

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29<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:**

IWG ENV

**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 46

**Red bold text** indicate 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.**

**Regulation 46**

**Environmental management system**

1. A Contractor shall develop, implement and maintain an Environmental Management System, [with the purpose of preserving and protecting the Marine Environment from the impacts of the activities in the Area] in compliance with the [Convention, the Agreement, and the Rules of the Authority.] Standards and taking account of the ~~relevant~~ Guidelines and in accordance with ~~[Best Available Science and Scientific Information]~~ [Best Environmental Practices, and] Good Industry Practice and internationally recognized standards.

2. An Environmental Management System shall, inter alia:

(a) Deliver the Authority's environmental objectives in the Contract area including those reflected in the applicant's Environmental Management and Monitoring Plan, and ~~taking into~~ the applicable Regional Environmental Management Plan **as well as any additional objectives as set by the Contractor or Sponsoring State.**

(b) Be reviewed [to reflect the development of the Rules of the Authority] and undergo ~~[periodical]~~ **[annual]** audits by an independent recognized and accredited international or national organization, in

accordance with applicable Standards and Guideline, [the Convention, the Agreement, and other relevant international law](#); and

(c) Facilitate effective reporting to the Authority in connection with environmental performance, pursuant to Regulations 33, 34, 38, 39, and 52.

[\(d\) Include the results of the audit, and any in the Contractor's annual reports and the performance assessment of the Environmental Management and Monitoring Plan under Regulation 52.](#)

3. All changes made to a Contractor's Environmental Management System, for example resulting from reviews and audits, [\[or any development of the Rules of the Authority\]](#), shall be reflected in the Contractor's annual reports and in the performance assessment of the Environmental Management and Monitoring Plan under Regulation 52. A proposed **material** change to a Contractor's Environmental Management System shall be treated the same as a modification of a Plan of Work, pursuant to Regulation 57.

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

- We generally support draft regulation 46, including most of the latest additions.
- In Para 2a we suggest a deletion to ensure equal treatment of contractors.
- In Para 2b), like others, we suggest to be specific in the regulations about the periodicity of the audits, for example annual.
- In Para 3 we suggest deleting the word "material". All changes should be treated the way Regulation 57 foresees, and it is only according to this procedure that it will be identified whether the change is to be considered as "material".