

**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:

President's text

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 29ter(1)

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 29 ter (previously 32) [President's Text]

Risk reduction principles ~~of Incidents~~

1. Harm or danger of harm to people, ~~the environment~~ or material assets shall be prevented or limited in accordance with the Regulations and any applicable Standards, and taking into consideration Guidelines. Contractors shall also ensure that reasonable and practicable measures are taken to protect the environment, including compliance with applicable environmental thresholds. ~~The~~A Contractor shall work to ~~further~~ reduce the risk of Incidents ~~of Incidents~~ as much as reasonably practicable, to the point where the cost of further risk reduction would be ~~grossly~~ disproportionate to the benefits of such reduction, ~~in accordance with any relevant Standards and taking into account any relevant Guidelines.~~

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

- We consider that the harm or danger of harm to people and material assets on the one hand and the environment on the other should be distinguished and specific thresholds and criteria should be applied to each.
- While harm or danger of harm to people and material assets can be prevented and limited. In relation to the environment, given that all human activities will impact upon the environment, the only feasible option for Contractors is to take reasonable and practicable measures to protect the environment, and to comply with established environmental thresholds. We have proposed the wording above to clarify this.
- We also consider that the word "further" in the last sentence of subparagraph 1 is unnecessary as the safety and environmental management systems that align with ISO should be in a process of continuous improvement.

- We also consider that the deletion of the reference to Incidents makes the requirement in Draft Regulation 29ter(1) unclear and vague. The reference to “risk” needs to be clear in relation to what risks the contractor is required to reduce. It cannot be an open-ended requirement to reduce all risks. As such we propose clarifying this language by maintaining the reference to Incidents.