

**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 93bis

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.

7. During the consultation period, the applicant or Contractor shall ~~endeavour to~~ endeavour to conduct engagement with States and ~~{potentially directly affected}~~ potentially directly affected and interested Stakeholders ~~{public engagement}~~, and in accordance with [Regulation 93 ter] applicable Standards, and taking into ~~{consideration}~~ Guidelines. The Secretary General may, ~~[in consultation with the relevant applicant or Contractor.]~~ direct the applicant or Contractor to conduct such meetings, workshops and engagement ~~[or facilitate such meetings, workshops and other forms of engagement]~~.

~~[7. bis. The applicant or Contractor shall organize at least one public meeting during the consultation period to allow stakeholders to ask questions and express their concerns~~ [or support] directly.]

9. ~~[The Secretary General shall transmit all submissions to the applicant or Contractor.]~~ The applicant or Contractor shall consider the submissions received and ~~[may]~~ [shall] revise the documentation that was the subject of consultation. The applicant or Contractor shall prepare a written response to consultation that collates and responds to the ~~{substantive}~~ substantive and relevant comments expressed in submissions and includes an explanation of any revisions to the document and how those revisions respond to ~~{substantive}~~ substantive and relevant comments expressed in the submissions. ~~The applicant or Contractor shall submit the written response, with any revised documentation, to the Secretary General for transmission to the Commission.~~

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

In relation to paragraph 7, it is important that only applicants and Contractors be obliged to “endeavour to” engage with interested stakeholders. Stakeholders cannot be forced to be engaged with and the regulations should recognise this. We suggest that the text “endeavour to” be re-instated.

We support the inclusion of new paragraph 7 bis. However, we suggest including text that states that in addition to any concerns, stakeholders can also express their support at the public meeting. The regulations should not assume that all stakeholders will be opposed to or concerned with proposed applications. We suggest that the text “or support” be added after concerns.

In relation to paragraph 9, as per written submissions, we propose that the obligation to respond to comments be limited to “substantive and relevant” comments. Applicants and Contractors should not be required to respond in writing to irrelevant or vexatious comments.
