

TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 30TH SESSION: COUNCIL - PART II

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:

Canada

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

DR 7(2)d; DR 7(3bis)d

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. Each applicant, including the Enterprise, shall, as part of its application, provide a written undertaking to the Authority that it will:

~~[(d) Provide the Authority with written undertakings from parent or holding companies of the applicant, if any, to assume joint and several liability for damages to the Authority in the event of liability having been established against the applicant in carrying out of the plan of work.]~~

3. bis. An application shall contain sufficient information to demonstrate that the applicant has [or will have] access to the necessary financial and technical capability and resources to carry out the proposed Plan of Work, and shall be accompanied by the following:

~~(d) bis A Test Mining study prepared in accordance with Regulation 48 ter ~~in~~ cases where an applicant utilizes mature mining technology that has been internationally validated, there shall be no requirement to conduct Test Mining. Instead, the applicant shall provide supporting materials in relation to the mature mining technology when submitting the application];~~

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

Canada proposes deleting DR 7 paragraph 2d as that content should be addressed in the Parent Company Liability Statement, which is still being negotiated.

Canada proposes deletion of text in DR 7 para 3(d) bis as it paraphrases what is in 48 ter, the substantive provision on Test Mining. In general, it would be better to

make reference to the relevant regulation as opposed to paraphrasing, as this could lead to inconsistencies and inaccuracies.