

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28<sup>TH</sup> SESSION:  
COUNCIL - PART I**

*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:**

Informal Working Group on Institutional Matters

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

The Pew Charitable Trusts

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

DR 9

**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 Secretary-General shall:

(a) Acknowledge in writing, within ~~14~~ **30** Days, receipt of every application for approval of a Plan of Work submitted under this Part, specifying the date of receipt;

(b) Place the application, together with the attachments and annexes thereto, in safe custody and ensure the confidentiality of all Confidential Information contained in the application; and

(c) Within 30 Days of receipt of every and upon confirming that an application for approval of a Plan of Work submitted under this Part is complete [in accordance with regulation 10(1)]:

(i) Notify the members of the Authority of the receipt of such application and circulate to them ~~[information of a general nature which is not confidential regarding the application the contents of the application save for any Confidential Information contained in the application] along with notice of the determination made, if any, pursuant to regulation 10 as to whether the applicant has preference and priority~~; and

(ii) Notify the members of the Commission and the Finance Committee of receipt of such application.

~~2. ———[The Commission shall, subject to regulation 11 (4)[3], consider such application at its next meeting, provided that the notifications and information under paragraph 1 (c) above have been circulated at least [30 90] Days prior to the commencement of that meeting of the Commission. [The Commission may defer consideration of such application to its next meeting if it considers the application to be overly complex.]~~

[Alt. proposal to delete (2) entirely.]

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

We support the proposed additions to paragraph 1. We do think some slight editing to the wording of subparagraph (c) would be helpful to clarify that the application will be circulated only after the SG's completeness check - as we are not sure the current wording quite achieves that.

The alternative wording proposed in sub-paragraph (1)(c)(i) is welcomed. This would ensure that member States receive the most comprehensive information about new applications without infringing confidentiality requirements. This will be necessary to enable proper decision-making by the Council. In this subparagraph we do suggest combining the notification of the application with the notification regarding identification of preference and priority (required by regulation 10) so that it is a single, combined notification. Moving wording from 10(1) here could achieve that goal.

For paragraph 1(c)(ii), we would include the Finance Committee, along with the LTC for the notification requirement.

On para 2, our preference would be to either delete the provision or stop the original para after "The Commission shall, subject to regulation 11([4]3), consider such application at its next meeting". The wording from 'provided....' onwards does not seem necessary, because (as per the cross-referenced DR11(3)) the LTC is prevented from considering the application until after the documents have been published for consultation for 90 days.

DR9(2) also does not specify that the LTC must complete its consideration in the next meeting. Presumably it would be acceptable if the LTC's consideration did run over and across more than one LTC meeting without requiring any express regulations to permit this. It seems likely that a review of an application will require more than one LTC meeting, given that a preliminary consideration may indicate a need for the LTC to seek additional external expertise.