

**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 on Institutional Matters

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

The Pew Charitable Trusts

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

DR 90

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.

Regulation 90

Procedures to ensure confidentiality

1. The Secretary-General shall be responsible for maintaining the confidentiality of all Confidential Information **held by the Authority** and shall not, except with **good cause or** the prior written consent of a Contractor, release such information to any person external to the Authority. To ensure the confidentiality of such information, the Secretary-General shall establish procedures, consistent with the provisions of the Convention, governing the handling of Confidential Information by members of the Secretariat, members of the Commission[, **members of the Council,**] and any other person participating in any activity or programme of the Authority. Such procedures shall include:...

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

In DR90(1), we suggest some small drafting amendments to clarify that the provision relates to Confidential Information held by the Authority, and also to allow other ‘good cause’ exceptions to the release of information (for example, where it is obligated to release that information for court proceedings). We are also unclear how this DR90 aligns with the data management strategy of the ISA. It would be helpful if this regulation DR90 states whether these confidentiality procedures are separate from that strategy, or part of it.