

INFORMAL WORKING GROUP ON INSTITUTIONAL MATTERS

MAPPING OF THE MANDATES OF ISA ORGANS

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1. GENERAL OBLIGATIONS

<i>Organ</i>	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
ASSEMBLY	UNCLOS	Art. 160(1)	Establishing general policies	The Assembly shall have the power to establish general policies in conformity with the relevant provisions of this Convention on any question or matter within the competence of the Authority
ASSEMBLY	UNCLOS	Art. 160(k)	Assessing problems, particularly for disadvantaged states	[Assembly shall] consider problems of a general nature in connection with activities in the Area arising in particular for developing States, as well as those problems for States in connection with activities in the Area that are due to their geographical location, particularly for land-locked and geographically disadvantaged States
ASSEMBLY	UNCLOS	Art. 160 (2)(n)	Deciding which organ will deal with work not otherwise entrusted	[Assembly shall] discuss any question or matter within the competence of the Authority and to decide as to which organ of the Authority shall deal with any such question or matter not specifically entrusted to a particular organ, consistent with the distribution of powers and functions among the organs of the Authority
COUNCIL	UNCLOS	Art. 162(1)	Establishing specific policies in accordance with Convention and general policies of Assembly	The Council shall have the power to establish, in conformity with this Convention and the general policies established by the Assembly, the specific policies to be pursued by the Authority on any question or matter within the competence of the Authority.
COUNCIL	UNCLOS	Art. 162(2)(s)	Making recommendations on any question or matter	[Council shall] make recommendations to the Assembly concerning policies on any question or matter within the competence of the Authority;
COUNCIL	UNCLOS	Art. 162(2)(o)(ii)	Adopting and provisionally applying rules, regulations, and procedures of the Authority	[Council shall] adopt and apply provisionally, pending approval by the Assembly, the rules, regulations and procedures of the Authority, and any amendments thereto, taking into account the recommendations of the Legal and Technical Commission or other subordinate organ concerned. These rules, regulations and procedures shall relate to prospecting, exploration and exploitation in the Area and the financial management and internal administration of the Authority. Priority shall be given to the adoption of rules, regulations and procedures for the exploration for and

				<p>exploitation of polymetallic nodules. Rules, regulations and procedures for the exploration for and exploitation of any resource</p> <p>other than polymetallic nodules shall be adopted within three years from the date of a request to the Authority by any of its members to adopt such rules, regulations and procedures in respect of such resource. All rules, regulations and procedures shall remain in effect on a provisional basis until approved by the Assembly or until amended by the Council in the light of any views expressed by the Assembly</p>
Secretary-General	UNCLOS	Art. 166(3)	Acting as chief administrative officer and perform administrative functions entrusted	The Secretary-General shall be the chief administrative officer of the Authority, and shall act in that capacity in all meetings of the Assembly, of the Council and of any subsidiary organ, and shall perform such other administrative functions as are entrusted to the Secretary-General by these organs. ¹
Economic Planning Commission	UNCLOS	Art. 164 (2) (a)	Proposing measures to implement decision.	[Economic Planning Commission shall] a) propose, upon the request of the Council, measures to implement decisions relating to activities in the Area taken in accordance with this Convention;
Legal Technical Commission	UNCLOS	Art. 165(2)(a)	Making recommendations on Council request	[LTC shall] make recommendations with regard to the exercise of the Authority's functions upon the request of the Council
Legal Technical Commission	UNCLOS	Art. 165(2)(i)	Recommending proceedings before Seabed Disputes Chamber	[LTC shall] recommend to the Council that proceedings be instituted on behalf of the Authority before the Seabed Disputes Chamber, in accordance with this Part and the relevant Annexes taking into account particularly article 187
Legal Technical Commission	UNCLOS	Art. 165(2)(j)	Recommending measures on decision by Seabed Disputes Chamber	[LTC] make recommendations to the Council with respect to measures to be taken, upon a decision by the Seabed Disputes Chamber in proceedings instituted in accordance with subparagraph (i)

¹ List of Administrative functions of the Secretariat by office can be found in ISBA/3/A/4 (pg 20-21): <https://isa.org.jm/files/files/documents/isba-3a-4.pdf>

