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

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:**

United States of America

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

Draft Regulations 96.2 and 96.5

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.**

Regulation 96:
2.   The Authority's contract with t~~T~~he Contractor shall authorize ~~permit~~ the Authority to send its Inspectors, who may be accompanied by a representative of its State or other party concerned, ~~in accordance with article 165 (3) of the Convention~~, aboard vessels and Installations, whether offshore or onshore, used by the Contractor to carry out Exploitation activities under an exploitation contract, as well as to enter its offices wherever situated. To that end, Members of the Authority, in particular the sponsoring State or States, shall assist the Council, the Secretary-General and Inspectors in discharging their functions under the Rules of the Authority.
5.   The Authority's contract with the contractor shall require t~~T~~he Contractor and its agents and employees to ~~shall~~ facilitate the actions of the Inspectors in the performance of their duties, and shall:

4. **Please indicate the rationale for the proposal. [150 word limit]**
   In order to avoid any perceived conflict with the authority of the flag State to authorize the boarding of a flagged vessel, it would be preferable to place the inspection obligation in the contract between the Authority and the contractor. Likewise, duties of the contractor should be set forth in the contract so that breaches of duties can have contractual consequences.