

**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:
IWG Inspection, Compliance and Enforcement**
- 2. Name(s) of Delegation(s) making the proposal:
Interoceanmetal Joint Organization**
- 3. Please indicate the relevant provision to which the textual proposal refers.**

Regulation 96

Para 2: IOM doesn't quite understand what "other party" means, I am referring here to the phrase "[upon request by sponsoring States, any other State Party or other party concerned...], we would be very grateful for clarification in this matter.

Then same regulation **3 bis** inspection without prior notification. We do understand rationale behind this provision, it is easy to imagine that there is such an urgent situation that the inspector must act immediately. But we would like to avoid the situation where an inspector shows up out of nowhere in the contractor's license area as it poses unnecessary risk on the inspector.

We are of the opinion that for the safety reasons the contractor should be informed beforehand that the inspector will arrive; even a couple of hours in advance is better than nothing. Maybe our understanding of this provision is completely wrong and if it's the case IOM seeks for clarification in this matter.

Regulation **96.5a bis** – it says that the contractor shall "Keep the Secretary-General and sponsoring State or States notified of proposed vessel schedules at least 30 days before any vessel commences its voyage to a Contractor's Contract Area". Here a word "any" raises our doubts as one can easily imagine that there are some emergency or urgent situations requiring a vessel to be sent immediately to the contract area. We propose to amend this provision by adding this option.

Regulation 98

1(e) says that An inspector may Inspect or **test** any machinery or equipment used by a contractor.

We seek for clarification what a word "test" means here. Does it mean that an inspector would be given the right to "operate" machinery or equipment? We would like to underline here that even the simplest testing of machinery or equipment requires at least basic training but in most cases only qualified specialists can operate machinery or equipment. We would welcome amendments to this provision.

Regulation 102

102(2)(a)(b) introduce the obligation to record “where technically feasible in real time, inter alia, the date, time and position of all mining activities and environmental data”

IOM would like to ask how long shall those data be stored and maintained by a contractor?