

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

President's text

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:

President's text

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

China

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

Regulation 26

Environmental Performance Guarantee

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**

2. The required form and amount of the Environmental Performance Guarantee shall be determined according to the ~~[Guidelines]~~ [relevant] [Standards] [rules] [applicable Standard and take account of the applicable Guidelines], and shall reflect the likely costs required for:

~~(a) bis. [The repair of an in-service submarine cable or pipeline in, or adjacent to, the application area that was damaged as a result of the Contractors activities;]~~

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

Regarding paragraph 2(a) bis, although the use of the Environmental Performance Guarantee needs further defining and clarifying, the repair of submarine cable or pipeline is apparently beyond the subject of the Environmental Performance Guarantee. The damage to the submarine cable or pipeline shall be the dispute between the owners of submarine cables or pipes and the Contractors, and shall not be covered by Environmental Performance Guarantee.

Regarding Paragraph 6, it provides for the repayment or release of any Environmental Performance Guarantee, or part thereof, upon compliance by the Contractor of its obligations that are the subject of the Environmental Performance Guarantee. However, the obligations that are the subject of the Environmental Performance Guarantee to be complied with by the Contractor are not clear, which is recommended to be clarified.