

**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:**

President's Text

**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 Reg. 20(4)

**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.**

4. The Commission shall consider such application to renew an exploitation contract ~~at its next meeting~~ within 30 days after submission of any revised plans or responses by the Contractor pursuant to regulation 11(2) and ~~provided the~~ documentation required under paragraph 3 ~~has been circulated at least [30]/[60] Days prior to the commencement of that meeting of the Commission.~~

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

- We reiterate that there is no need for the Commission to wait until its next meeting to consider applications for renewals under Draft Regulation 20(4).
- Instead, the Commission should be flexible in its operations, including through the use of intersessional work and decisions through the silence procedure.

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

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

Draft Reg. 20(6)(a)-(a)alt, (7)

**9. 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.**

6. The Commission shall recommend to the Council the approval of an application to renew an exploitation contract, and an exploitation contract shall be renewed by the Council provided that:

~~(a) The Resource category is recoverable annually in Commercial and Profitable Quantities from the Contract Area;~~

(a)alt. [The term of renewal reflects the expected economic life of the mining project, taking into consideration such factors as the depletion of the ore, the useful life of mining equipment and processing facilities and commercial viability.]

7. Each renewal period shall be a maximum of ~~10~~/15 years.

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

- We prefer Draft Regulation 20(6)(a)alt as it is better suited to the realities of exploitation in the Area and follows Article 17(2)(b)(iii) of Annex III of the Convention.
- If the original paragraph (a) was to be used it will be important to clearly define what "Commercial and Profitable Quantities" means by linking it to a Guideline.
- We also consider that 15 years is an appropriate maximum renewal period, noting that this does not require the Authority to renew for 15 years but merely sets a maximum limit.