

**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 53

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 53

Emergency Response and Contingency Plan

1. A Contractor shall maintain:
 - (a) The currency and adequacy of its Emergency Response and Contingency Plans based on the identification of potential Incidents and in accordance with Good Industry Practice, Best Available Techniques, Best Environmental Practices and the applicable ~~standards~~ Standards and Guidelines, taking into account the Best Scientific Evidence, and shall be tested at least annually; and
 - (b) Such resources and procedures as are necessary for the prompt execution and implementation of the Emergency Response and Contingency Plans and any Emergency Orders issued by the Authority.

2. ~~Contractors, t~~The Authority and sponsoring States shall facilitate consult together, as well as with other States and organizations which appear to have an interest, in relation to the exchange of knowledge, information and experience relating to Incidents between Contractors, and with States, and shall, ~~using such knowledge and information to prepare and revise standards and operating guidelines to control hazards throughout the mining life cycle, and shall cooperate with and draw on the advice of other relevant international organizations,~~ so that such knowledge and information can be used

- (a) by Contractors to meet the requirements of regulation 53(1), and
- ~~(e)~~(b)by the Authority to prepare and revise relevant standards and ~~operating~~ guidelines.
- ~~2.3.~~ Following an Incident, a Contractor must submit a detailed report on how whether the plan was adequate and how it was complied with, including, among other aspects, expenses incurred, responsibilities and updating of the plan if necessary.

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

We support most amendments by the Facilitator (in blue). In addition, we suggest a few further amendments (red), aiming for clear roles and responsibilities, i.e. that it falls on: i) the ISA to facilitate the exchange of information, ii) Contractors to conform to requirements, and iii) the ISA to prepare and revise regulatory instruments. It would also make sense to swap the order of (2) and (3).