

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

Informal Working Group – Institutional Matters

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:

Germany

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

Regulation 5

3. Kindly provide the proposed amendments to the regulation 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.

(c) Sufficient information that the applicant has the necessary technical and operational capability to carry out the proposed Plan of Work in accordance with Good Industry Practice using appropriately qualified and adequately supervised personnel;

6. The Authority shall not accept the application if the sponsoring state has not enacted a mining law that complies with the standards referred to in Regulation 105.

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

While the Commission is asked in Draft Regulation 13 to assess inter alia the technical capabilities of a Contractor, currently an obligation is missing asking the Contractor to provide such references. We suggest that such an obligation be included as new Draft Regulation 5 para. 3 (c).

Addition of Regulation 6: The existence of a mining law that complies with certain minimum requirements should be a prerequisite for a qualified applicant approval of a plan of work. Reference to Regulation 105: we submitted a comment on regulation 105 and the need to establish standards regarding national mining laws. The two provisions should be read together.