2. ADJUSTMENT ASSISTANCE AND SUBSIDIZATION

<i>Organ</i>	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
<i>Adjustment assistance</i>				
ASSEMBLY	UNCLOS	Art. 160(1)	Establishing compensation system upon recommendation of Council	[Assembly shall] establish, upon the recommendation of the Council, on the basis of advice from the Economic Planning Commission, a system of compensation or other measures of economic adjustment assistance as provided in article 151, paragraph 10
COUNCIL	UNCLOS	Art. 162(2)(n)	Recommending to Assembly compensation system based on Economic Planning Commission advice	[Council shall] make recommendations to the Assembly, on the basis of advice from the Economic Planning Commission, for a system of compensation or other measures of economic adjustment assistance as provided in article 151, paragraph 10
Economic Planning Commission	UNCLOS	Art. 171(f)	Recommending sources for compensation fund	[The funds of the Authority shall include] payments to a compensation fund, in accordance with article 151, paragraph 10, whose sources are to be recommended by the Economic Planning Commission
Economic Planning Commission	UNCLOS	Art. 164(2)(b)	Reviewing trends of mineral demand and prices	[Economic Planning Commission shall] review the trends of and the factors affecting supply, demand and prices of minerals which may be derived from the Area, bearing in mind the interests of both importing and exporting countries, and in particular of the developing States among them
Economic Planning Commission	UNCLOS	Art. 164(2)(c)	Examining adverse effects	[Economic Planning Commission shall] examine any situation likely to lead to the adverse effects referred to in article 150, subparagraph (h), brought to its attention by the State Party or States Parties concerned, and make appropriate recommendations to the Council
Economic Planning Commission	UNCLOS	Art. 164(2)(d)	Proposing system of compensation	[Economic Planning Commission shall] propose to the Council for submission to the Assembly, as provided in article 151, paragraph 10, a system of compensation or other measures of economic adjustment assistance for developing States which suffer adverse effects caused by activities in the Area. The Commission shall make the recommendations

				to the Council that are necessary for the application of the system or other measures adopted by the Assembly in specific cases.
COUNCIL/Finance Committee	1994 Agreement	Section 7, para. 1(a)	Determining amount of economic assistance fund on recommendation of Finance Committee	The Authority shall establish an economic assistance fund from a portion of the funds of the Authority which exceeds those necessary to cover the administrative expenses of the Authority. The amount set aside for this purpose shall be determined by the Council from time to time, upon the recommendation of the Finance Committee.
Subsidization				
COUNCIL	1994 Agreement	Section 6, para. 1(g)	Requesting measures by Council to address subsidization	In circumstances where a determination is made [pursuant to relevant trade agreements] that a State Party has engaged in subsidization which is prohibited or has resulted in adverse effects on the interests of another State Party and appropriate steps have not been taken by the relevant State Party or States Parties, a State Party may request the Council to take appropriate measures.
COUNCIL	1994 Agreement	Section 6, para. 5	Raising subsidization issues with Council	A State Party may at any time bring to the attention of the Council activities which in its view are inconsistent with the requirements of paragraph 1(b) to (d) [concerning subsidization].

3. BENEFIT SHARING/FINANCIAL MECHANISM

<i>Organ</i>	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
ASSEMBLY	UNCLOS	Art. 160(2)(f)(i)	Approving financial and benefit sharing framework on Council's recommendation	[Assembly shall] consider and approve, upon the recommendation of the Council, the rules, regulations and procedures on the equitable sharing of financial and other economic benefits derived from activities in the Area and the payments and contributions made pursuant to article 82, taking into particular consideration the interests and needs of developing States and peoples who have not attained full independence or other self-governing status. If the Assembly does not approve the recommendations of the Council, the Assembly shall return them to the Council for reconsideration in the light of the views expressed by the Assembly

