

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

Informal Working Group - Environment

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete.

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

Ireland

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

Draft Regulation 49 and 49 Alt

3. 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 49 and 49 Alt

Pollution control

1. A Contractor shall ~~take~~ ~~take all the necessary~~ ~~the necessary and appropriate~~ measures to protect and preserve the Marine Environment ~~[and the coastlines]~~ from ~~[harmful effects]~~ ~~[Serious Harm]~~, in accordance with Article 145 of the Convention, by preventing, reducing and controlling pollution and other hazards, ~~[including marine litter and underwater noise,]~~ ~~that arise~~ from its activities in the Area. This is to be done in accordance with its Environmental Management and Monitoring Plan ~~and the Convention, the Agreement,~~ and all relevant Rules of the Authority ~~the relevant applicable Regional Environmental Management Plan, and~~ taking account ~~of the Environmental Management and Monitoring Plan and~~ the applicable ~~Standards or Guidelines~~ ~~and the relevant applicable Regional Environmental Management Plan.~~ If a potentially polluting wreck is discovered and it is an object of an archaeological and historical nature, then the duty to protect such heritage must also be considered consistent with Article 149 ~~of the Convention.~~

Regulation 49 alt

1. A Contractor shall take all the necessary and appropriate measures to protect and preserve the Marine Environment and coastlines by preventing, reducing and controlling pollution and other hazards, including marine litter and underwater noise, from its activities in the Area. This is to be done in accordance with its Environmental Management and Monitoring Plan and all relevant Rules of the Authority, the relevant applicable Regional Environmental Management Plan, taking account of the applicable Guidelines.

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

Ireland supports the use of Reg 49 Alt going forward. It's more succinct and covers what is needed.

Ireland supports "harmful effects" over "serious harm" in Para 1 as this is the term used and the standard imposed by Art 145 of the Convention and should therefore be included in Reg 49 Alt also going forward.

Ireland support the inclusion of marine litter and underwater noise under the control of pollution and other hazards, although reference to these specific pollution sources could be moved to standards and guidelines if necessary