

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

Informal Working Group - Environment

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete.

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

Federal Republic of Germany

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

Draft Regulation 48bis

Green text is in original draft; **blue text** indicates Germany's textual proposals

3. 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 48 bis

New Environmental Impact Assessment and Revised Environmental Impact Statement

1. A Contractor shall conduct a new Environmental Impact Assessment and submit a revised Environmental Impact Statement when:

- a) A Material Change to an existing Plan of Work is proposed which is likely to increase the adverse Environmental Effects caused by the activities,
- b) A Material Change in the Marine Environment is detected through monitoring or other data sources which would call for a new or reviewed Environmental Impact Statement,
- c) An activity described in the Plan of Work is predicted to exceed the impact thresholds set out in the Standards on environmental thresholds,
- d) A relevant Standard and this activity and predicted impact has not already been addressed by an Environmental Impact Statement, or

e) Otherwise deemed necessary by the Commission, in accordance with applicable Standards and taking into account Guidelines, e.g., when changes to an existing Plan of Work is proposed other than the type described under subparagraph (1)(a) **or if relevant Standards and/or thresholds have been substantially revised**, or when the Commission requests an applicant to change its proposed Plan of Work during the application stage under Regulation 14.]

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

Re Para 1c) and d) we would welcome explanation. Our understanding is that if the predicted impact exceeds the binding thresholds or a standard has not yet been addressed in the EIS, there should be no contract in the first place.

We propose an addition to Para 1 e).