COUNCIL	UNCLOS	Art. 162(2)(o)(i)	Making recommendations for equitable sharing of financial and other economic benefits, accounting for developing States and non-self-governing peoples	[Council shall] recommend to the Assembly rules, regulations and procedures on the equitable sharing of financial and other economic benefits derived from activities in the Area and the payments and contributions made pursuant to article 82, taking into particular consideration the interests and needs of the developing States and peoples who have not attained full independence or other self-governing status.
COUNCIL	UNCLOS	Art. 162(2)(y)	Establishing subsidiary organ for financial management and arrangements	[Council shall] establish a subsidiary organ for the elaboration of draft financial rules, regulations and procedures relating to: (i) financial management in accordance with articles 171 to 175; and (ii) financial arrangements in accordance with Annex III, article 13 and article 17, paragraph 1(c);
Finance Committee	1994 Agreement	Section 9, para 9	Finance committee fulfills subsidiary organ requirement	The requirement of article 162, paragraph 2(y), of the Convention to establish a subsidiary organ to deal with financial matters shall be deemed to have been fulfilled by the establishment of the Finance Committee in accordance with this section.
ASSEMBLY/ COUNCIL/ Finance Committee	1994 Agreement	Section 9, para. 7(f)	Accounting for recommendation of Finance Committee on benefit-sharing	Decisions by the Assembly and the Council on the following issues shall take into account recommendations of the Finance Committee: (f) Rules, regulations and procedures on the equitable sharing of financial and other economic benefits derived from activities in the Area and the decisions to be made thereon.
COUNCIL	1994 Agreement	Section 8, para 1(d)	Setting annual fixed fee for commercial production	An annual fixed fee shall be payable from the date of commencement of commercial production. This fee may be credited against other payments due under the system adopted in accordance with subparagraph (c). The amount of the fee shall be established by the Council;

4. CONSULTATIONS AND AGREEMENTS

<i>Organ</i>	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
Secretary-General	UNCLOS	169(1)	Making arrangements for consultation with international organizations and NGOs	The Secretary-General shall, on matters within the competence of the Authority, make suitable arrangements, with the approval of the Council, for consultation and cooperation with international and non-governmental organizations recognized by the Economic and Social Council of the United Nations.
Secretary-General	UNCLOS	169(3)	Distributing reports of international organizations and NGOs	The Secretary-General may distribute to States Parties written reports submitted by the non-governmental organizations referred to in paragraph 1 on subjects in which they have special competence and which are related to the work of the Authority.
COUNCIL	UNCLOS	162(2)(f)	Entering into agreements with international organizations	[Council may] Enter into agreements with the United Nations or other international organizations on behalf of the Authority and within its competence, subject to approval by the Assembly
Economic Planning Commission /Legal Technical Commission /	UNCLOS	163(13)	Consultation with other commissions or organizations	In the exercise of its functions, each Commission may, where appropriate, consult another commission, any competent organ of the United Nations or of its specialized agencies or any international organizations with competence in the subject-matter of such consultation

5. DECISION-MAKING

<i>Organ</i>	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
ASSEMBLY/ COUNCIL	1994 Agreement	Section 3, para. 1	Establishing general policies	The general policies of the Authority shall be established by the Assembly in collaboration with the Council.
ASSEMBLY/ COUNCIL	1994 Agreement	Section 3, para. 4	Deferring to Council on matter of joint competence	Decisions of the Assembly on any matter for which the Council also has competence or on any administrative, budgetary or financial matter shall be based on the recommendations of the Council. If the Assembly does not accept the recommendation of the Council on any matter, it shall return the matter to the Council for further consideration. The Council shall reconsider the matter in the light of the views expressed by the Assembly
Finance Committee	1994 Agreement	Section 3, para(7)	Basing decision on Finance Committee's recommendations on budget or finance decisions	Decisions by the Assembly or the Council having financial or budgetary implications shall be based on the recommendations of the Finance Committee
Economic Planning Commission /Legal Technical Commission	UNCLOS	Art. 163(11)	Duty to report divergence of views of LTC and Economic Planning Commission	Recommendations to the Council shall, where necessary, be accompanied by a summary on the divergences of opinion in the Commissions
ASSEMBLY/ COUNCIL/ Finance Committee	1994 Agreement	Section 9, para. 7	Accounting for recommendations of FC on financial or budgetary issues	Decisions by the Assembly and the Council on the following issues shall take into account recommendations of the Finance Committee: (a) Draft financial rules, regulations and procedures of the organs of the Authority and the financial management and internal financial administration of the Authority;

				<p>(b) Assessment of contributions of members to the administrative budget of the Authority in accordance with article 160, paragraph 2(e), of the Convention;</p> <p>(c) All relevant financial matters, including the proposed annual budget prepared by the Secretary-General of the Authority in accordance with article 172 of the Convention and the financial aspects of the implementation of the programmes of work of the Secretariat;</p> <p>(d) The administrative budget;</p> <p>(e) Financial obligations of States Parties arising from the implementation of this Agreement and Part XI as well as the administrative and budgetary implications of proposals and recommendations involving expenditure from the funds of the Authority;</p> <p>(f) Rules, regulations and procedures on the equitable sharing of financial and other economic benefits derived from activities in the Area and the decisions to be made thereon</p>
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6. FINANCIAL MANAGEMENT OF AUTHORITY

