

**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 46(2)(b) - 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 46  
Environmental management system**

...2. An environmental management system shall, inter alia:

(a) Deliver the Authority’s environmental objectives in the area under application as reflected in the applicable Regional Environmental Management Plan and the Applicant’s Environmental Management and Monitoring Plan, as well as any additional objectives as set by the Contractor or Sponsoring State;

(b) Be audited ~~†annually†~~ **periodically** by an independent recognized and accredited international or national organization, in accordance with applicable Standards and Guidelines, at an interval to be agreed to by the Legal and Technical Commission and the Contractor; and

(c) Facilitate effective reporting to the Authority in connection with environmental performance, pursuant to Regulations 33, 34, 38, 39, and 52.

(d) Undergo ~~†periodic†~~ **[annual] management review** and include the results in the Contractor’s annual reports and the performance assessment of the Environmental Management and Monitoring Plan under Regulation 52.

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

With respect to the auditing and review of environmental management systems, Australia considers that timeframe used in in Regulation 46(2), subparagraphs (b) and (d) need to be

revised, as we consider that 'periodically' or 'periodic' is too vague and does not provide sufficient certainty.

As deep seabed mining activities involve the use of new techniques and technologies in new environments, there is potential for a high level of uncertainty that creates a high level of project risk. For these reasons, it is appropriate to audit and undertake management reviews of environmental systems annually.