

**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:

Republic of Nauru

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

Regulation 2

General comments: this regulation has grown organically, and contains a mix of policies and principles, with much text simply repeated from the Convention. Indeed, text continues to be offered for incorporation by member States and Observers.

These exploitation regulations are intended principally to regulate the relationship between the Authority and applicants / contractors (application process, ongoing regulation, decision-making etc.) and, related to this, the interface with other actors and stakeholders. Consequently, the regulations must contain provisions that implement principally the requirements of the Convention, not least the basic conditions of exploitation contained in Annex III, and international norms consistent with the Convention, in a language, and with a structure that is practical and implementable.

The core output of this regulation 2 is stated at paragraph (i), namely to “Ensure that these regulations, and any decision-making thereunder, are implemented in conformity with these fundamental policies and principles”. This is a noble goal, but the current framing and content of regulation 2 serves to confuse, if not make its application unworkable. Equally, certain content would be more suited to setting out the object or purpose of the regulations – inherent in the language “provide for” etc. – rather than principles for implementation.

We suggest that this regulation 2 be reduced to core principles for the implementation of, and decision-making under the regulations, consistent with the Convention. Reference could also be made to any specific policies to be adopted by the Council which seek to guide the implementation of the regulatory text.

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