



Template for the review of the draft standards and guidelines associated with the Draft regulations on exploitation of mineral resources in the Area

I. Background

1. The Draft regulations on exploitation of mineral resources in the Area ([ISBA/25/C/WP.1](#)) require that certain issues are addressed in accordance with, or taking into account, standards and guidelines to be developed by the organs of the Authority. The standards will be adopted by the Council and will be legally binding on Contractors and the Authority, whereas the guidelines will be issued by the Legal and Technical Commission or the Secretary-General and will be recommendatory in nature.
2. Stakeholders consultations are an integral part of the process decided upon by the Commission for the development of the standards and guidelines ([ISBA/25/C/19/Add.1](#)).
3. The Legal and Technical Commission will consider the comments received through the stakeholders consultation at its next session.
4. The drafts include a cover page containing substantive background and contextual information on the approach taken by the Commission in developing each standard and guidelines. Review comments are not being sought on this background information.
5. Issues of format and consistency across the standards and guidelines will be reviewed by the secretariat and Commission once the content of the various standards and guidelines is finalized following stakeholders consultations.

II. Submitting Comments

6. To ensure that your comments are given due consideration, please send them by e-mail to ola@isa.org.jm, at your earliest convenience but **no later than the date announced on the ISA website for the relevant draft standards and guidelines**.
7. When submitting comments, please adhere to the following guidance as much as possible:
 - a. Please provide all comments in writing and in an MS Word .doc or .docx format using the table provided below.
 - b. The table format allows for an unlimited number of comments to be added. To add more comments, you may add more rows.

- c. Please provide full contact information for the individual/Government/organization submitting the comments.
 - d. Please avoid commenting on issues related to format, grammar, spelling or punctuation, unless it affects the overall meaning of the text, as the document will be formatted and edited when the final draft is prepared.
 - e. To facilitate the revision process please be as specific as possible in your comments. In areas where you feel additional or alternative text or information is required, please suggest what this text may look like or what information should be included.
 - f. Text may be copied from the draft into the table if stakeholders wish to use "track changes" in editing text (this is encouraged to ensure accuracy and avoid numbering errors).
 - g. If you refer to additional sources of information, please include these with your comments when possible or provide a complete reference or hyperlink.
 - h. All review comments will be posted on the ISA website, unless otherwise requested by the submitting entity.
8. Should you have any questions regarding the review process, please contact ola@isa.org.jm.

III. Template for Comments

- 9. Please use the review template below when providing comments.
- 10. Line and page numbers have been provided in the drafts. Please use these as a reference as illustrated in the table below.

TEMPLATE FOR COMMENTS

<i>Document reviewed</i>	
Title of the draft being reviewed:	Guideline on the preparation and assessment of an application for the approval of a Plan of Work for exploitation developed by the Legal and Technical Commission.
<i>Contact information</i>	
Surname:	Hernández
Given Name:	Cristóbal
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Country:	Chile
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General Comments		
The Regulations for the exploitation of mineral resources in the Area should include a clear regulation that shall be required for any Contractor. Before undertaking any activity they must have an approved Plan of Work made by the Assembly of ISA		
The Guidelines have a recommendation propose. However, regulations clarify the process and the procedure and in these regards, the Contractors should apply them.		
The material accompanying the application in Row 5 has to be mandatory and not in a question format.		
The information regarding the area covered by the application (DR 7, DR 8, Annex I) in Row 6 has to be mandatory.		
Preparing an application for the approval of a Plan of Work in accordance with the Exploitation Regulations, noting that failure to meet all of the requirements in preparing an application for a plan of work <u>will mean the rejection</u> of the review and consideration of the application;		
These comments do not imply that our country accepts the currents Draft Regulations on the exploitation of mineral resources in the Area.		
We understand that the list and the flow information established in this document is a support process for the proponent and the evaluator who must establish clear points that allow regulating this process.		
Specific Comments		
Page	Line	Comment
2	10	Please include “General Principles and Approaches” before “(...) the rules, regulations and procedures (...)
2	23 and 24	Please eliminate “This document covers the requirements for an application and assessment of an application for a Plan of Work as set out in the Exploitation Regulations”.
2	33, 34 and 35	Please add “Are valuable”
4	Row 1	Please include: Scientific information, Contingency plan.
4	Row 2	Please eliminate “or any group of the foregoing which meets the requirements of the Draft regulations?”
4 and 5	Row 2	Please eliminate “In the case of any other qualified applicant, by a designated representative, or by the authority designated for that purpose by the sponsoring State or States?”
5	Row 2	Please eliminate “and, if applicable”
5	Row 2	Please eliminate “If the applicant is a partnership or consortium of entities, does the application contain: <ul style="list-style-type: none"> • The information required by the Draft regulations in respect of each member of the partnership or consortium? • A specification of the lead member of the consortium or group?
6	Row 3	Please eliminate “If the applicant has more than one nationality, as in the case of a partnership or consortium of entities from more than one State, has each State

		involved issued a certificate of sponsorship?
6	Row 4	Please eliminate “Does the application contain the following written undertakings that the applicant will: • Accept as enforceable and comply with the applicable obligations created by the provisions of Part XI of the Convention, the rules, regulations and procedures of the Authority, the decisions of the organs of the Authority and the terms of its contract with the Authority? • Accept control by the Authority of activities in the Area, as authorized by the Convention? • Provide the Authority with a written assurance that its obligations under its contract will be fulfilled in good faith? • Comply with the national laws, regulations and administrative measures of the sponsoring State or States made pursuant to articles 139 and 153
9	Anexx 2	Why the first review of application is made by Secretary General? If the application is complete, why is only the environmental plan going to be placed on the website for comments? It should be the complete application for the plan of work. The same observation applies after approval if the contractor delivers a revised plan of work. There is some inconsistency among the given days for comments on the website.
<i>Additional rows can be added to this table by selecting “Table” followed by “insert” and “rows below”</i>		

Comments should be sent by e-mail to ola@isa.org.im