

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH 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.

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 91

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 91

Information to be submitted upon expiration of an exploitation contract

1. ~~{Upon expiration of an exploitation contract,}~~ [F][t]he Contractor shall transfer to the Authority ~~{within 90 Days}~~ all data and information that are required for the effective exercise of the powers and functions of the Authority in respect of the Contract Area, in accordance with the provisions of this regulation and ~~[taking into account]~~ of the Standard and the Guidelines. ~~The Contractor may seek advice from the Commission with regards to the data and information that is required pursuant to this regulation, and the Commission will report to the Council in relation to any such advice provided.~~

~~2. Upon termination of an exploitation contract, the Contractor and the Secretary-General shall consult together and, taking into account the Guidelines, the Secretary-General shall specify the data and information to be submitted to the Authority [within 90 Days].~~

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

Regulation 91 as drafted may give rise to questions of legal competence about the functions and role of the Secretary-General, as well as concerns about uniformity of approach raised by the process. We propose some amendments to paragraph (1), to allow Contractors to seek advice from the LTC with regards to the information covered by this provision (who shall report to the Council). This, combined with the deletion of paragraph (2), would address those issues.