

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29TH SESSION:
COUNCIL - PART II**

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(s) of Delegation(s) making the proposal: Costa Rica**

- 2. Please indicate the relevant provision to which the textual proposal refers. DR 20**

- 3. 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.**

Term and renewal of Exploitation Contracts

1. The maximum initial term of an Exploitation Contract is 30 years ~~from the commencement of Commercial Production~~ from ~~execution of the~~ signature of the contract. [Each renewal period shall be a maximum of 5 years].

2. An application to renew an Exploitation Contract shall be made in writing addressed to the Secretary-General and shall be made no later than [one] [2] year before the expiration of the initial period or renewal period, [as the case may be,] of the Exploitation Contract. In such case the contractor must file a new plan of work.

3. The Contractor shall supply such documentation as may be specified in the Standards and Guidelines. ~~If the Contractor wishes to make any changes to a Plan of Work and such changes are Material Changes according to Regulation 57, the contractor shall submit a revised Plan of Work [and a revision for all accompanying plans in accordance with Regulation 7]. [The Contractor shall conduct a consultation process on the revised Plan of Work, with all States and Stakeholders in accordance with Regulation 93 bis.]~~

4. The Commission shall consider [the] [such] application to renew an Exploitation Contract, [along with any revised documents or responses prepared by the Contractor pursuant to Regulation 93 bis (9) [at its next meeting after submission of any revised plans or responses by the Contractor pursuant to regulation 11(2),] provided the documentation required under paragraph 3 [or pursuant to Regulation 93 bis (9)] has been circulated at least [30]/[60] 'ays prior to the commencement of that meeting of the Commission.

5. In making its recommendations to the Council under paragraph 6 below, the Commission shall examine and assess applications in accordance with Regulation 123, against the criteria contained in Regulation 132, and take account of any report on the review of the Contractor's activities and performance under a Plan of Work under Regulation 58, as well as any other relevant information from, inter alia, performance assessments, annual reports, and environmental reports, inspection reports, compliance reports, monitoring and compliance data, third-party or whistle-blower complaints, and legal actions against the contractor.

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; 47 of 225 (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.] (b) The Contractor is in compliance with the terms of its Exploitation Contract and the Rules, regulations and procedures of the Authority, [including the rules, regulations and procedures [and Standards] adopted by the Authority [from time to time] to ensure effective protection for the Marine Environment from harmful effects which may arise from activities in the Area]; [(b) bis. The cumulative environmental impact does not exceed the thresholds set by the applicable Regional Environmental Management Plan as a result of the renewal, and that such renewal does not hinder the achievement of the strategic and regional environmental goals and objectives;] (b) bis The Contractor's final report sufficiently demonstrates that the Contractor has met and complied with all Environmental Goals, Objectives, and thresholds and can demonstrate that the PRZs and IRZs met their objectives, and that the Contractor's application for an extension includes designation of suitable PRZs and IRZs for the extension period in accordance with Annex X bis. (c) The Exploitation Contract has not been terminated earlier; (d) The Contractor has paid the applicable fee in the amount specified in appendix II; (e) [The Council is satisfied that the requirements of regulation 13 will be met; and] (f) [The Sponsoring State has reconfirmed their sponsorship of the Contractor by reissuing their certificate of sponsorship.]

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

8. Any renewal of an Exploitation Contract shall be effected by the execution of an instrument in writing by the Secretary-General or duly authorized representative, and the Designated Representative or the authority designated under Regulation 5 (2). The terms of a renewed Exploitation Contract shall be those set out in the standard Exploitation Contract annexed to these Regulations that is in effect on the date that the Council approves the renewal application.

9. Sponsorship is deemed to continue throughout the renewal period unless the Sponsoring State or States terminates its sponsorship in accordance with regulation 21.

10. An Exploitation Contract in respect of which an application for renewal has been made ~~mays~~, despite its expiry date, remain in force until such time as the renewal application has been considered and its renewal has been granted or refused

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

In paragraph 3, it is necessary to present a new work plan each time it is going to be renewed. Technology in 30 years and conditions change, it will require a new environmental impact study, training commitments must change, among others.