

**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:

Informal Working Group – Environment.

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

Submitted by Nauru Ocean Resources Inc. and Tonga Offshore Mining Ltd.

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

Draft Reg. 46(3).

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.

(3) All changes to a Contractor’s Environmental Management System shall be reflected in the Contractor’s annual reports. A proposed material change to a Contractor’s Environmental Management System shall be treated the same as a modification of a Plan of Work, pursuant to regulation 57.

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

- The Environmental Management System (EMS) is an iterative process that will involve multiple updates and amendments.
- We consider that the proposed text of Draft Reg. 46(3) will discourage these amendments, hampering a Contractor’s ability to refine the EMS and capture best available techniques. This is contrary to best practice and adaptive management procedures.
- We propose that any changes to the EMS should be reflected in the Contractor’s annual report. The Commission can review them accordingly.
- We consider that only proposed material changes should be treated as a modification to the plan of work pursuant to Draft Reg. 57.