

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH SESSION:
COUNCIL - PART III**

President's text

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:

China

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

Regulation 26 [Environmental Performance Guarantee]

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.

***Note: China's amendments are in Blue**

[Regulation 26 \[Environmental Performance Guarantee\]](#)

[\[Alt. Decommissioning Bond\]](#)

6. The Authority shall hold such guarantee in accordance with its policies and procedures, which shall provide for:

(a) The repayment or release of any [Environmental Performance Guarantee] [Decommissioning Bond], or part thereof, upon compliance by the Contractor of its obligations that are the subject of the [Environmental Performance Guarantee] [Decommissioning Bond];[\(Suggested to be clarified.\)](#)

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

Regarding the title of this regulation, the coverage of the guarantee should be broader and should not be limited only to the period after the decommission of mining activities.

Regarding paragraph 6(a), it is suggested to be clarified what obligations that are the subject of the Environmental Performance Guarantee are to be complied with by the Contractor. This paragraph provides for the repayment or release of any Environmental Performance Guarantee, or part thereof, upon compliance by the Contractor of its obligations that are the subject of the Environmental Performance Guarantee, but it is not clear what obligations that are the subject of the Environmental Performance Guarantee are to be complied with by the Contractor.