

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 30TH SESSION:
COUNCIL - PARTS 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.jm.

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

Republic of Nauru

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

Regulation 30bis

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.

2. A Contractor’s safety management system shall: [...]

~~[(e) bis Be independently verified annually by an internationally recognized provider of verification services acceptable to the Authority, in accordance with relevant Standards;] [...]~~

~~(f) be subject to continual improvement during the term of the Exploitation Contract, including through frequent management review and audit.~~

~~2. bis A Contractor shall, in its annual reports detail any material changes to the health and safety management system and demonstrate the systematic assessment of the system and its continual improvement, including through the results of management reviews and audits under paragraph 2(f) bis.~~

~~3. A proposed change to a Contractor’s safety management system shall be treated the same as a modification of a Plan of Work, pursuant to Regulation 57 mutatis mutandis.]~~

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

On paragraph 2(c)(bis), we consider that the requirement for independent verification of contractor’s safety management system should be removed. This would only add to contractor costs without providing real additional certainty for the Authority. It is a contractor’s responsibility to implement and maintain its safety management, and its continual improvement (as referenced in the Commission’s *draft standard and guidelines for the safe management and operation of mining vessels and installations*, ISBA/27/C/9, 31 January 2022) and to demonstrate this to the Authority.

Accordingly, we suggest new regulatory text at paragraphs 2(f) and 2bis.

We support the deletion of paragraph 3. The requirement of following the process set out in draft regulation 57 for each and every modification of the safety system to be contrary to best practice regarding monitoring and updating safety management systems. Requiring constant notification and approval procedures for these updates would not be feasible and would run counter to the philosophy underpinning continual improvement.