

**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 92

**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 92**

**Seabed Mining Register**

1. The Secretary-General shall establish, maintain and publish a Seabed Mining Register in accordance with the Standards and [taking account of the] Guidelines. Such register shall contain:

(a) The names of the Contractors and the names and addresses of their designated representatives;

(b) The applications made by the various Contractors and the accompanying documents submitted in accordance with regulation 7 [including any revisions];

(c) A copy of each Council decision to award a contract including the rationale, and the terms of the various exploitation contracts in accordance with regulation 17, including copies of the approved Plans of Works

(j) All reports submitted to the Authority by the Contractor, including annual reports submitted under regulation 38, Incident reports submitted under regulation 33(2)(f), environmental monitoring reports submitted under regulation 39bis(3) and (4), and performance assessment reports submitted under regulation 52;

(k) copies of notifications made under regulation 34 of Notifiable Events;

(l) Reports of reviews of activities under plans of works under Regulation 58;

(m) A copy of inspection reports prepared under Regulation 100;

(n) A copy of the compliance record for every Contractor, prepared under Regulation 100bis;

(o) A copy of every compliance notice issued under Regulation 103 and, where applicable, the corresponding improvement plan.

(p) copies of each Contractor's documents validating, declaring, and confirming the Environmental Performance Guarantee.

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

For paragraph 1, we suggest adding to sub-paragraph (c), a copy of the Council decision itself, as this would be a relevant document for the register. We were also unclear whether the reference to the terms of the exploitation contract would include copies of the approved Plans of Work, and suggest this should be expressly stated as included here, for the avoidance of doubt.

In addition, we query whether other items should be included in this regulation and be publicly available: Contractor monitoring data and reports, ISA audit and inspection reports; findings of periodic performance assessments as well as reviews of plans of works; incident reports; compliance notices; environmental improvement plans (where applicable); and enforcement actions. The ISA should also maintain and publish compliance records for all Contractors, and copies of the documents that the Contractors are obliged to submit validating, declaring and confirming their Environmental Performance Guarantee.