

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29TH SESSION:
COUNCIL - PART II**

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:

xx

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

Federal Republic of Germany

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

DR 42

Red text is in original draft; **blue text** indicates Germany's textual proposals

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.

New paragraph:

If there is any indication or reason to believe that this regulation has been contravened, the Compliance Committee shall take the matter up for urgent consideration, including to determine if any measures against the Contractor under Regulation 103 would be appropriate, as well as whether to recommend to the Council that an investigation be carried out against all person or persons involved. The Secretary-General shall gather and forward all available and potential information and evidence in support of such allegation to the Compliance Committee. The Secretary-General shall also notify the relevant sponsoring State, who shall cooperate with the Authority as well as consider further action pursuant to its national legislation.

New paragraph:

This provision shall equally apply to Applicants and prospective Contractors. If the Authority determines that this provision has been contravened, the application for the approval of a plan of work shall be dismissed, or the approval shall be reversed in instances where approval has already been granted, as the case may be.

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

Germany agrees with the text in paragraph under Regulation 42. However, we would like to introduce two new paragraphs. We suggest that they can be numbered as paragraphs 1 (the existing one under DR 42), 2 (new paragraph proposed by Germany) and 3 (new paragraph proposed by Germany).

The first new paragraph that we proposed is intended to describe what would happen if this provision is contravened, since the provision is currently silent.

Finally, a second new paragraph is also proposed, since it is not sufficient for this provision to only cover existing contractors (in this case, exploitation contractors). Such restrictions should also extend to applicants and prospective contractors. While there is no contractual relationship, since the contract is non-existent at this stage, we propose that if the Authority determines this provision has been contravened, any pending application should be rejected, or approval should be reversed.