

**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: IM.

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 10

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. Should there be more than one application for the same area and same Resource category, [or a potential applicant has confirmed their intention to apply for approval of a Plan of Work pursuant to Regulation 10(2)] the ~~Commission-Secretary-General~~ [Secretary-General] shall ~~make recommendations to the Council, and the Council shall~~ determine which applicant has preference and priority in accordance with article 10 of annex III to the Convention **and section 1, para. 13 of the annex to the Agreement, and taking into account any relevant Guidelines]**

~~5. Where an application concerns a Reserved Area, the Enterprise shall be given an opportunity to decide whether it intends to carry out activities in the area in accordance with article 9 of annex III to the Convention, [and section 2 of the annex to the Agreement]~~

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

Para 4: we consider the SG can make this objective determination.

Para 5: we do not consider this relevant nor consistent with the Convention to allow the Enterprise an additional opportunity to take over a reserved area when the applicant submits an exploitation application. Where that application derives from an exploration contract, the contractor has a preference and priority under article 10, annex III.