

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION:
COUNCIL - PART III**

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 of Working Group:

Inspection, Compliance and Enforcement

2. Name(s) of Delegation(s) making the proposal:

Federal Republic of Germany

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

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4. 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.

1. If, as a result of an inspection, an Inspector ~~has reasonable grounds~~ [to determine] [determines pursuant to the applicable Standards] that any occurrence, practice or condition endangers or may endanger the health or safety of any person or poses a threat of Serious Harm to the Marine Environment, or is otherwise in breach of the terms of its exploitation contract, the Inspector ~~shall~~ give ~~any~~ instruction ~~he or she considers reasonably necessary~~ to remedy the situation, in accordance with the Standards, including [...]

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

We agree with comments made at the last meeting that an Inspector shall act when there are reasonable grounds to make such determinations as envisaged in this provision, but at the same time, we also agree that the grounds to make such determinations should be specified elsewhere (as proposed by the African Group). For the purposes of this provision, what is relevant is that such a determination has been made by the Inspector. Finally, we look forward to further discussions regarding the institutional arrangements for inspection. That would be important because it would have repercussions on whether it is the Compliance Committee, Inspectorate, LTC or Secretariat that would perform some of the tasks that the remainder of this provision anticipates.