

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

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.im.

1. Name of Working Group:

Informal Working Group on Institutional Measures

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 Regulation 15(1.Alt)

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 15 [IWG IM]

Commission’s recommendation for the approval or disapproval of a Plan of Work

1. If the Commission determines that the application meets the criteria set out in Regulations 12(4) and 13, it shall recommend approval of the Plan of Work to the Council.

[1. Alt. If the Commission determines that the applicant meets the criteria set out in regulation 13, it [shall][~~may~~] recommend approval of the Plan of Work to the Council.]

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

- We do not consider it appropriate to provide the Commission with a discretionary power regarding whether it will recommend approval of applications that meet all of the criteria and requirements set out in the Regulations.
- The Commission is an expert, technical body, tasked with assessing applications against the criteria set out in the Regulations. It should not go beyond this role by considering other matters when determining or whether or not to recommend approval of applications.
- As such, Draft Regulation 15(1.Alt) should not provide a choice to the Commission if the applicant meets the criteria. The “may” should be deleted.