

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH 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.

- 1. Name of Working Group: Inspection, Compliance and Enforcement**

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

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

DR 100 (1) and 1 bis alt – 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.**

1. ~~At~~ **No later than** thirty days after the end of an inspection, the Inspector shall (prepare and deliver a report [promptly] [without delay] to the [Compliance Committee] [Inspectorate] in accordance with the template and other requirements prescribed in the applicable standards, setting out the findings and any recommendations for improvements in performance, procedures or practices by a Contractor. The [Inspectorate] [Inspector(s)] [Compliance Committee] shall send the report to the [Secretary General, the Commission and the Council] [Contractor and its sponsoring State or States, as well as the Compliance Committee] as soon as it is completed and [the Secretary-General shall send immediately a copy of the report to the Contractor.] ...

1 bis alt. The Contractor and the sponsoring State or States may within thirty days of the date of receipt of the Inspector’s report, provide to the Secretary-General comments on the findings and recommendations, **including details of any action taken or to be taken.**

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

An Inspector’s report should be delivered without undue delay. Requiring the Inspector’s report in paragraph 1 to be delivered ‘No later than’ thirty days after the end of an inspection emphasises that an inspection report is to be delivered promptly.

It is important to receive information from the Contractor and the Sponsoring State or States on any actions taken or in response to an Inspector's finding or recommendations. Paragraph 1bis alt should include the words 'including details of any action taken or to be taken.'

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- 1. Name of Working Group: Inspection, Compliance and Enforcement**

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DR 100 (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.**

2. The [Compliance Committee] [Inspectorate] shall report annually to the Council on the findings and recommendations following the inspections conducted in the prior Calendar Year, as compiled in a report by the Inspectors and any compliance actions taken by the Compliance Committee and shall make any recommendations to the Council on any regulatory action to be taken by the Council under these regulations and an exploitation contract, taking account of any regulatory action taken by the sponsoring State or States or corrective actions taken by a Contractor to address the findings or recommendations. The Council may request the Legal and Technical Commission to review the findings and recommendations of inspection reports and provide recommendations to the Council on regulatory improvements. The Council shall invite the attention of the Assembly to cases of non-compliance in accordance with Article 162(2)(a) of the Convention.

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

The Council could refer matters arising from inspection reports to the Legal and Technical Commission. This would allow the Commission to consider whether the results of the inspection reports indicate amendments to the rules, regulations and procedures of the Authority are warranted.