

**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(s) of Delegation(s) making the proposal:** Australia

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

DR31 – Reasonable Regard for other activities and infrastructure in the Marine Environment

- 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.**

Reasonable regard for other activities and infrastructure in the Marine Environment

1. Contractors shall, consistent with any applicable Standards and taking into consideration Guidelines, carry out [Exploration and] exploitation [activities] under an Exploitation Contract with reasonable regard for other activities and infrastructure in the Marine Environment, in accordance with Articles 87 and 147 of the Convention, [the Plan of Work] and the approved Environmental Management and Monitoring Plan, [Regional Environmental Management Plan] and Closure Plan [and any applicable international rules and standards established by competent international organizations].

1. bis Each Contractor shall exercise due diligence to ensure that it does not cause damage to ~~known~~ submarine cables or pipelines or interfere with other activities in the Contract Area or surrounding Marine Environment. In particular, the Contractor shall:

....

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

Australia proposes the deletion of ‘known’ before the reference to submarine cables in paragraph 1 bis. In our view, this addition has the potential to limit the due regard obligations which exist under articles 147 and 87 of the convention.