

United Kingdom of Great Britain and Northern Ireland**ISA Council 2025 (30th Session) Part II: Friends of the President Proposal****Draft Regulation 57 (Modification of a Plan of Work)****Definition**

“**Material Change**” means a significant change that affects the basis on which an original report, document or plan, including a Plan of Work, was accepted or approved by the Authority, and includes changes such as modifications to the way in which Exploitation activities are conducted; changes to assessments of harmful effects of activities on the Marine Environment, other Environmental Effects or effects on Stakeholders; the availability of new knowledge or technology; changes to operational management; and changes that are to be considered in light of any applicable Standards and Guidelines.

Regulation**Regulation 57****Modification of a Plan of Work**

1. A Contractor shall not modify the Plan of Work annexed to an Exploitation Contract except in accordance with this Regulation or as otherwise provided for by applicable Regulations.
2. A Contractor shall notify the Secretary-General of any proposed modification to a Plan of Work. The Secretary-General shall inform the Council and transmit the notification to the Commission within 7 Days of receipt.
3. The Commission shall determine whether the proposed modification constitutes a Material Change in accordance with any applicable Standards and applying the procedure in Regulation 12 *mutatis mutandis*.
4. If the Commission determines in accordance with paragraph 3 of this Regulation that the proposed modification constitutes a Material Change:
 - (a) it shall report its determination to the Council and recommend whether the Contractor should be required to revise the Environmental Impact Assessment and the Environmental Plans;
 - (b) the Council, based on the recommendations of the Commission, shall decide whether the Contractor is required to revise the Environmental Impact Assessment and Environmental Plans;
 - (c) if the Council decides in accordance with paragraph 4(b) that the Contractor is required to revise the Environmental Impact Assessment and Environmental Plans, the Contractor shall do so applying the processes set out in Part IV

(Protection and Preservation of the Marine Environment), Sections 2 (The Environmental Impact Assessment Process) and 3 (Environmental Monitoring), and Part VI (Closure Plans) of these Regulations *mutatis mutandis* and shall submit revised documents to the Commission. The Commission shall report to the Council on the revised documents and shall recommend either approval or disapproval of the proposed modification. The Council shall consider the proposed modification and the report of the Commission, and shall approve or disapprove the proposed modification applying the Council procedure for consideration and approval of a Plan of Work in Regulation 16 *mutatis mutandis*;

- (d) if the Council decides in accordance with paragraph 4(b) that the Contractor is not required to revise the Environmental Impact Assessment and Environmental Plans, the Council shall consider the proposed modification and the report of the Commission, and shall approve or disapprove the proposed modification applying the Council procedure for consideration and approval of a Plan of Work in Regulation 16 *mutatis mutandis*.

5. If the Commission determines in accordance with paragraph 3 of this Regulation that the proposed modification does not constitute a Material Change, it shall recommend approval or disapproval of the proposed modification and shall report its decision to the Council, following which:

- (a) if no member State of the Council notifies the Secretary-General that it disagrees with the Commission's decision within 60 Days of the date the decision is notified to the Council, the decision shall take effect 60 Days after such notification;
- (b) if, within 60 Days of the date a decision by the Commission to recommend approval of the proposed modification is notified to the Council, a member State of the Council notifies the Secretary-General that it disagrees with the decision, the procedure in paragraph 4(b) – (d) of this Regulation shall apply immediately;
- (c) if, within 60 Days of the date a decision by the Commission to recommend disapproval of the proposed modification is notified to the Council, a member State of the Council notifies the Secretary-General that it disagrees with the decision, the Council shall decide whether to request the Commission to reconsider its decision, and if making such a request, shall provide the Commission with the Council's reasons for doing so;
- (d) the Commission shall notify the Council of its decision in response to any request under paragraph 5(c) within 60 Days of the request, following which the Council shall decide how to proceed.

6. Notwithstanding paragraph 2, the Secretary-General and the Contractor may agree changes to the Plan of Work to correct minor omissions, errors or other such defects, as follows:

- (a) the Secretary-General shall notify any such agreement to the Commission and the Council within 7 Days;
- (b) the Commission shall consider the agreement and, no later than 60 Days following notification by the Secretary-General, recommend to the Council whether the agreed changes should be assessed as a proposed modification pursuant to paragraphs 3 to 5 of this Regulation;
- (c) the Council shall consider the recommendations of the Commission at its next meeting provided that the Commission's recommendations have been notified to the Council at least 60 Days prior to the commencement of the Council's meeting;
- (d) any agreed changes shall take effect from the date of the Secretary-General and Contractor's agreement unless the Council decides they are to be assessed as a proposed modification pursuant to paragraphs 3 to 5 of this Regulation.

7. The Commission may make changes to the Plan of Work to correct minor omissions, errors or other such defects, as follows:

- (a) the Commission shall notify the Secretary-General of any changes it proposes to a Plan of Work to correct minor omissions, errors or other such defects;
- (b) the Secretary-General shall transmit the proposal to the Contractor within 7 Days of notification;
- (c) the Contractor shall respond to the Secretary-General within 60 Days of receipt with its views on the proposed changes;
- (d) the Secretary-General shall transmit the Contractor's response to the Commission within 7 Days of receipt;
- (e) the Commission shall consider the Contractor's response and shall notify the Secretary-General within 60 Days of receipt of its decision regarding the proposed changes;
- (f) the Secretary-General shall transmit the Commission's decision to the Contractor and the Council within 7 Days of notification;

(g) the Council shall consider the Commission's decision at its next meeting provided it has been notified to the Council at least 60 Days prior to the commencement of the Council's meeting;

(h) any changes shall take effect from the date the Commission notifies the Contractor and the Council pursuant to sub-paragraph (f) unless the Council decides they are to be assessed as a proposed modification pursuant to paragraphs 3 to 5 of this Regulation.

8. All modifications and changes to a Plan of Work pursuant to this Regulation shall be recorded in the Seabed Mining Register by the Secretary-General as soon as reasonably practicable following approval or agreement in accordance with this Regulation.