

THE PEW CHARITABLE TRUST'S COMMENTARY

***ON THE REVISED CONSOLIDATED TEXT: DRAFT REGULATIONS ON  
EXPLOITATION OF MINERAL RESOURCES IN THE AREA,  
DATED 29 NOVEMBER 2024 (ISBA/30/C/CRP.1)***

Key

**Black font**, **red font**, and grey text-boxes are replicated from the Draft Regulations text.

**Blue font** represents commentary or edits proposed by The Pew Charitable Trusts.

### Regulation 43

#### Compliance with other laws and regulations

1. Nothing in an Exploitation Contract shall relieve a Contractor from its [lawful] obligations under any national law to which it is subject, including the laws of a Sponsoring State and flag State. ~~[Contractors shall comply with all laws and regulations, whether domestic, international, or other, that apply to its conduct of activities in the Area.]~~
2. Contractors shall maintain the currency of all permits, licences, approvals, certificates, [insurance policies,] and clearances not issued by the Authority and that may be required to lawfully conduct Exploitation activities in the Area. [Contractors must conduct regular reviews to ensure that all necessary documents are up to date and valid].
3. Contractors shall notify the Secretary-General promptly when a permit, licence, approval, certificate, [policy] or clearance connected with its activities in the Area is terminated, [changed] or suspended. [The Secretary-General shall upon notification confer with the relevant States to determine how the termination, changes or suspensions may impact the Contractors activities in the Area. The Secretary-General shall then report any information provided by the Contractor and relevant States to the Compliance Committee for their consideration of whether any regulatory action is warranted or additional information from the Contractor or relevant State is required.]

#### Comments

- It has been suggested by many delegations to delete the word “*lawful*” in paragraph 1.
- Some delegations suggest to retain the last sentence of paragraph 1. Other delegations suggest to delete it, as the content is unnecessary and unclear. It has been retained in deleted format for the time being.
- A group and one delegation have suggested to insert regulation on what is expected in case a notification is received under para 3.

We support this DR43 as edited.