

**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:

Informal Working Group – Environment.

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. 53 (50 bis) (1)

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.

Regulation 53 [50bis]

Emergency Response and Contingency Plan

1. A Contractor shall ~~develop~~ prepare an Emergency Response and Contingency Plan as part of its Plan of Work ~~prior to the development and application of Plan of Work,~~ in accordance with the applicable Standard and taking account of the Guidelines ~~taking into account the result of the Environmental Impact Assessment (EIA).~~ Furthermore, a Contractor shall maintain: [...]

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

- We consider that the new wording in Draft Regulation 53(1) specifying that Contractor shall develop an Emergency Response and Contingency Plan “prior” to the development and Application of Plan of Work is unclear as to how this timing will work in practice.
- For clarity, we propose to substitute the relevant part of the text with “as part of its Plan of Work” wording. This makes it clear that the Emergency Response and Contingency Plan is part of the Plan of Work.
- We further consider that paragraph 1 should refer to the applicable Standard and Guideline for the preparation of an Emergency Response and Contingency Plan rather than be limited to the EIA.