

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

IWG: Institutional Matters

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 11(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.

~~{(c) Establish an independent review team, making use of the roster of competent independent experts, if any, to provide comments on the Environmental Plans within the comment period.}~~

~~(c) alt. [In the case the Commission evaluates that there are aspects of the Environmental Plans that are not covered entirely by its own internal expertise, the Commission shall nominate within 7 Days from the publication of the Environmental Plans on the Authority's website at least three competent independent experts selected on the basis of their significant experience or record of publications in a particular deep sea environment or technology sector.]~~

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

Paragraph (c) is an unnecessary step and potentially undermines the role of the Commission.

As to (c) alt, the Commission is at liberty to engage external expertise during the application review / evaluation process. This (c)alt is premature in that regard.

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Regulation 11(2 ter)

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[2 ter.] The applicant shall consider the comments provided pursuant to paragraph (2) and [may-shall] revise the Environmental Plans [and the test mining study] or provide responses in reply to the [substantive and relevant] comments, [as appropriate], and shall-may submit any revised plans or responses [to the Secretary -General][to the Commission] within a period of [30] Days following the close of the comment period. ~~-[unless otherwise decided by the-The Secretary-General may extend the submission period after considering any request by the applicant prior to the expiry of the initial 30 day period before the time period of 30 Days expires for an extension of the period due to the that it requires more time required to revise the plans or responses. Notice of anythe extension of to the submission period shall be posted on the Authority’s website].~~

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

We suggest substantive and relevant in 2 ter to align with submissions to the IWG: Environment.

We have provided some suggested changes to tidy-up the text.

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Regulation 11(5)

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[In preparing the report, the Commission [may]_~~shall~~] seek advice from competent independent experts as necessary. [~~In such case, the Commission shall clarify the necessity of advice from experts and seek prior approval of the Council.~~]The experts shall be selected and appointed in accordance with the [~~relevant applicable~~ Guidelines] [Annex [xxx]]

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

The Commission is empowered to engage external experts and does not require the Council’s prior approval. This is an unnecessary and bureaucratic step. Consideration could be given (for the purposes of transparency) to establish a roster of subject matter experts.