

**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.jm.

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(2)(a) and (c)

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

[...]

2. The Commission shall not recommend approval of a proposed Plan of Work if:

~~(a) the Plan of Work does not comply with, or the Commission is unable to determine whether the Plan of Work complies with, [either alone or in combination with other activities and impacts], all requirements stipulated in Regulation 13 [including because of scientific uncertainty or inadequate information];~~

[...]

~~[(c) Such approval would undermine or contradict [the Strategic Environmental Goals or Objectives pursuant to [Regulation 44 ter] or the regional goals, objectives or measures set out in the [relevant] applicable Regional Environmental Management Plan.]~~

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

- In relation to Draft Regulation 15(2)(a), the Commission should be required to assess applications on the basis of the best available scientific evidence and information, request information as needed, and receive input from relevant experts to make a determination regarding applications.
- There is no reason that the Commission should ever be in a position of being unable to determine whether a proposed Plan of Work complies with the requirements in Draft Regulation 13. As such, we propose to remove this language from the sub-paragraph.

- In relation to Draft Regulation 15(2)(c), its contents are not relevant considerations for the Commission when assessing proposed Plans of Work. It would inappropriately elevate the status of Regional Environmental Management Plans to legally binding instruments. There has been no decision of the Council to elevate such documents to legally binding instruments.