

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

*Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to [council@isa.org.jm](mailto:council@isa.org.jm).*

**1. Name of Working Group:**

Informal Working Group on the Protection and Preservation of the Marine Environment

**2. Name(s) of Delegation(s) making the proposal:**

Australia

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

Draft Regulation 59

**4. 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.**

2. The objectives of a Closure Plan are to ensure that:

(a) The closure of mining activities is a process that is incorporated into the mining life cycle, including by scheduling studies to inform Closure **before and** throughout the period of Exploitation and is conducted in accordance with Good Industry Practice, Best Environmental Practices, Best Available Techniques and Best Available Scientific Evidence;.

...

(d) Any health and safety requirements related to closure activities **are identified and implemented;**

(e) Any residual Environmental Effects continue to be monitored, identified, quantified and reported to the Authority and management responses are implemented **within a time period specified by the Contractor**, including plans for further Mitigation, or remediation where appropriate;

...

5. In the five years preceding the planned end of the period of Exploitation, the Closure Plan shall be updated annually and be finalized in accordance with regulation 60(1). Otherwise, the ~~The~~ Closure Plan shall be updated each time there is a Material Change in a Plan of Work, or, in cases where no such change has occurred, every five years and be finalized in accordance with regulation 60 (1).

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

Paragraph 2(a): Australia supports the new text in paragraph 2(a), however would prefer that further clarification is necessary to ensure that baseline and monitoring data collected *before* the commencement of mining is also taken into consideration by the Contractor.

Paragraph 2(d): Australia proposes additional text to ensure that any health and safety requirements related to closure activities are identified by the Contractor and implemented.

Paragraph 2(e): Australia considers that a Contractor should specify a time period for implementation of management responses.

Paragraph 5: Australia considers that a frequency of every 5 years is suitable for usual operations. However, as the end of production approaches, there should be more active efforts to update the Closure Plan to ensure it remains implementable. As a result, Australia suggests that preceding the planned end of production, the Closure Plan should be updated annually.