<i>Organ</i>	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
Secretary General	UNCLOS	172	Drafting budget	The Secretary-General shall draft the proposed annual budget of the Authority and submit it to the Council
COUNCIL	UNCLOS	162(2)(r)	Submitting proposed budget to Assembly	[Council shall] submit the proposed annual budget of the Authority to the Assembly for its approval
ASSEMBLY	UNCLOS	160(2)(h)	Approving budget suggested by Council	[Assembly shall] consider and approve the proposed annual budget of the Authority su
ASSEMBLY/ COUNCIL/Finance Committee	1994 Agreement	Section 9, Para.(7)(a) - (e)	Accounting for recommendation of Finance Committee on financial	Decisions by the Assembly and the Council on the following issues shall take into account recommendations of the Finance Committee:

			management of the Authority	<p>(a) Draft financial rules, regulations and procedures of the organs of the Authority and the financial management and internal financial administration of the Authority;</p> <p>(b) Assessment of contributions of members to the administrative budget of the Authority in accordance with article 160, paragraph 2(e), of the Convention;</p> <p>(c) All relevant financial matters, including the proposed annual budget prepared by the Secretary-General of the Authority in accordance with article 172 of the Convention and the financial aspects of the implementation of the programmes of work of the Secretariat;</p> <p>(d) The administrative budget;</p> <p>(e) Financial obligations of States Parties arising from the implementation of this Agreement and Part XI as well as the administrative and budgetary implications of proposals and recommendations involving expenditure from the funds of the Authority;</p>
Secretary General	Rules of Procedure of the Council	Rule 31	Submitting budget (con't)	The Secretary-General shall draft the proposed annual budget of the Authority and submit it together with the recommendations of the Finance Committee to the Council for its consideration. The Council shall consider the proposed annual budget taking into account the recommendations of the Finance Committee and submit it to the Assembly, together with its own recommendations thereon
Secretary General	Rules of Procedure of the Council	Rule 33 (1)	Preparing estimate of expenditures	Before any proposal which involves expenditures from the Authority's funds is approved by the Council, the Secretary-General shall prepare, as early as possible, a report on the estimated costs involved as well as on administrative and budgetary implications with reference to existing financial authorizations and budgetary appropriations and submit it to the Finance Committee. After consideration by the Finance Committee, the report shall be circulated to all

				members of the Council together with the recommendations of the Finance Committee thereon.
COUNCIL	Rules of Procedure of the Council	Rule 33 (2)	Adopting proposals on expenditures	The Council shall take into account the estimates and recommendations referred to in paragraph 1 before adopting any proposal involving expenditure from the Authority's funds. If the proposal is adopted, the Council shall indicate, whenever appropriate, the priority or degree of urgency which it attaches to the proposal
COUNCIL	Rules of Procedure of the Council	Rule 33 (3)	Recommending withdrawals from contingency fund	The Council may, in accordance with the procedures established for the operation of a contingency fund to be set up, recommend withdrawals from the contingency fund to meet unanticipated emergencies that may arise before the next regular session of the Assembly
COUNCIL	UNCLOS	Annex III, Art. 13	Reviewing administrative fee	A fee shall be levied for the administrative cost of processing an application for approval of a plan of work in the form of a contract and shall be fixed at an amount of US\$ 500,000 per application. The amount of the fee shall be reviewed from time to time by the Council in order to ensure that it covers the administrative cost incurred
COUNCIL	ISBA/19/A/12	OP 5	Reviewing fees paid for processing of applications	Decides that the Council, upon the recommendation of the Finance Committee, shall review the amount of the overhead charge every two years to ensure that it continues to reflect the costs actually and reasonably incurred by the Authority and may in particular consider, in due course, whether to substitute a variable sum for each contract which is dependent upon the level of administrative costs actually and reasonably incurred by the Authority in relation to that contract
Secretary General	ISBA/20/C/21	OP 8	Ensuring budget proposals reflect priorities set by Council and Assembly	[Council] requests the Secretary-General to ensure that the budget is in line with the priorities set by the Council and the Assembly, in particular with the need to develop the exploitation code, and to make available all relevant documents used to prepare the reports of the Finance Committee
COUNCIL	UNCLOS	Art. 174(3)	Exercising borrowing power	The Council shall exercise the borrowing power of the Authority
COUNCIL	ISBA/8/C/5	Para 13	Funding participation in the	[Council] to review the question of modalities for financing participation in the meetings of the Legal and Technical Commission and the Finance Committee,

