

**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:**

**Marine Environment**

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

**African Group**

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

**Reg 61**

**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.**

4. If the Council decides that a Contractor has failed to meet the conditions of, or deadlines related to, the final Closure Plan and reporting hereon, it can reject approval of the Compliance Assessment Report plan until satisfactory mitigating measures have been made by the Contractor. Until the Compliance Assessment Report Closure Plan has been approved by the Council the Environmental Performance Guarantee is retained and will be forfeited if no satisfactory Compliance Assessment Report plan is submitted. Retention and forfeiture of the Environmental Performance Guarantee is carried out in accordance with the relevant Standards and Guidelines without prejudice to other liabilities the Contractor may incur in accordance with International Law, the Convention or other applicable rules.

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

Regarding para 4, we question if the ‘plan’ and ‘closure plan’ referred to should in fact be the Compliance Assessment Report as mentioned in para 3?