

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

1. Name of Working Group:

Inspection, Compliance and Enforcement

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

Federal Republic of Germany

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

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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.

1. At any time, if it appears to the ~~{Secretary-General}~~[Inspectorate] based on reasonable grounds that a Contractor is in breach of the terms and conditions of its exploitation contract, Part XI and the rules, regulations and procedures of the Authority, the ~~{Secretary-General}~~ [Inspectorate] shall issue a compliance notice to the Contractor requiring the Contractor to take such action as may be specified in the compliance notice ~~{and report immediately to the Council}~~.

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

It is clear to us that while the Secretariat plays an important administrative role in this respect, it is by itself not the appropriate organ to make the sole determination that there is an instance of non-compliance. The rest of this provision should be amended accordingly. Non-compliance is a matter for the Council. Further, we share the view that non-compliance goes further than just inspection (for which a staff of inspectors or an Inspectorate body is envisaged). We appreciate the proposal to establish a Compliance Committee within the Council and would welcome further discussion on this matter.