

**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 WG

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

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

Reg 96 Inspections: general

- 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.**

Para 3. The [Inspectorate] shall give reasonable notice, **in the circumstances**, to the Contractor of the projected time and duration of inspections ~~for a period as necessary~~, the names of the Inspector(s) and any activities that the Inspector(s) are to perform that are likely to require the availability of special equipment or special assistance from the personnel of the Contractor, save in situations where the [Inspectorate] has reasonable grounds to consider the matter to be so urgent that notice cannot be given, in which case the [Inspectorate] may, where practicable, exercise the right to conduct an inspection without prior notification, [pursuant to Regulation 4(5)].

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

The circumstances of no notice would be very rare indeed, however, the UK’s proposal at Council of the textual addition of “**in the circumstances**” allows for this.

The text “**for a period as necessary**” does not make sense grammatically and the UK proposes its deletion.

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Reg 96

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Para 5 (d) - The Contractor and its agents and employees ~~[shall facilitate the actions of]~~ [shall cooperate with the Inspectors and give full assistance to] the Inspectors in the performance of their duties, and shall:

(d) Provide access to [relevant] monitoring equipment, books, documents, papers and records ~~[which are necessary and directly pertinent]~~ to [determine compliance with terms and conditions of a contract and these Regulations including with] the financial payments [terms and to verify the expenditures referred to in the Plan of Work];

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

Para 5 (d) The UK does not support the insertion of “relevant” as the access is to determine compliance and recommends it is deleted. The UK considers it is important to require the provision of passwords to ensure access to the data.