

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 30<sup>TH</sup> 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](mailto: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 46

**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. The purpose of an Environmental Impact Assessment [~~Process~~] [~~under this Regulation~~] shall be to [identify and inform the Authority’s assessment of an application of a Plan of Work under Regulations 13 to 16, ~~for a Contract’s continued adherence to these Regulations~~] and predict [and evaluate the potential] Environmental Impacts, [~~effects and risks~~] [~~anticipated from~~] [of] the proposed activities [~~in the Area~~] [on the marine environment and identify necessary measures to Mitigate [~~prevent~~], [~~minimize~~] or manage [them] [~~such effects and risks~~], to enable the Authority to assess the potential residual adverse Environmental Effects [~~and risks~~], with the aim to:

3. The [~~process for Environmental Impact Assessment~~][~~Environmental Impact Assessment~~ [~~Process~~]] shall: [...]

(b) Be carried out by [competent], [~~qualified,~~] [~~and~~] [~~independent~~] experts or competent individuals;

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

Draft regulation 46 should specify that the Authority’s assessment under this regulation relates to “residual adverse Environmental Effects and risks”.

In terms of sub-paragraph 3(b), the draft regulations should not impose a requirement for review by or involvement from “independent” experts. Contractors may have sufficient expertise within their own staff that could do this work. We also consider that a qualification requirement is unclear in this context. As such, we propose to replace “qualified” with “competent” to ensure that the EIA can be done by persons sufficiently competent to carry it out.