

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28<sup>TH</sup> SESSION:  
COUNCIL - PART I**

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:** IWG Environment
  
2. **Name(s) of Delegation(s) making the proposal:** Australia
  
3. **Please indicate the relevant provision to which the textual proposal refers.**

DR 50(2) - proposed amendments are in green text

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.**

**Regulation 50  
Restriction on Mining Discharges**

...

2. Paragraph 1 above shall not apply if such disposal, dumping or discharge into the Marine Environment is necessary for the safety of the vessel or Installation or the safety of human life, provided that ~~all reasonable measures are taken to such disposal, dumping or discharge is conducted so as to all~~ minimize the likelihood of ~~damage-harm~~ to human life and ~~of prevent Serious~~Harm to the Marine Environment, ~~and If Serious -Harm to the Marine Environment occurs as a result of disposal, dumping or discharge, the Contractor shall monitor, and mMitigate and remediate the impacts of such harm-, if such harm has occurred, to monitor and Mitigate its impacts, and such disposal, dumping or discharge and shall be reported forthwith to the Authority a Contractor shall report anyabout such disposal, dumping or discharge under this paragraph to the Authority, as soon as possible.~~

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

Australia suggests that ‘monitor’ and ‘mitigate’ should be followed by ‘remediate’. From our perspective, mitigation refers to taking action throughout an activity to prevent harm, while ‘remediate’ refers to restoring or reversing harm *once it has occurred*. We consider this is important to capture in this regulation, as a Contractor should remediate the effects of any serious harm to the marine environment if the harm was not able to be effectively mitigated.