessment. Potentially affected States, international organisations and relevant Stakeholders shall be consulted in accordance with the relevant Standards and Guidelines.
5. A test mining study pursuant to Paragraph 2 and 3 does not have to be submitted if the evidence required has been demonstrated through test mining during exploration phase or in the context of another approved Plan of Work for an exploitation project. The Contractor has to submit relevant information to the LTC. The Commission shall decide whether the submission of a test mining study pursuant to Paragraph 2 or 3 is required.

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

GER had suggested this Regulation in 2019 and it is here proposed with some amendments regarding the necessity of test mining if previous test mining has been performed under comparable conditions. This Regulation aims to establish an obligation to run test mining before the application for a plan of work and before commercial production starts. Through test mining evidence should be provided that the mining equipment is technically applicable, the operation economically efficient and that the effective protection of the marine environment from harmful effects is ensured. The results of the test mining should be submitted via a test mining study.