

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

Interim Director-General of the Enterprise

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

Schedule

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.

Alt. 1

“Contractor” means any party to an Exploitation Contract (other than the Authority) in accordance with Part III of these Regulations and, where the context applies, shall include its employees, subcontractors, agents and all persons engaged in working or acting for them in the conduct of its operations under the Exploitation Contract. Except where expressly excluded in these Regulations, the term “Contractor” shall also include the Enterprise.

Alt. 2

“Contractor” means any party to an Exploitation Contract (other than the Authority) in accordance with Part III of these Regulations and, where the context applies, shall include its employees, subcontractors, agents and all persons engaged in working or acting for them in the conduct of its operations under the Exploitation Contract. The term “Contractor” shall also include the Enterprise, except where excluded in light of the context and in accordance with the provisions and the spirit of the Convention and the Agreement.

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

The current definition of “Contractor” intends to encompass the Enterprise as well as contractors. It is necessary to assess whether this wording is the most suitable and whether it necessitates amendments to some Regulations. There are some uses of “Contractor” in the Regulations that do not intend to include the Enterprise. As a starting point, it can therefore be said that the current wording of the DRs always

includes the Enterprise in the current definition of contractor; however, we want to avoid this outcome. To avoid two options have been presented above for consideration of the Council.