			LTC and Finance Committee	including, inter alia, the possibility of making provision from within the administrative budget of the Authority, and requests the Finance Committee to consider this matter further at its next meeting.”
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7. PLANS OF WORK

<i>Organ</i>	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
COUNCIL	UNCLOS	Art. 162(2)(j)	Approving plans of work	[Council shall] approve plans of work in accordance with [the conditions and criteria set forth in Annex III, article 6
COUNCIL	UNCLOS	Art. 162(2)(k)	Approving plans of work of the Enterprise	[Council shall] approve plans of work submitted by the Enterprise in accordance with Annex IV, article 12, applying, mutatis mutandis, the procedures set forth in subparagraph (j)
COUNCIL	UNCLOS	Art. 162(2)(x)	Disapproving areas where there is substantial risk of serious harm	[Council shall] disapprove areas for exploitation by contractors or the Enterprise in cases where substantial evidence indicates the risk of serious harm to the marine environment
Legal and Technical Commission	UNCLOS	Art. 165(2)(l)	Recommending disapproval where there is substantial risk of serious harm	[LTC shall] make recommendations to the Council to disapprove areas for exploitation by contractors or the Enterprise in cases where substantial evidence indicates the risk of serious harm to the marine environment
Legal and Technical Commission	UNCLOS	Art. 165(2)(b)	Reviewing plans of work and making recommendations	[LTC shall] review formal written plans of work for activities in the Area in accordance with article 153, paragraph 3, and submit appropriate recommendations to the Council. The Commission shall base its recommendations solely on the grounds stated in Annex III and shall report fully thereon to the Council
COUNCIL	1994 Agreement	Section 1, para. 6	Reviewing applications following receipt of Legal and Technical Commission recommendation	An application for approval of a plan of work for exploration shall be considered by the Council following the receipt of a recommendation on the application from the Legal and Technical Commission. The processing of an application for approval of a plan of work for exploration shall be in accordance with the provisions of the Convention,

				including Annex III thereof, and this Agreement, and subject to [additional terms in the 1994 Agreement]
COUNCIL/ Legal and Technical Commission	1994 Agreement	Section 3, para. 11	Approving recommendations of Legal and Technical Commission absent opposing supermajority	<p>The Council shall approve a recommendation by the Legal and Technical Commission for approval of a plan of work unless by a two-thirds majority of its members present and voting, including a majority of members present and voting in each of the chambers of the Council, the Council decides to disapprove a plan of work.</p> <p>If the Council does not take a decision on a recommendation for approval of a plan of work within a prescribed period, the recommendation shall be deemed to have been approved by the Council at the end of that period. The prescribed period shall normally be 60 days unless the Council decides to provide for a longer period. If the Commission recommends the disapproval of a plan of work or does not make a recommendation, the Council may nevertheless approve the plan of work in accordance with its rules of procedure for decision-making on questions of substance</p>
Legal and Technical Commission	ISBA/18/C/21	Paragraph 3	Request to undertake ‘full’ evaluation of annual reports and applications for approval of plans of work for explorations	[Council] requests the Commission, when evaluating the annual reports of the contractors and applications for approval of plans of work in the Area, to provide as full an evaluation as possible, taking into account the confidentiality of information received, in order to facilitate the performance by the Council of its functions;

8. LIMITATIONS AND CONTROLS

<i>Organ</i>	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
Secretary General	UNCLOS	Art. 168(1)	Duty to maintain international character of Secretariat	In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other source external to the Authority. They shall refrain from any

