

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<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:**

President's text

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

Republic of Nauru

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

Regulation 18(1)(a) and (b)

**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.**

(a) Explore for the specified Resource category in accordance with ~~[paragraph 7 below] paragraph 7 below [relevant Standards and taking into account any Guidelines, in accordance with Good Industry Practice, Best Available Scientific Evidence, Best Environmental Practices, and Best Available Techniques];~~

(b) Exploit the specified Resource category in the Contract Area in accordance with the approved Plan of Work ~~[and regulations 18bis and 18ter]~~, provided that ~~[production] [mining operations-exploitation activities]~~ shall only take place in approved Mining Areas ~~[and subject to prerequisites prescribed under regulation 25(6)]~~

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

As to sub-paragraph (a), we do not support the proposed replacement of "paragraph 7" in DR18(1)(a) with a reference to Standards and Guidelines. The intent behind DR18(1)(a) is to specify that an exploitation contract provides certain exploration rights to Contractors. The requirements for such exploration are set out in paragraph 7, which specifies that such exploration is subject to the "applicable Exploration Regulations".

As to sub-paragraph (b), we propose for consistency and clarity that the term "mining operations" be replaced with "exploitation activities" given "exploit" and "exploitation" are defined terms.

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Regulation 18(7)

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In relation to exploration activities in the Contract Area conducted under an exploitation contract, the applicable Exploration Regulations shall continue to apply ~~as set out in the relevant [Standards and/or] [Guidelines]~~. In particular, the Contractor shall ~~[be expected to]~~ continue to ~~[show] [exercise]~~ due diligence in conducting exploration activities in the Contract Area, together with ~~[the payment of applicable fees and]~~ the reporting of such activities and its results to the Authority in accordance with the applicable Exploration Regulations, including under regulation 38 (2) (k).

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

Nauru considers the reference in DR18(7) to "relevant Standards and/or Guidelines" is unnecessary and may create uncertainty and should be deleted. Exploration conducted under an exploitation contract should be governed by the rules, regulations and procedures for exploration.