

**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 54(2)

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 54 [IWG ENV]

Establishment of an Environmental Compensation Fund

[...]

~~2. The rules and procedures of the Fund shall be established by the Council on the recommendation of the Finance Committee before the [approval of a first Plan of Work for an Exploitation Contract beginning of Commercial Production] under these Regulations. [Those rules and procedures shall include, inter alia:~~

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

- We propose to delete Draft Regulation 54(2) as this language would prevent the approval of any exploitation contract before the rules and procedures of the Environmental Compensation Fund are established in breach of the Convention and the 1994 Agreement.
- There is no reason why the Fund’s rules and procedures should be linked to the consideration and approval of Plans of Work as this would be inconsistent with both the Convention and the 1994 Agreement.
- The Regulations should not be usurping rights and obligations contained in the Convention and the 1994 Agreement to prevent consideration and approval of plans of work until other rules, regulations and procedures are in place.