

**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: I.C.E**
  
- 2. Name(s) of Delegation(s) making the proposal: Costa Rica**
  
- 3. Please indicate the relevant provision to which the textual proposal refers. 99**
  
- 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 99

Inspectors' power to issue instructions

[3.[Alt.quarter] septies An instruction is effective from the time fixed by the

Inspector and remains in force [until] unless set aside by the ~~[InspectorGeneral]~~ Compliance Committee or until the Inspector's instructions have

been complied with within the specified period. ~~or the instruction lapses at the end of the specified period.]~~

[3.Alt.sexies The Inspector-General shall report immediately to the Secretary-General, the Commission, the Council and to the Contractor's sponsoring State or States and, if appropriate, the relevant coastal State or States and the flag State that an instruction has been issued under paragraph

1. The Council may request further information as to the facts and circumstances giving rise to the issue of an instruction under paragraph 1 for its consideration.]

Subject to paragraph 3

[octies] nonies, where a Contractor has failed to comply with a written instruction or the circumstances giving rise to the instruction remain unresolved, the

[Inspector- General] Compliance Committee [shall] may thereafter exercise the powers conferred upon [the Inspector-General] it under regulation 103.]

[4. Nothing in this regulation shall preclude the Council from issuing emergency orders pursuant to article 162, paragraph 2(w), of the Convention.]

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

An instruction issued by the inspector on the grounds of paragraph 99.1 may only be lifted if the instruction is fully complied with and it can be corroborated that the danger to personnel or the environment has ceased or lifted by the Compliance Committee. In order to ensure that there is no serious damage, there should be no time limits on the instructions given. In the event of non-compliance by the contractor or if one or more of the factors that raised the instruction still remain or new facts arise as a consequence, the Compliance Committee shall proceed as set forth in Article 103. Costa Rica considers that articles 3.Alt.quater, 3.Alt.sexies and 4 serve as a basis for further discussion.