				action which might reflect on their position as international officials responsible only to the Authority.
Secretary General/ Legal and Technical Commission/ENTERPRISE/ Finance Committee	UNCLOS 1994 Agreement	Art. 163(8) Art. 168(2) Section 9, para. 6	Duty to avoid financial interest and to avoid disclosure of secret or confidential information	The Secretary-General and the staff [and Members of the Commissions] shall have no financial interest in any activity relating to exploration and exploitation in the Area. Subject to their responsibilities to the Authority, they shall not disclose, even after the termination of their functions, [re: the LTC/ENTERPRISE - any industrial secret, proprietary data which are transferred to the Authority in accordance with Annex III, article 14, or any other] confidential information coming to their knowledge by reason of their employment with the Authority.
Economic Planning Commission/Legal and Technical Commission	UNCLOS	Art. 163 (9)	Duty to exercise functions subject to Council directives	Each Commission shall exercise its functions in accordance with such guidelines and directives as the Council may adopt.
COUNCIL	UNCLOS Rules of Procedure of the Council	Art. 164(1) Art. 165(1) Rule 82	Qualifications for membership of the Economic Planning Commission/LTC	The Council shall endeavor to ensure that the membership of the [Economic and Planning/Legal and Technical] Commission reflects all appropriate qualifications such as those relevant to mining, management of mineral resources activities, international trade or international economics]. The [Economic and Planning] Commission shall include at least two members from developing States whose exports of the categories of minerals to be derived from the Area have a substantial bearing upon their economies.
ASSEMBLY	UNCLOS	Art. 174(2)	Limitations on borrowing power	The Assembly shall prescribe the limits on the borrowing power of the Authority in the financial regulations adopted pursuant to article 160, paragraph 2(f).

9. MONITORING, COMPLIANCE AND ENFORCEMENT

<i>Organ</i>	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
COUNCIL	UNCLOS	Art. 162(2)(l)	Exercise control over activities in the Area	[Council shall] exercise control over activities in the Area in accordance with article 153, paragraph 4, and the rules, regulations and procedures of the Authority
COUNCIL	UNCLOS	Art. 162(2)(u)	Instituting proceedings for non-compliance	[Council shall] institute proceedings on behalf of the Authority before the Seabed Disputes Chamber in cases of non-compliance
COUNCIL	UNCLOS	Art. 162(2)(w)	Issuing emergency orders	[Council shall] issue emergency orders, which may include orders for the suspension or adjustment of operations, to prevent serious harm to the marine environment arising out of activities in the Area
Legal and Technical Commission	UNCLOS	Art. 165(2)(k)	Recommending emergency orders	[LTC shall] make recommendations to the Council to issue emergency orders, which may include orders for the suspension or adjustment of operations, to prevent serious harm to the marine environment arising out of activities in the Area. Such recommendations shall be taken up by the Council on a priority basis
Secretary General	ISBA/19/C/17 (Exploration Regulations)	5(3) & 33(3-8)	Issuing temporary emergency orders	Pending any action by the Council, the Secretary-General shall take such immediate measures of a temporary nature as are practical and reasonable in the circumstances to prevent, contain and minimize serious harm or the threat of serious harm to the marine environment. Such temporary measures shall remain in effect for no longer than 90 days, or until the Council decides at its next regular session or a special session, what measures, if any, to take pursuant to paragraph 6 of this regulation
COUNCIL	UNCLOS	Art. 162(2)(z)	Establishing mechanisms for inspectors	[Council shall] establish appropriate mechanisms for directing and supervising a staff of inspectors who shall inspect activities in the Area to determine whether this Part, the rules, regulations and procedures of the Authority, and the terms and conditions of any contract with the Authority are being complied with

Legal and Technical Commission	UNCLOS	Art. 165 (3)	Inspection and supervision	The members of the Commission shall, upon request by any State Party or other party concerned, be accompanied by a representative of such State or other party concerned when carrying out their function of supervision and inspection.
Legal and Technical Commission	UNCLOS	Art. 165(2)(m)	Making recommendations for inspectors	[LTC shall] make recommendations to the Council regarding the direction and supervision of a staff of inspectors who shall inspect activities in the Area to determine whether the provisions of this Part, the rules, regulations and procedures of the Authority, and the terms and conditions of any contract with the Authority are being complied with
Legal and Technical Commission	UNCLOS	Art. 165(2)(c)	Supervising activities in Area on Council request	[LTC shall] supervise, upon the request of the Council, activities in the Area, where appropriate, in consultation and collaboration with any entity carrying out such activities or State or States concerned and report to the Council
Legal and Technical Commission	UNCLOS	Art. 165(2)(h)	Recommending monitoring programme for risks and effects of pollution and ensure regulations are adequate	[LTC shall] make recommendations to the Council regarding the establishment of a monitoring programme to observe, measure, evaluate and analyze, by recognized scientific methods, on a regular basis, the risks or effects of pollution of the marine environment resulting from activities in the Area, ensure that existing regulations are adequate and are complied with and coordinate the implementation of the monitoring programme approved by the Council
Legal and Technical Commission	UNCLOS	165(2)(d)	Assessing environmental implications	[LTC shall] prepare assessments of the environmental implications of activities in the Area
Secretary General	ISBA/25/C/3 7 (Decision of Council re: reports of LTC chair)	Para.13	Communicating and following up on inadequate performance	Council requests the Secretary-General to communicate the various issues identified during the Commission's review of the annual reports of contractors to the relevant contractors and sponsoring States and to follow up in writing with those contractors that are repeatedly performing inadequately or incompletely against an approved plan of work

