

**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:**

Informal Working Group – Environment.

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

Republic of Nauru

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

Regulation 45

**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.**

~~2.(f) [Minimum] [t]echnical [and operational] requirements for environment protection with regard to [all] the equipment used for the Exploitation activities.~~

3. The Authority shall not approve any Exploitation ~~[activities]~~ unless the environmental Standards ~~[and Guidelines]~~ have been adopted. The development and adoption of Standards shall be prioritised and adopted by the Council without undue delay.

5. [The application of this Regulation shall be without prejudice to the function of the Council Commission to develop other Standards and Guidelines...

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

Para 2(f): The Authority should not specify equipment requirements in a standard. This is overly prescriptive and counter to a results or outcomes-based approach to environmental regulation which supports innovation in technology advancement by contractors. Given the requirement to apply best available techniques, it would be preferable to set out any guiding parameters or recommendations in say a BAT guideline as regards technology and techniques.

Para 3: There is the potential for undue delays in the development and adoption of such standards. We propose language similar to that proposed at regulation 46bis(2) to cater for this.

Para 5: it is the function of the Commission to develop standard and guideline documentation, albeit at the discretion of the Council to determine that a standard is required.