

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> SESSION:**

**COUNCIL - PART 3**

*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:** Republic of Costa Rica

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

Regulation 58, ISBA/25/C/WP.1

**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 58**

**Review of ~~activities under~~ a Plan of Work**

1. At intervals not exceeding five years from the date of signature of the exploitation contract, or where, ~~according to the relevant organ of the Authority, as appropriate, in the opinion of the Secretary General, and taking into account the applicable Standards,~~ there have occurred any of the following events or changes of circumstance:

(a) A proposed Material Change in the implementation of the Plan of Work;

(a bis) Identification of a new environmental risk, or a significant change to existing risk calculations

(a ter) An indication that the cumulative impacts of the Exploitation activities exceed any environmental objectives or thresholds as established under the applicable Regional Environmental Management Plan;

(a qtr) New information relevant to the effective protection of the marine environment

(b) Any Incident;

(c) Recommendations for improvement in procedures or practices following an inspection report under regulation 100;

(d) A performance assessment which requires action under regulation 52 (8);

(e) Changes in ownership or financing which may adversely affect the financial capability of the Contractor;

(f) Changes in Best Available Techniques;

(g) Changes in Best Available Scientific ~~Information Evidence~~; or

(h) Operational management changes, including changes to subcontractors, ~~the Secretary General may~~ **the relevant organ of the Authority, as appropriate** shall review with the Contractor the Contractor’s activities under

the Plan of Work, and shall such organ shall **recommend to the Council** whether any modifications to the Plan of Work are necessary or desirable.

2. A review of activities shall be undertaken in accordance with the relevant regulations, Standards and Guidelines. The Secretary-General ~~or~~ and the Contractor ~~may~~ **shall** invite the sponsoring State or States, **and relevant coastal states**, to participate in the review of activities performed by the appropriate organ of the Authority.

3. The Secretary-General shall report on each review to the Commission and Council, and the sponsoring State or States. Where, as a result of a review, the Contractor wishes to make any changes to a Plan of Work and such changes are Material Changes requiring the approval of the Council, based on the recommendation of the Commission, the Contractor shall seek that approval in accordance with regulation 57 (2) and, where applicable, regulation 57 (3).

**Alt.1.** The organ in charge of the review shall report on each review to the Commission and Council, the sponsoring State or States and the relevant coastal states. Where, as a result of a review, material changes need to be made to the Plan of Work, the Commission shall recommend said changes to Council and the Contractor shall implement such changes as soon as viable.

Where, as a result of a review, the Contractor wishes to make any changes to a Plan of Work and such changes are Material Changes requiring the approval of the Council, based on the recommendation of the Commission, the Contractor shall seek that approval in accordance with regulation 57 (2) and, where applicable, regulation 57 (3).

4. For the purpose of the review, the Contractor shall provide all information required by the Secretary-General in the manner and at the times the Secretary-General requests.

5. Nothing in this regulation shall **preclude the appropriate organ of the Authority, the Secretary-General** the Sponsoring State or the Contractor from making a request to initiate discussions regarding any matter connected with the Plan of Work, exploitation contract or the activities under the exploitation contract in cases other than those listed in paragraph 1 above.

6. The Secretary-General shall make publicly available the findings and recommendations resulting from a review of activities under this regulation.

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