

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

***Informal Working Group - Environment***

*Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete.*

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

Federal Republic of Germany

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

Draft Regulation 46

**3. 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**

1. A Contractor shall develop, implement and maintain an environmental management system, in compliance with the Standards and taking account of the relevant Guidelines ~~as well as Good Industry Practice, Best Available Scientific Evidence, and in accordance with [Good Industry Practice and] internationally recognized standards.~~

~~[H]is The Commission will develop a document that will set the binding minimum Standards for an Environmental Management Plan System.~~

~~[H]er Compliance with this regulation is a fundamental term of the contract, for the purposes of Rregulation 103.]~~

2. An environmental management system shall, inter alia:

(a) Deliver the Authority’s environmental objectives in the contract area~~project area under application~~ as reflected in the applicable Regional Environmental Management Plan and the Applicant’s Environmental Management and Monitoring Plan and the applicable Regional Environmental Management Plan, as well as any additional objectives as set by the Contractor or Sponsoring 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~~defined by the EMS~~ related Standard for the environmental management system; and

(c) Facilitate effective reporting to the Authority in connection with environmental performance, pursuant to Regulations 33, 34, 38, 39, and 52~~and 58,~~ and

(d) Undergo ~~periodic review~~ an annual management review by means of ~~and include the results in~~ the Contractor's annual reports and the performance assessments of the Environmental Management and Monitoring Plan under Regulation 52.

(e) ~~Be in accordance with Best Available Scientific Evidence, Best Environmental Practices and Best Available Techniques and Good Industry Practice, and Internationally Recognized Standards~~

3. A proposed change to a Contractor's Environmental—environmental Management—management System—system shall be treated the same as a modification of to a Plan of Work, pursuant to regulation 57.

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

In Paragraph 1, we would be interested in receiving more information on the relevance of Good Industry Practise, in relation to the relevant international (ISO) standard(s).

We question the need to add (e) as it duplicates Para 1.

Further drafting proposals in text.