

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> 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](mailto: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 15

**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.**

1. If the Commission determines that the applicant meets the criteria set out in regulations ~~12 (4)~~ and 13, it shall recommend approval of the Plan of Work to the Council.
2. The Commission shall not recommend approval of a proposed Plan of Work if part or all of the area covered by the proposed Plan of Work is included in:
  - a. A Plan of Work for Exploration approved by the Council for the same Resource category for a different qualified applicant; or
  - b. A Plan of Work approved by the Council for Exploration or Exploitation of other Resources if the proposed Plan of Work would be likely to cause undue interference with activities under such approved Plan of Work for other Resources;or
  - c. An area disapproved for Exploitation by the Council pursuant to article 162 (2) (x) of the Convention; or  
[\(c bis\) An area disapproved for Exploitation by the Council, as determined in the applicable Regional Environmental Management Plan;](#)
  - d. A Reserved Area or an area designated by the Council to be a Reserved Area, except in the case of eligible applications under these Regulations made in respect of a Reserved Area.

[2bis.](#) The Commission shall not recommend approval of a proposed Plan of Work if [the contractor, its controlling shareholder or shareholders or its predecessor in law violated the general obligations of contractors in a non-negligible way](#);

3. The Commission shall not recommend the approval of a proposed Plan of Work if it determines that:
  - a. Such approval would permit a State party or entities sponsored by it to monopolize the conduct of activities in the Area with regard to the Resource category in the proposed Plan of Work; or
  - b. The total area allocated to a Contractor under any approved Plan of Work would exceed:

(c bis) Such approval would undermine or contradict the regional goals, objectives or measures as determined by the requirements of the applicable Regional Environmental Management Plan.”

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

1: Regulation 12 (4) does not contain criteria. 2bis aims at ensuring that contractors comply with the general obligations of contractors (see our proposal for a Regulation 12bis).

We furthermore propose two specific references to the applicable REMPs.