

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

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**

1. The purpose of test mining shall be to provide evidence by information gathered through test mining projects to ensure that the proposed mining equipment is technically appropriate and that the Marine Environment is effectively protected from harmful effects, in accordance with Article 145 of the Convention.
2. Subject to this Regulation, an applicant shall conduct a test mining project prior to submitting an application for a Plan of Work for Exploitation. Information gathered through test-mining projects shall be compiled in a test mining report in accordance with Annex XX [and/or the relevant Standard or Guideline], and shall inform the Environmental Plans pursuant to Regulation 11.
3. Test mining projects require an approval by the Authority and shall be carried out in accordance with the rules, regulations and procedures for exploration and the recommendations for the guidance of contractors, in particular the assessment of possible environmental impacts arising from the exploration for marine minerals in the Area.
4. A test mining project does not have to be undertaken if the evidence pursuant to Paragraph 1 has been provided through other test-mining projects by the applicant or in the context of another approved Plan of Work for Exploitation. In such a case, the applicant shall compile in its test-mining report the information already available, explaining why this is sufficient evidence, and the Commission shall assess whether the evidence pursuant to Paragraph 1 has been

demonstrated in its review of the application and report to the Council pursuant to Regulations 11-15.

5. If a material change has been determined in accordance with Regulation 25 and 57 (2), the [relevant ISA organ] shall consider and determine whether and on which aspects an additional test mining project has to be undertaken in order to provide sufficient information pursuant to paragraph (1). In this case, paragraphs (2) and (3) apply.

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

The text above is largely the revised text submitted as a conference room paper during the July Council meeting, with some minor amendments aiming to reflect the discussion held.