

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH 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:** President's Text

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

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

DR 33(2)(f) – **proposed amendments are in green; red text is as contained in the President's Text circulated ahead of the July Council meeting.**

- 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.**

2. The Contractor shall, upon becoming aware of an Incident:
 - (a) Notify its Sponsoring State or States and the Secretary-General immediately, but no later than 24 hours from the ~~[Incident occurring]~~ [moment the Contractor becomes aware of the Incident;
(a).Alt. Notify its Sponsoring State or States, ~~[relevant adjacent Coastal States]~~ [States adjacent to the contract area likely to be affected] and the Secretary-General immediately, as soon as reasonably practicable but no later than 24 hours from the time the incident occurred;]
 - (b) Immediately implement, where applicable, the Emergency Response and Contingency Plan approved by the Authority for responding to the Incident;
 - (c) Undertake promptly, and within such time frame as stipulated, any instructions received from the Secretary-General in consultation with the Sponsoring State or States, flag State, coastal State or relevant international organizations, as the case may be;
 - (d) Take any other measures necessary in the circumstances to limit the adverse effects of the Incident; and
 - (e) Record the Incident in the Incidents Register, which is a register to be maintained by the Contractor on board a mining vessel or Installation to record any Incidents or notifiable events under regulation 34.
(f) **Following resolution of an Incident, provide the Authority with an Incident report which details the Incident and any corresponding data on its nature, scale, and impacts, the Contractor's response, ~~and lessons learned~~, and any proposed measures to minimise or reduce the risk of similar incidents occurring in the future.**

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

Australia considers the Contractor should be required to explain the measures (if any) they propose to implement to prevent, minimise or reduce the risk of a similar incident occurring in the future.