

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28<sup>TH</sup> 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](mailto:council@isa.org.jm).

**1. Name of Working Group:**

Inspection, Compliance and Enforcement

**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 101

**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.**

- **Red font** are proposed amendments by the Facilitator in this revised text.
- Our proposed amendments and our questions or comments regarding the facilitator’s remarks are indicated as in-line edits in **blue**. Proposed deletions of text proposed by the facilitator appears in strikethrough and **bold**.

~~1. A Contractor who considers that an Inspector has acted unreasonably or outside of the scope of their powers under this Part may complain in writing to the Secretary General, who will transmit the complaint promptly to the Compliance Committee who shall consider the complaint as soon as practicable.~~

1 bis. A person aggrieved by an action of an inspector under this Part may complain in writing to the Compliance Committee, who shall report to the Commission to consider the complaint as soon as practicable.

RE 101, we think 1bis covers 1 too -so suggest deleting 1.

2. The Compliance Committee may take such reasonable action as is necessary in response to the complaint, in accordance with applicable **S**tandards and **the Authority’s** Code of Conduct.

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

We think 1bis covers 1 too -so suggest deleting 1.

Para 2, we recall some delegations previously requested more detail as to the meaning of ‘reasonable action’. We agree. For a complaints procedure to be effective and fair, it needs to be underpinned by a well-defined policy, follow a standardized process with clear roles and responsibilities assigned, have data and complainant confidentiality protections in place, and identify available pathways to remedy and recompense. As such, we agree with the inclusion of a Standard here. Steps should also be taken to ensure the Compliance Committee is not hearing and dealing with complaints that pertain to its own actions, direction and decisions.