

**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 38

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. Such annual reports shall be in accordance with applicable Standards and taking into consideration the Guidelines and include:

(a) Details of the Exploitation work carried out during the Calendar Year, including maps, charts and graphs illustrating the work that has been done and the data and results obtained, reported against ~~and noting variance from~~ the approved Plan of Work;

(c) Details of the equipment used to carry out Exploitation, and in operation at the end of the period, ~~if different from the Plan of Work~~;

(e) Information on compliance with health, labour and safety standards reported against the Health and Safety Plan;

(g) The actual results ~~[and data]~~ obtained from environmental monitoring programmes, including observations, measurements, evaluations and the analysis of environmental parameters, reported against ~~[the Strategic Environmental Goals and Objectives in Regulation 44ter, the relevant Regional Environmental Management Plan including its Regional Environmental Objective and] [where applicable, any criteria and] [thresholds included in the applicable Standards, and against~~ the Environmental Management and Monitoring Plan], together with details of any response actions implemented under the plan and the actual costs of compliance with the plan;

~~[(j) bis Details about any changes made to the Contractor's business structure or collaborations, including but not limited to their subcontractors, holding, subsidiaries, affiliates and ultimate parent companies, agencies and partnerships;]~~

(n) Details of any material changes made to the Contractor's Environmental Management System and Health and Safety Management System in accordance with Regulation 50 bis ~~including information to demonstrate the systematic assessment and continual improvement in the system in accordance with Regulations 50 bis and 30bis respectively~~;

~~[2. bis The Secretariat shall arrange for the effective management of the submitted information in order to overcome existing gaps in knowledge concerning the marine ecosystems including their sensitivity and resilience, the determination of environmental quality standards and appropriate exploitation equipment.]~~

~~[2 bis Alter. The Commission shall review annual reports received, and shall prepare and submit to the Council a summary report which shall record any trends or findings from the review, and any related recommendations for the Council's~~

~~consideration. The report should include any information relevant to the formulation by the Authority of rules, regulations and procedures concerning Protection of the marine environment and health and safety.]~~

[2. ~~t~~~~Ter. Alt. Ter~~ In reviewing annual reports, the Commission shall prepare for the Council a report that summarises trends or findings from the annual reports, including but not limited to any knowledge and information relevant to the continuous improvement of the Regulation and the management of activities in the Area, with a particular emphasis on information relevant to better understanding marine ecosystems and the impacts of activities in the Area on such ecosystems [as well as safety and mining equipment.]

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

Paragraphs 2(a) and (b): the text is unnecessary and superfluous.

Paragraph 2(e): consistency with the approach taken in Draft Regulation 38(2)(d) and (f).

Paragraph 2(g): the annual environmental reporting should be against the contractor's Environmental Management and Monitoring Plan (EMMP), not the Regional Environmental Management Plan (REMP).

Paragraph 2(j bis): the wording is extremely broad, particularly for contractors that may be part of a broader group of companies that undertake a range of business activities beyond just deep seabed mining. It is also not clear how the information on the changing of business structures would assist the Authority.

Paragraph 2(n): to capture the requirements in regulations 50bis and 30bis.

Paragraph 2bis: imposes a vague requirement upon the Secretariat and is unclear regarding what it actually requires the Secretariat to do.

Paragraph 2 bis ter is preferred as it is clear in relation to what it requires.
