

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28<sup>TH</sup> 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](mailto:council@isa.org.jm).

1. **Name of Working Group:** Inspection, Compliance and Enforcement
2. **Name(s) of Delegation(s) making the proposal:** Australia
3. **Please indicate the relevant provision to which the textual proposal refers.**

DR 96ter (2) - proposed amendments are in green text

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.**

**Regulation 96 ter**

**Inspections: General**

2. Where the Compliance Committee or the Chief Inspector have reasonable grounds to consider the matter to be so urgent that reasonable notice cannot be given, the Compliance Committee or the Chief Inspector shall instruct an Inspector to conduct an inspection and provide notice as soon as reasonably practicable ~~without prior notification.~~

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

Australia has concerns that this draft regulation refers to giving no notice.

Australia would prefer that the regulation be amended to require notice of an inspection to be given ‘as soon as reasonably practicable’, rather than permit an inspection without any notification.

Australia also suggests that the term ‘reasonable’ be inserted before ‘notice’, so that the regulation captures instances where *reasonable* notice cannot be given.

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DR 96 (ter)(6)(b)- proposed amendments are in green text

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6. Inspectors shall:

(a) Carry out inspections in accordance with internationally accepted principles of good seamanship so as to avoid risks to the safety of life at sea, and where appropriate follow instructions and directions pertaining to the safety of life at sea given to them by the Contractor and the master of the vessel; with due regard to the observance of good seamanship and

(b) Refrain from any undue interference with the safe and normal operations of the Contractor and of vessels and Installations, ~~unless the Inspector has reasonable grounds for believing that the Contractor is operating in breach of its obligations under an exploitation contract.~~

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

Australia would prefer that DR 96 ter (6)(b) align with the equivalent provision in DR 96, so that the text following the comma is removed.