

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH SESSION:
COUNCIL - PART II**

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:

Institutional Matters

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

Federal Republic of Germany

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

DR 6

Red text is in original draft; **blue text** indicates Germany's textual proposals

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.

DR 6

Certificate of sponsorship

1. Each application [by a State enterprise or ~~[one]~~ **another one** of the entities] referred to in regulation 5(1)(b)] ~~{alt: by an entity referred to in regulation 5(1)(b)}~~ shall be accompanied by a certificate of sponsorship issued by the State of which it is a national or by whose nationals it is effectively controlled. If the applicant has more than one nationality, as in the case of a partnership or consortium of entities from more than one State, each State involved shall issue a certificate of sponsorship.

2. Where an applicant has the nationality of one State but is effectively controlled by another State or its nationals, each State shall issue a certificate of sponsorship.

3. Each certificate of sponsorship shall be duly signed on behalf of the State by which it is submitted, and shall contain:

(a) The name **[address and contact details]** of the applicant;

(b) The name of the sponsoring State;

(c) A statement **[and supporting evidence]** that the applicant is:

(i) A national of the sponsoring State; or

(ii) Subject to the effective control of the sponsoring State or its nationals;

(d) A statement by the sponsoring State that it sponsors the applicant, **together with a;**

~~[(d) bis. A copy or description of the necessary and appropriate measures taken by the State to secure effective compliance pursuant to article 139 (2) of the Convention, and to ensure legal recourse for compensation in accordance with article 235 (2) of the Convention.]~~

(e) The date of deposit by the sponsoring State of its instrument of ratification of, or accession or succession to, the Convention, and the date on which it consented to be bound by the Agreement; and

~~[alt. proposal to delete (e), because the date of deposit of the relevant instrument and the date on which the State consented to be bound by the Agreement are known to the Authority and need not be repeated in the certificate of sponsorship.]~~

(f) A declaration that the sponsoring State assumes responsibility in accordance with articles 139 and 153 (4) of the Convention and article 4 (4) of annex III to the Convention.

~~[alt. proposal to delete (f) as unnecessary, because the responsibilities of a sponsoring State do not depend on such a declaration, but on the legal force of the Convention, as activated by the issue of a certificate of sponsorship.]~~

4. States or other qualified applicants in a joint arrangement with the Enterprise shall also comply with this regulation.

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

- Germany suggests reverting to the original text in paragraph 1, which mirrors the Exploration regulations.
- We are amenable to the proposed addition of “and supporting evidence” in paragraph 3(c), but we have suggested similar wording in DR 5.
- We welcome the addition of DR3(d)(bis) and would suggest merging the text there with DR3(d).
- We do not support the deletion of paragraphs 3(e) and (f), since these also feature in the Exploration regulations and would be useful information.