

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

1. Name of Working Group:

IWG – Institutional matters

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

Submitted by Nauru Ocean Resources Inc., Tonga Offshore Mining Ltd. and Blue Minerals Jamaica Ltd.

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

Draft Regulation 5(2)

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. Each application shall be submitted:

(a) In the case of the Enterprise, by its Director-General;

(b) In the case of a State, by the authority designated for that purpose by it;

(c) In the case of any other qualified applicant, ~~by a designated representative,~~
~~or~~ by a designated representative, or by the authority designated for that purpose by the sponsoring State or States.

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

- It is not clear to us why the reference to “designated representative” has been deleted from Draft Regulation 5(2). This reference was consistent with the Exploration Regulations and the Convention.
- Without such reference applicants would need to have their Sponsoring State submit their application on their behalf. This would be inefficient and not to lead to any benefits for the Authority. It is the applicant that is primarily responsible for their application and with whom the Authority will engage and procure a contract.
- In such circumstances, there is no benefit from requiring the submission of the application to be done by the Sponsoring State.