

**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(3)(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

[...]

3. The Commission shall not recommend the approval of a proposed Plan of Work if it determines that:

~~(a) Such approval would permit a State party or entities sponsored by it to monopolize the conduct of activities in the Area with regard to the Resource category in the proposed Plan of Work in accordance with applicable relevant Standards, taking into consideration account relevant Guidelines; or~~

~~[...]~~

~~{(c) Such approval would permit a State party or entities sponsored by it to monopolize or significantly control the production of any single Mineral or metal produced globally.; or}~~

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

- We remain concerned by the overly broad language used in Draft Regulation 15(3)(a) and (c) and its attempt to redefine the Convention’s already clear standard for anti-monopolisation provisions.
- These sub-paragraphs are unnecessary and difficult to implement, particularly at the early stages of exploitation activities where there is only likely to be one or two entities undertaking such activities. As such, these paragraphs should be deleted. If any anti-monopolisation rules are to be included in the Draft Regulations, they should reflect those set out in Article 6(3)(c) of Annex III of the Convention.