

**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 Environment

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 48 bis (4)-(7)

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 48 bis ~~At~~ [IWG ENV]

New Environmental Impact Assessment and Revised Environmental Impact Statement
[Revision for change or new or increased effect or risk]

[...]

4. Where required by the Commission under paragraph 3, the Contractor shall submit a revised Environmental Impact Statement or revised Environmental Management and Monitoring Plan to the Commission for review.

5. Where the Commission determines that any change to the statement or plan constitutes a Material Change, the procedure set out in Regulation 11 shall apply.

6. In the course of conducting a new Environmental Impact Assessment and preparing a revised Environmental Impact Statement as required by any Material Change, a Contractor shall endeavour to engage with potentially directly affected Stakeholders, and in accordance with [Regulation 93 ter], the Standards, and taking into consideration the Guidelines.

7. The Contractor shall also conduct a consultation regarding the revised Environmental Impact Statement in accordance with Regulation 93 bis.

8. For the avoidance of doubt, the Contractor may continue its operations in accordance with its approved Plan of Work, Environmental Impact Statement and Environmental Management and Monitoring Plan, while preparing any revisions in accordance with paragraphs 3 through 7 and while the Commission is considering any such revisions.

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

- We have proposed two clarifications in relation to Draft Regulation 48bis(4)-(7).
- First, in relation to paragraph 4, the Commission's power to require revisions is set out in paragraph 3. As such, we consider it appropriate to explicitly refer to this in paragraph 4 for clarity.
- Second, we propose a new paragraph 8 that clarifies that while the process set out in paragraphs 3 to 7 are undertaken the Contractor is able to continue to undertake its activities in accordance with its approved Plan of Work, Environmental Impact Statement and Environmental Management and Monitoring Plan. Once any revisions are finalised and approved, the Contractor will then amend its operations to accord with such revisions.