

**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:**

Protection and Preservation of the Marine Environment

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

The Pew Charitable Trusts

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

Draft Regulation 61

**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.**

The facilitators’ proposed amendments are reflected in **red**.

Our proposed amendments and our questions or comments regarding the facilitator’s remarks are indicated as in-line edits in **blue**. Where we propose deletions of the facilitator’s text this is shown **in strikethrough and bold**.

1. A Contractor shall implement the final Closure Plan ~~in accordance with the conditions of its implementation~~ and shall report to the Secretary-General on the progress of such implementation on an annual basis, including the results of monitoring **conducted pursuant to the monitoring programme contained under paragraph 2 below, as set out** in the final Closure Plan.

3. ~~Upon completion of implementation of the final Closure Plan,~~ **the Contractor shall hire a competent and independent auditor to** conduct a final performance assessment and submit a final performance assessment report in accordance with the Guidelines to the Secretary-General to ensure that the closure objectives as described in the final Closure Plan have been met. Such report shall be reviewed by the Commission at its next meeting, provided that it has been circulated at least 30 Days in advance of the meeting **and the Commission shall provide a report and recommendations upon that performance assessment report to the Council, who shall decide whether the final Closure Plan has been satisfactorily delivered, which decision shall be relevant to the retention, release, forfeiture or use by the Authority of the Contractor’s Environmental Performance Guarantee. The report shall be published on the website of the Authority.**

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

Regarding paragraph 3, as mentioned by other member States, we believe that these regulations are missing a final decision on if the Contractor's duties have been discharged (such that the EPG can be released – or otherwise). We have offered some proposed text accordingly in paragraph 3.