

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

Informal Working Group on 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 council@isa.org.jm.

1. Name of Working Group:

Informal Working Group on Inspection, Compliance and Enforcement

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

China

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

Regulation 101 ~~[Review of the Inspector's decision]~~ [Complaints]

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.

***Note: China's amendments are in Blue**

1. ...in writing to the ~~{Secretary-General} {Council} {Inspectorate}~~, who shall report to the Commission for its consideration of the complaint as soon as practicable.

[1 Alt ... in writing to the Secretary-General ~~Inspectorate~~, who shall report to the Commission for its consideration of the complaint as soon as practicable.]

2. The ~~{Secretary-General} {Inspectorate}~~ Council shall on the basis of the recommendations of the Commission, ~~may~~ take ~~may such~~ reasonable action as is necessary in response to the complaint.

~~{3. The Inspectorate shall issue a report to the Authority describing the complaint and the action taken in response to such a complaint.}~~

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

Regarding paragraph 1 and 1 Alt, the Convention neither stipulates nor presupposes the future establishment of the so-called "Inspectorate", and it is suggested to delete it. In accordance with Article 165 (2) (m) of the Convention, the Commission shall make recommendations to the Council regarding the direction and supervision of a staff of inspectors. Therefore, after receiving the complaint, the Secretary-General

shall report to the Commission, and the Commission shall consider the complaint, and make recommendations to the Council.

Regarding paragraph 2, the Convention neither stipulates nor presupposes the future establishment of the so-called “Inspectorate”, and it is suggested to delete it. In accordance with Article 162 (2) (z) of the Convention, the Council is the organ of the Authority to exercise inspection functions. Therefore, it is up to the Council to consider the relevant complaints and make decisions based on the recommendations of the Commission.

Regarding paragraph 3, in accordance with the preceding two paragraphs, the Council shall consider relevant complaints and make decisions based on the recommendations of the Commission. There is no need to add this paragraph.