

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH 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.

1. Name of Working Group:

Open Ended Working Group on Financial Terms of a Contract

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.

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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. Where a royalty return shows any overpayment of royalties, a Contractor may apply to the Secretary-General to request a refund of any such overpayment. [Contractors will properly demonstrate that an overpayment was made, and support their claim with all necessary documentation and justifications. The Secretary-General shall authorize refunds as an exceptional measure, but no more than [XX] times for the same Contractor.]

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

We support the proposed insertion in para 1 to include measures to demonstrate and support claims of overpayment. We would also recommend including a role for the Council here (and possibly an independent auditor), in addition to the Secretary General, in the authorization of refunds.