

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION:
COUNCIL - PART III**

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:

President's Text

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

The Ocean Foundation, Observer

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

Schedule, Use of terms and Scope

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.

Schedule, Use of terms, and scope:

Add the following as new definitions in the appropriate alphabetical order:

["Exploitation Contract" means an exploitation contract entered into between the Authority and a Contractor in the form prescribed in annex IX to these regulations.](#)

["Environmental Performance Guarantor" means each entity or individual that provides an Environmental Performance Guaranty in accordance with these regulations.](#)

["Ultimate Beneficial Owner" means each individual who ultimately owns or controls, directly or indirectly and legally or beneficially, shares, capital, a right to profits or voting rights of the Applicant or any individual who otherwise exercises control over the management of the Applicant.](#)

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

For consistency and clarity the defined term "Exploitation Contract" should be used throughout the draft regulations in lieu of the existing term "Contract" which is capitalized but not defined, and the undefined term "exploitation contract", which are used interchangeably. A defined term for "Environmental Performance Guarantor" was added to be used in our proposed revisions to

Regulation 24. There was no defined term for “Ultimate Parent Company” as used in Regulation 18bis. We propose using “Ultimate Beneficial Owner”, which is more inclusive than “Ultimate Parent Company” as used in, since this also captures natural persons that may have a direct or indirect controlling interest over a Contractor.