

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

Informal Working Group – Inspection, Compliance and Enforcement

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:

UK

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

Regulation 100

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 100

Inspectors to report

1. [~~Immediately after~~] At the end of an inspection, the Inspector shall ~~prepare~~ **deliver a** prepare a report **promptly**, [~~in accordance with the template to be prescribed in the standards~~], setting out the, inter alia, his or her general findings and any recommendations for improvements in [performance], procedures or practices by the a Contractor. The Inspector shall send the report to the Secretary-General and the Secretary-General shall send a copy of the report to the Contractor and to the sponsoring State or States and, if appropriate, the relevant coastal State or States and the flag State.

2.bis Inspection reports drawn up by Inspectors shall constitute admissible evidence in administrative or judicial proceedings.

3. The Secretary-General shall report acts of violence, intimidation or abuse against or the wilful obstruction or harassment of an Inspector **in the course of their duty**, by any person or the failure by a Contractor to comply with regulation 96. **The Secretary- General shall:**

(a) Report such acts immediately to the sponsoring State or States and the flag State of any vessel or Installation concerned [~~and the national State of the Inspector~~] for consideration of the institution of proceedings under national law.; and

(b) Report such acts to the [Secretary-General] and consider the exercise of powers under regulation 103.

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

Click or tap here to enter text.

Para 1 – The UK welcomes specifies a time period for the inspection report, but the addition of “immediately after” could have unhelpful consequences. The UK cannot agree to “Immediately after..”but could agree with wording such as “.. the Inspector shall deliver a report promptly..”

Para 2 (bis) – The UK has concerns that these Regulations cannot dictate the judicial system, including rules of evidence, of States.

Para 3 – The UK requests that the phrase “in the course of their duty” should be added as it is not acts outside of that.