

**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:

OEWG.

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 39

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.

1. A Contractor shall keep ~~at a place agreed between the Contractor and the Compliance Committee,~~ and make available for inspection and audit in accordance with these regulations.] a complete and proper set of books, accounts and financial records...

~~3. To the extent practical, a~~ To the extent practical, a Contractor shall keep, in good condition, a representative portion...

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

We do not support the requirement in paragraph (1) (and (1.bis)) that Contractors seek the agreement of the Compliance Committee as to the appropriate place for storing their records. This should be the decision taken by Contractors and in accordance with applicable national regulatory requirements.

We suggest reintroducing the wording “to the extent practical” to paragraph 3 to ensure that Contractors have appropriate flexibility with this obligation. The ability to maintain these samples and cores in good condition may depend on a variety of factors, not all of which will be under the control of the Contractor. Thus, the regulations should recognize that it will not always be possible.