



**Call for proposals concerning the preparation of a draft standard and/or
guidelines on insurance obligations**

13 October 2021

1. The International Seabed Authority (the Authority) is an autonomous international organization established under the United Nations Convention on the Law of the Sea of 10 December 1982 (the Convention) and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea (the 1994 Agreement). The Authority is the organization through which States Parties to the Convention shall, in accordance with the Convention, organize and control activities in the Area, particularly with a view to administering the resources of the Area.
2. The Authority is seeking a consultant with experience or knowledge in: (i) drafting regulatory frameworks; (ii) the Authority's existing regulatory framework as well as the current draft of the exploitation regulations and draft standards and guidelines; (iii) public international law, including advising on matters concerning the law of the sea; and (iv) marine, offshore oil and gas or mining insurance obligations. The consultant is requested to prepare a draft standard and/or guidelines in line with the scope of work in the Annex and invites proposals to be submitted via email to ola@isa.org.jm on or before **31 October 2021**.
3. If interested in this consultancy, we invite you to submit a two-page proposal detailing your skills and experience in the drafting of regulatory frameworks for either mining or offshore oil and gas projects and your experience or knowledge of the Authority's existing regulatory framework. Proposals should thoroughly and sufficiently demonstrate the competence and expertise of the applicant to meet the requirements contained in the Annex. Proposals should equally reflect a clear methodology on the deliverables for the study as well as proposed costs. The outcome will be communicated to applicants using the contact details provided.

Annex

Terms of reference

For a consultancy for the preparation of a draft standard and/or guidelines on insurance obligations

BACKGROUND

1. The draft regulations on exploitation of mineral resources in the Area (ISBA/25/C/WP.1) (Draft Regulations) provide for the obligation for a contractor to obtain and maintain, and cause its subcontractors to obtain and maintain, in full force and effect, insurance with financially sound insurers satisfactory to the Authority, of such types, on such terms and in such amounts in accordance with applicable international maritime practice, consistent with good industry practice and as specified in the relevant guidelines (Draft Regulation 36).
2. During the first part of the 26th session of the Authority, following a preliminary discussion based on a note prepared by the Secretariat reviewing relevant industry practice, the Legal and Technical Commission (the Commission) requested that the secretariat conduct a survey amongst contractors on access to insurance and insurance cover under current exploration contracts as well as the potential areas that would require additional insurance coverage for exploitation.
3. Based on the outcome of the survey, the Commission developed terms of reference for the preparation of a standard and/or guidelines to assist contractors comply with Draft Regulation 36, and requested the secretariat to work on a draft standard and/or guidelines on this matter as part of development of phase-two standards and guidelines.

GOALS AND SCOPE OF WORK

4. Based on the terms of reference developed by the Commission, the goal of this consultancy is to draft a standard and/or guidelines for insurance obligations in accordance with the Draft Regulations and existing draft phase one standards and guidelines.

DELIVERABLES

5. The consultant should complete the following tasks in coordination with the secretariat:
 - a. Follow the Commission's terms of reference.
 - b. Based on the Commission's terms of reference, survey results and other research conducted by the consultant prepare a standard and/or Guidelines on insurance obligations.

TIMELINES

6. The consultant should follow the timeline below:
 - a. Commencement of consultancy in November 2021.
 - b. Consider existing materials, including: (i) survey results; (ii) terms of reference; (iii) Draft Regulations; and (iv) existing draft phase one standards and guidelines.
 - c. Prepare first draft standard and/or guidelines for insurance obligations by the end of December 2021.
 - d. Following consultation with the secretariat, prepare revised final draft standard and/or guidelines by end of January 2022.

PAYMENT SCHEDULE

7. We invite you to provide us with a fixed fee proposal for the completion of this consultancy.

MODALITIES OF WORK

8. The work shall be performed at the consultant's home base; the consultant will be required to meet remotely with ISA secretariat staff on issues related to the deliverables. In relation to travel arrangements, the consultant may be required to give presentations at the meetings of the Commission in 2022, or at a later date. A return airline ticket (economy) as required as per prevailing ISA policies on official travel and DSA at the prevailing ICSC rates established on the travel days will be made available for up to two consultants to give presentations in Kingston. Tickets need to be booked and paid before the trip and, where necessary, the option of self-ticketing subject to the Authority's applicable administrative policy.
9. The Secretariat will make reasonable and practical efforts to facilitate the production of timely,

accurate and useful outcomes by promptly responding to the consultant's queries and providing the necessary reference material as identified by the consultant where feasible.
