

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 30TH 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(s) of Delegation(s) making the proposal:** Australia

- 2. Please indicate the relevant provision to which the textual proposal refers.**

DR11 – Publication and review of Environmental plans

- 3. 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.**

Note: Textual proposals are shown in green text.

~~Publication and review of the Environmental Plans~~

~~{~~Alt. Publication, notification, and review of the Application~~}~~

...

2. bis The Secretary-General shall provide the Environmental Plans, and the non-confidential parts of the Test Mining Study, if applicable, and comments submitted pursuant to paragraph 1(a), together with any responses by the applicant provided pursuant to paragraph 2 bis, and any other relevant additional information to the Commission and request the Commission to provide its comments on the Environmental Plans and the non-confidential parts of the Test Mining Study, if applicable, ~~within 90 Days~~ in a timely manner.

...

5. The Commission shall prepare a report on the Environmental Plans and non-confidential parts of the Test Mining Study, if applicable, which shall be published on the Authority’s website, and shall be included as part of the reports and recommendations to the Council pursuant to Regulation 15. The report shall include:

 (a) Details of the Commission’s determination under Regulation 13(4);

(b) Details of the comments and responses submitted under paragraphs (1) and (2 bis);

{(b bis) Details of the consultation submissions comments and responses received under Regulation 93bis (8), the Commission's comments under regulation 11~~(1)(b)(3)~~, the applicant or Contractor's written response prepared under Regulation 93bis (9),}

(c) Any further information provided by the Secretary-General under paragraph (2);

(d) Any amendments or modifications to the Environmental Plans recommended by the Commission under Regulation 14 and changes subsequently made to application documents by the applicant; and

(e) The relevant rationale for the Commission's determination, with specific explanation as to any comments or responses that are disregarded.

~~{56.~~ In preparing its report under paragraph 5, the Commission ~~{may}/{shall}~~ seek advice from competent independent experts, as necessary. The experts shall be selected and appointed taking into account the relevant Guidelines.}

...

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

Australia supports the alternative title to DR11 to reflect that the entire application, with the exception of confidential information, should be published to increase transparency in the assessment process.

Australia proposes amending the timing requirement in paragraph (2bis) because a 90-day time period will likely be too short for the Legal and Technical Commission (LTC) to provide comments on Environmental Plans and the non-confidential aspects of a Test Mining Study. The proposed text 'in a timely manner' strikes an appropriate balance between efficiency and allowing the LTC adequate time for proper review. It is noted similar framing is used elsewhere in the Revised Consolidated text (e.g. DR93bis(1)).

Australia proposes amending (the now re-numbered) paragraph (6) to allow the LTC the discretion to seek advice from competent independent experts, as appropriate.

The cross-references in paragraphs (2bis) and (5) have also been updated.