

**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:

Open-ended Working Group of the Council on the Financial Terms of a Contract

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 38(2)(g)

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 38 [OEWG]

Annual report

2. Such annual reports shall be in accordance with applicable Standards and taking into consideration Guidelines and include:

[...]

(g) The actual results [and data] obtained from environmental monitoring programmes, including observations, measurements, evaluations and the analysis of environmental parameters, reported against ~~[the Strategic Environmental Goals and Objectives in Regulation 44ter, the relevant Regional Environmental Management Plan including its Regional Environmental Objective and] [where applicable, any criteria and] [thresholds included in the applicable Standards, and against~~ the Environmental Management and Monitoring Plan], together with details of any response actions implemented under the plan and the actual costs of compliance with the plan;

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

- We consider that annual environmental reporting under Draft Regulation 38(2) should only be against the Contractor’s Environmental Management and Monitoring Plan (EMMP), not against the Regional Environmental Management Plan (REMP) which is not legally binding upon the Contractor.
- The EMMP is the document that directly regulates environmental management and monitoring the Contractor’s activities. The REMP is a document created by the Authority, which will be reflected in the EMMP.