

**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:

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

UK

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

Reg 90 (Para 1): Procedures to ensure Confidentiality

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.

Para 1: ~~The Secretary-General shall be responsible for maintaining the confidentiality of all Confidential Information held by the Authority and shall not, except [following a legal direction or] with [a lawful cause or] [good cause or] the prior written consent of a Contractor concerned, release such information to any person external to the Authority.~~ The Secretary-General shall be responsible for maintaining the confidentiality of all Confidential Information held by the Authority and shall not release such information to any person external to the Authority, except where legally obliged to do so or with the prior written consent of a relevant Contractor. To ensure the confidentiality of such information, the [Secretary-General] [Council] shall establish procedures, consistent with the provisions of the Convention, governing the handling of Confidential Information by members of the Secretariat, members of the Commission, members of the Council, and any other person participating in any activity or programme of the Authority. Such procedures shall include:

(a) The maintenance of Confidential Information in secure facilities and the development of security procedures to prevent unauthorized access to or removal of such information; and

(b) The development and maintenance of a classification, log and inventory system of all written information received, including its type and source and the routing from the time of receipt until final disposition.

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

Para 1: UK appreciates the intent behind the additions “following a legal direction” and “with a lawful cause” included in the consolidated text, but consider the drafting to be somewhat unclear. We do not consider “or good cause” to be appropriate as it implies a significant discretion. We have proposed alternative text that is clearer whilst meeting the original intent of the additions.