Secretary General	ISBA 23/C/18	Para 12	Request to provide information to Council on non-compliance	[Council] requests that the Secretariat and/or the Commission provide further details on cases of non-compliance in circumstances in which the relevant contractor has not complied with a specific request in a letter received from the Secretary-General, including details regarding the relevant contractor, details with respect to repeated instances of non-compliance and recommendations to ensure compliance in the future
	ISBA/24/C/4			[Council] <i>Requests</i> that the Secretary-General report to the Council on an annual basis, identifying instances of alleged non-compliance and regulatory action recommended or to be taken

10. REPORTING AND RECORD-KEEPING OF AUTHORITY

<i>Organ</i>	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
Secretary General	UNCLOS	Art. 166(4)	Making an annual report to Assembly	The Secretary-General shall make an annual report to the Assembly on the work of the Authority
COUNCIL	UNCLOS	Art. 162(2)(g)	Considering reports of the Enterprise	[The Council shall] consider the reports of the Enterprise and transmit them to the Assembly with its recommendations
COUNCIL	UNCLOS	Art. 162(2)(h)	Presenting annual reports to Assembly	[The Council shall] present to the Assembly annual reports and such special reports as the Assembly may request
ASSEMBLY	UNCLOS	Art 175	Appointing auditor and undertaking annual audit	The records, books and accounts of the Authority, including its annual financial statements, shall be audited annually by an independent auditor appointed by the Assembly
Secretary General	Rules of Procedure of the Council	Rule 32 (1)	Translating and distribution of documents	The Secretariat shall receive, translate, reproduce and distribute documents of the Council and its organs to the members and observers of the Authority; interpret speeches made at the meetings; prepare and circulate, if so decided by the Council in accordance with rule 37, the

				records of the session; have the custody and proper preservation of the documents in the archives of the Authority; and, generally, perform all other work which the Council may require
COUNCIL	Rules of Procedure of the Council	Rule 37 (1)	Recording meetings	The Council may decide to keep summary records of plenary meetings; but all decisions taken by the Council and all statements made for the record shall be duly included in the published records of the Council. As a general rule, they shall be circulated as soon as possible, simultaneously in all the languages of the Council, to all representatives, who shall inform the Secretariat within five working days after the circulation of the summary record of any changes they wish to have made
Secretary General	Rules of Procedure of the Council	Rule 37 (2)	Making and retaining sound recordings	The Secretariat shall make and retain sound recordings of the meetings of the Council, and of its subsidiary organs when they so decide. The Secretariat shall provide appropriate facilities to enable members of the Authority to have access to such sound recordings of public meetings upon request

11. RULES, REGULATIONS, PROCEDURES

<i>Organ</i>	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
ASSEMBLY	UNCLOS	Art. 160(2)(f) (ii)	Approving rules, regulations, and procedures on Council's recommendation	[Assembly shall] consider and approve the rules, regulations and procedures of the Authority, and any amendments thereto, provisionally adopted by the Council pursuant to article 162, paragraph 2 (o)(ii). These rules, regulations and procedures shall relate to prospecting, exploration and exploitation in the Area, the financial management and internal administration of the Authority, and, upon the recommendation of the Governing Board of the Enterprise, to the transfer of funds from the Enterprise to the Authority;
COUNCIL	UNCLOS	Art. 162(2)(o) (ii)	Adopting rules, regulations, and procedures, taking into account recommendations	[Council shall] adopt and apply provisionally, pending approval by the Assembly, the rules, regulations and procedures of the Authority, and any amendments thereto, taking into account the recommendations of the Legal and Technical Commission or other subordinate organ

