

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

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:

Informal Working Group on Inspection, Compliance and Enforcement

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

China

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

Alt. Regulation 96 Inspections: mechanism

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**

1 bis. The Commission shall establish a Compliance Committee pursuant to regulation 96 bis to assist the Council in carrying out its responsibility relating to inspection, compliance, and enforcement ~~to exercise control over activities in the Area~~, including directing and supervising the roster of Inspectors and inspection programme.

1 ter The Compliance Committee shall, establish a Standing Committee, composed of the Chair of Commission and/or the Chair of the Compliance Committee and some individual members from the Compliance Committee, subject to the approval of the Council, appoint an officer with suitable qualifications and appropriate experience in compliance assurance, and health, safety and environment in marine mining or other related marine extractive industries, ~~to be Chief Inspector~~. The Standing Committee ~~Chief Inspector~~ shall report to the Compliance Committee and shall undertake the day-to-day management and administration of the roster of Inspectors and inspection programme under the direction of the Committee and other related duties set out by the Committee in writing.

2. A Contractor shall permit the Authority to send its Inspectors, who shall upon request by sponsoring States, any other State Party or other party concerned be accompanied by a representative of the Sponsoring State, other State Party or other party concerned, aboard all vessels and Installations used in the Area by the Contractor to carry out Exploitation activities under an exploitation contract. To that end, States Parties, in particular any State or States in whose national jurisdiction or on whose vessel the Authority wishes to conduct inspection activities, shall assist the Compliance Committee,

the [Standing Committee Chief Inspector](#) and Inspectors in discharging their functions under the Rules of the Authority.

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

Alt. Regulation 96 reflects some of the consensus reached during the consultation on the “inspection, compliance, and enforcement” regulations, and in principle, it is agreed to replace Regulation 96 with Alt. Regulation 96 and further optimize its content.

Regarding paragraph 1bis, the term “assist the Council in carrying out its responsibility to exercise control over activities in the Area” is too broad and vague, and it should be further clarified that the Compliance Committee under the Commission is to assist the Council in carrying out its responsibility relating to “inspection, compliance, and enforcement”.

Regarding paragraph 1ter and paragraph 2, China believes that the body responsible for daily management of inspectors should be an entity rather than an individual. It is recommended to establish a standing committee within the Compliance Committee, consisting of the Chair of the Commission and/or Compliance Committee and several individual members, to undertake relevant functions.