

**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.**

DR12 – Rules for considering applications

- 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: Proposed text is shown in green text.

1. Subject to Regulation 10 concerning preference and priority among applicants, the Commission shall examine applications in the order in which they are received by the Secretary-General and shall assess applications in accordance with this Regulation and against the criteria contained in Regulation 13, in order to make a report and submit appropriate recommendations to the Council whether the Plan of Work under application should be approved, or disapproved, pursuant to Regulation 15.

1. bis Subject to paragraph 1 ter. and to Regulation 11(4), the Commission shall commence the consideration of an application at its next meeting after its receipt of the application ~~within 30 Days of its receipt of the application~~ provided that the notifications and information pursuant to Regulation 11(1)-(2 ter) have been circulated at least 90 Days prior to the commencement of that meeting of the Commission. ~~[The Commission may extend consideration of the application to its next meeting if necessary.]~~

2. The Commission shall consider applications expeditiously. ~~and shall submit its reports and recommendations to the Council no later than 120 Days from the date on which the Secretary-General~~

~~transmits the applicant's or Contractor's written response with any revised documentation, to the Commission.~~

~~[2. Alt. [The Commission] shall endeavour to submit its reports and recommendations to the Council no later than [180] / [270] Days from whichever date occurs later out of:~~

~~—— (a) The close of the [date of the completion of the review of the Environmental Plans, under Regulation 11]];~~

~~—— (b) The date of submission [the completion of the amendments to the proposed Plan of Work under Regulation 14.];~~

~~[2. bis. Alt. The Commission may delay its reports and recommendations under Regulation 12(2) by a further 90 Days, if additional information or consultations with experts are necessary.]~~

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

Australia supports retaining 'submit appropriate' in paragraph (1) because it is up to the Legal and Technical Commission to decide on what recommendations may be appropriate with regard to a particular application.

In paragraph (1bis), Australia proposes removing the 30-day period because it does not take into account the Commission's schedule of meeting times, which currently occur twice a year. Australia also proposes deleting the final sentence because paragraph (2) addresses the time period for consideration.

In paragraph (2), Australia proposes there should be no artificial time limits placed on the Commission's assessment. It is sufficient that the LTC be required to consider an application expeditiously. Inserting prescriptive time limits ignores important practical considerations including: differences in the size and nature of applications; seeking and considering input from independent experts; the number of applications before the Commission; budgetary implications; and other work commitments of the Commission or individual members.