

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH 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.

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 28(1)

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.

1. The Contractor [~~shall~~] [~~will make best efforts to~~] maintain Commercial Production in accordance with the exploitation contract and the Plan of Work annexed thereto and these regulations, [~~and market conditions~~]. A Contractor shall, consistent with Good Industry Practice, manage the recovery of the Minerals removed from the Mining Area at rates contemplated in the Feasibility Study.

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

The Convention does not contemplate "best efforts". The obligation is to maintain commercial production (in Annex III, Article 17(2)(c)).

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Regulation 28(4)

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.

4. [A Contractor shall notify the Secretary-General and the Sponsoring State or States as soon as it recommences any mining activities production, and no later than 72 hours after such recommencement, and, where necessary, shall provide to the Secretary-General such information as is necessary to demonstrate that the issue triggering a reduction ~~or suspension~~ has been addressed. The Secretary-General shall notify the Council that production has recommenced.]

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

We propose adding a requirement to notify the Sponsoring State or States in the event production is recommenced.

We also propose replacing "any mining activities" with "production" to be consistent with paragraph 3.