

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH 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:

African Group of 47 Member States

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

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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.

1. Subject to the provisions of section 8.3 of the exploitation contract, the maximum initial term of an exploitation contract is 30 years ~~and 50 years for contractors which are developing States.~~ ~~the parties may agree to a minimum initial term of 15 years.~~ taking account of the expected economic life of the Exploitation activities of the Resource category set out in the Mining Workplan and including a reasonable time period for the construction of commercial-scale mining and processing systems.
3. The Contractor shall supply ~~a revised plan of work, as well as~~ such documentation as may be specified in the ~~applicable~~ ~~Standard and~~ ~~relevant~~ Guidelines. ~~If the Contractor wishes to make any changes to a Plan of Work [and such changes are Material Changes], the Contractor shall submit a revised Plan of Work [including an updated EIA].~~
6. The Commission shall recommend to the Council the approval of an application to renew an exploitation contract, and ~~an exploitation contract shall be renewed by the Council~~ ~~an exploitation contract may be renewed by the Council~~ ~~and the Council approves the renewal application~~, provided that:
8. Any renewal of an exploitation contract shall be effected by the execution of an instrument in writing by the Secretary-General or duly authorized representative, and the designated representative or the authority designated ~~under regulation 5 (2) by the Contractor~~. The terms of a renewed exploitation contract shall be those set out in the standard exploitation contract annexed to these regulations that is in effect on the date that the Council approves the renewal application.

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

para (1), we do not support the proposed amendments. We consider that a maximum duration of 30 years should be applied equally amongst contractors. We further consider that it is only necessary to state the ceiling of the duration, but not the floor.

para (3), we agree that a revised plan of work must be submitted with an application for renewal as indicated by the first bracketed text. Accordingly, the second sentence should be deleted. We also support the inclusion of the need to submit an updated EIA and this bracketed text should remain and be added to the first sentence. We also note that phrasing when referring to the Standards and Guidelines needs to be consistent throughout the Regs.

para 6, we prefer 'may' rather than 'shall' and therefor support the square brackets that state 'an exploitation contract may be renewed by the Council'.

para 8, and the phrase 'authority designated by the Contractor' we suggest that this be aligned with reg 17(2) which uses the phrasing 'the designated representative or the authority designated under regulation 5 (2)'