

**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.im.

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

Russian Federation

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

Reg. 18 bis

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.

A Contractors shall comply with the applicable obligations created by the provisions of Convention, the Agreement, these Regulations and other rules, regulations and procedures of the Authority, the decisions of the organs of the Authority and the terms of its Exploitation contract with the Authority. ~~Contractors shall comply with the terms and conditions of their Exploitation Contract and the rules, regulations and procedures of the Authority, [as well as the applicable Regional Environmental Management Plans,] [as amended from time to time] in a manner consistent with the Convention and the Agreement.~~

1. bis A Contractor shall carry out activities under a Plan of Work ~~taking into account~~~~in accordance with~~ Good Industry Practice, Best Available Scientific Information and Best Environmental Practices, ~~using~~ appropriately qualified and adequately supervised personnel. ~~and shall continually identify and implement solutions that reflect the most up to date Best Available Scientific Information [Best Environmental Practices] and Best Available Techniques.~~

~~[1. ter Contractors shall comply with the national laws, Regulations and administrative measures of the Sponsoring State or States made pursuant to Articles 139 and 153(4) of the Convention and Article 4(4) of Annex III to the Convention.]~~

~~[1. quat Contractors shall throughout the term of their Exploitation Ccontract, for the purposes of activities in the Area and ancillary activities, only use vessels flagged to registries of States that are States Parties to the Authority, and only use ports located in States that are States Parties to the Authority. In cases where the Contractor seeks to use flags or ports of non member States of the Authority, the prior approval of the Council is required and is conditional upon receiving a written commitment from such non member State or States to enforce the rules, regulations and procedures of the Authority against the Contractor and to cooperate with the Authority for the purposes of securing compliance with the rules, regulations and procedures of the Authority,~~

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~~where required.}] [Contractors shall remain current in their implementation of Best Environmental Practices and Good Industry Practices, and shall continually identify and implement solutions that reflect the most up-to-date Best Available Scientific Evidence and Best Available Techniques.}]~~

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2. ~~{In accordance with the Exploitation Contract or the Parent Company Liability Statement, as the case may be,}]~~ The Contractor ~~[and its Managing Company],~~ shall have responsibility or liability for any damage arising out of [(a) the Contractor's] operations ~~{or (b), the operations of its subsidiaries or sub-contractors in the performance of the Plan of Work,}]~~ and shall be held liable for the actual amount of damage.

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3. ~~In the event that Contractors fail to comply with their payment obligations under these Regulations, [their Managing Company] shall be held responsible to effect such payments to the Authority on behalf of Contractors.~~

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4. The Contractor shall allocate sufficient resources and assign roles and responsibilities to implement their obligations under these Regulations.}]

~~{5. Sponsoring State shall take all legislative and administrative measures to assure that Contractors have all material, operative, and financial means to comply with the Exploitation Contract and these Regulations and that no corporate limitation shall prevent Contractors, holding and Ultimate Parent Companies to compensate damages and make the payment required by the Contractors under the Exploitation Contract and these Regulations.}]~~

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

1: The suggested hierarchy of acts is more correct

1bis: ~~The content of Good Industry Practice, Best Available Scientific Information and Best environmental Environmental Practices is a matter of substance and should be subject to the Council's decisions.~~ The last part of this paragraph is excessive.

1quat: We have doubts regarding subparagraph 1quat: the UNCLOS does not include such requirements. At the same time, we guess that it is a responsibility of contractor to ensure an access of inspectors to his ships and facilities and performance of other compliance procedures irrespective of their flag, port, etc.

2, 3: an issue of liability of parent company needs further deliberations (in national legislation a liability of parent company as a rule is subsidiary (joint and several liability is in case when the daughter company has made a transaction with the instruction or consent of the parent company)