				concerned. These rules, regulations and procedures shall relate to prospecting, exploration and exploitation in the Area and the financial management and internal administration of the Authority
Legal and Technical Commission	UNCLOS	165(2)(f)	Formulating and submitting rules	[LTC shall] formulate and submit to the Council the rules, regulations and procedures referred to in article 162, paragraph 2(o), taking into account all relevant factors including assessments of the environmental implications of activities in the Area
Legal and Technical Commission	UNCLOS	165(2)(g)	Reviewing rules and recommending amendments	[LTC shall] keep such rules, regulations and procedures under review and recommend to the Council from time to time such amendments thereto as it may deem necessary or desirable
Legal and Technical Commission	UNCLOS	165(2)(e)	Recommending environmental protections	[LTC shall] make recommendations to the Council on the protection of the marine environment, taking into account the views of recognized experts in that field
Economic Planning Commission/Legal and Technical Commission /	UNCLOS	Art. 163(10)	Formulating and submitting rules to Council	Each Commission shall formulate and submit to the Council for approval such rules and regulations as may be necessary for the efficient conduct of the Commission's functions
Economic Planning Commission	UNCLOS	Art. 164(2)(a)	Duty to propose measures to implement Council decisions	[Economic Planning Commission shall] propose, upon the request of the Council, measures to implement decisions relating to activities in the Area taken in accordance with this Convention
Secretary General	ISBA/26/C/11	II(7)	Establishing informal working groups	<p>The facilitators will provide guidance to the Secretariat in compiling comments on the draft text, with a view to preparing a revised text, under their responsibility, for consideration by the Council.</p> <p>The facilitators will consult regularly with each other and the Secretariat to align the methods of work in each of the informal working groups.</p>

COUNCIL	1994 Agreement	Section 1, para. 15(a)	Elaborating rules when exploitation is imminent or on State request	The Council may undertake [elaboration of rules, regulations and procedures necessary to facilitate the approval of plans of work for exploration or exploitation] any time it deems that all or any of such rules, regulations or procedures are required for the conduct of activities in the Area, or when it determines that commercial exploitation is imminent, or at the request of a State whose national intends to apply for approval of a plan of work for exploitation;
COUNCIL	1994 Agreement	Section 1, para. 15(b)	Completing elaboration in two years	If a request is made by a State referred to in subparagraph (a) the Council shall, in accordance with article 162, paragraph 2(o), of the Convention, complete the adoption of such rules, regulations and procedures within two years of the request;
COUNCIL	1994 Agreement	Section 1, para. 15(c)	Considering application if elaboration of rules not complete	If the Council has not completed the elaboration of the rules, regulations and procedures relating to exploitation within the prescribed time and an application for approval of a plan of work for exploitation is pending, it shall none the less consider and provisionally approve such plan of work based on the provisions of the Convention and any rules, regulations and procedures that the Council may have adopted provisionally, or on the basis of the norms contained in the Convention and the terms and principles contained in this Annex as well as the principle of non-discrimination among contractors

12. SUBSIDIARY ORGANS

<i>Organ</i>	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
ASSEMBLY	UNCLOS	Art. 160(2)(d)	Assembly may establish subsidiary organs	[Assembly shall] establish such subsidiary organs as it finds necessary for the exercise of its functions in accordance with this Part.

COUNCIL	UNCLOS	Art. 162(2)(d)	Council may establish subsidiary organs	[Council shall] establish, as appropriate, and with due regard to economy and efficiency, such subsidiary organs as it finds necessary for the exercise of its functions in accordance with this Part.
Secretary General	UNCLOS	314 (1)	Circulation of proposed amendments regarding activities in the Area	A State Party may, by written communication addressed to the Secretary-General of the Authority, propose an amendment to the provisions of this Convention relating exclusively to activities in the Area, including Annex VI, section 4. The Secretary-General shall circulate such communication to all States Parties.

FUNCTION OF THE ENTERPRISE Organ	<i>Document</i>	<i>Provision</i>	<i>Short Description</i>	<i>Content</i>
Secretary General	1994 Agreement	Section 2, para. 1	Functions of Enterprise performed by Secretariat	The Secretariat of the Authority shall perform the functions of the Enterprise until it begins to operate independently of the Secretariat. The Secretary-General of the Authority shall appoint from within the staff of the Authority an interim Director-General to oversee the performance of these functions by the Secretariat.
COUNCIL	1994 Agreement	Section 2, para. 2	Council to take up issue of functioning of the Enterprise	Upon the approval of a plan of work for exploitation for an entity other than the Enterprise, or upon receipt by the Council of an application for a joint-venture operation with the Enterprise, the Council shall take up the issue of the functioning of the Enterprise independently of the Secretariat of the Authority. If joint-venture operations with the Enterprise accord with sound commercial principles, the Council shall issue a directive pursuant to article 170, paragraph 2, of the Convention providing for such independent functioning.