

**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 50

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 50
Restriction on Mining Discharges**

1. A Contractor shall not dispose, dump or discharge into the Marine Environment any Mining Discharge, except where such disposal, dumping or discharge is permitted in accordance with:

(a) The assessment framework for Mining Discharges as set out in the Standard; and

(b) The Environmental Management and Monitoring Plan.

2. Paragraph 1 above shall not apply if such disposal, dumping or discharge into the Marine Environment is ~~carried out~~ necessary for the safety of the vessel or Installation or the safety of human life, provided that all reasonable measures are taken to minimize the likelihood of damage to human life and ~~of Serious~~ to prevent Harm to the Marine Environment and, if such harm has occurred, to monitor and Mitigate its impacts, [and such disposal, dumping or discharge shall be reported forthwith to the Authority] a Contractor shall report any disposal, dumping or discharge under this paragraph to the Authority, as soon as possible.

~~2bis. If Serious Harm to the Marine Environment occurs as a result of disposal, dumping or discharge in accordance with paragraph 2, the Contractor shall monitor and mitigate the impacts of such harm.~~

3. The disposal, dumping or discharge into the Marine Environment of any Mining Discharge that is not in accordance with ~~regulation 50(1) or 50(2)~~ paragraphs 1 and 2 above is considered an ~~U~~ nauthorized Mining Discharge and constitutes a Notifiable Event under regulation 34 and Appendix 1.

4. This Regulation shall be interpreted and applied in a manner that is consistent with the obligations of the Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping Wastes and Other Matters, 1972 and the 1996 Protocol thereto, where applicable, in particular Articles 4 and 10.

4bis The Contractor shall ensure compliance with the applicable international rules and standards established by competent international organizations or general diplomatic conferences concerning the dumping of waste and other matters, as well as those concerning the prevention of pollution from ships.

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

We support the amendments inserted by the Facilitator, except in one case in Para 2. In accordance with language from the convention we suggest that it is referred to the 'prevention' of harm and not to a minimization of serious harm. We strongly support the inclusion of para. 4bis, in order to ensure that the dumping provisions of London Protocol apply. We regard Para 2bis as duplication of parts of Para 2.