

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH SESSION:
COUNCIL - PART III**

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:

Consolidated text.

2. Name(s) of Delegation(s) making the proposal:

Republic of Nauru

3. Please indicate the relevant provision to which the textual proposal refers.

Regulation 52

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.

~~3. A Contractor shall hire a competent and Independent Auditor to [carry out the performance assessment required for the purpose of this Regulation and shall submit the findings in a] report to the Secretary General in accordance with, and in the format set out in, the applicable Standards and taking into consideration Guidelines. A Contractor shall compile and submit a Performance Assessment Report to the Secretary-General in accordance with, and in the format set out in, the applicable Standard.~~

4. ~~[The Contractor shall conduct a consultation regarding the Performance Assessment Report with all States and Stakeholders in accordance with Regulation 93bis.]~~ The Commission shall review the performance assessment report ~~and any stakeholder comments received~~ [within 60 Days of receipt of such report ~~and comments~~]. The [Commission] ~~shall~~may, where necessary and appropriate, consult ~~external~~ competent, independent experts in its review of the performance assessment.

5. Where the Commission upon review of the report ~~and any submission received in relation to it [under Regulation 93 bis]~~, considers the performance assessment to be unsatisfactory or the report submitted to be inadequate, to the applicable Standards [and Guidelines], the Commission may require, after providing the Contractor with a reasonable opportunity to address any inadequacies, the Contractor to:

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

Para 3: we do not see the need for an independent auditor to be necessary as contractors are likely to have sufficient expertise within their own staff and experts to conduct this work. Paras 5 and 6 empower the Commission appoint independent experts where necessary.

Para 4: we see no purpose or value in stakeholder consultation on the performance assessment report. This is an unnecessary and onerous step.

Para 5: requires modifying in light of proposed changes to para 4.