

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 80 Monetary penalties~~

~~{Subject to} [Without prejudice to] Regulation 103(6) and according to the
applicable Standards, the Council may impose a monetary penalty proportionate to the
seriousness of the violation.}~~

Comment

It has been suggested that all contractual breaches should be tackled under draft regulation 103. Delegations are invited to consider whether that is sufficient. It is recalled that draft regulation 103 also provides for monetary penalties.

We support deletion. The Regulations should apply the same compliance and enforcement regime and process to any contract violation. This is covered by DR103.