

**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 15(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. [Taking into account regulations 12(4) and 13, if] the Commission determines that the applicant [~~meets the criteria set out in regulation[s 12 (4) and]~~ [13(4) **meets the relevant requirements**], it [~~shall~~ **mayshall**] recommend approval of the Plan of Work to the Council.

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

If an applicant meets the relevant requirements, the regulations should not provide the Commission with any discretion in making a recommendation consistent with the requirements of the Convention.

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Regulation 15(2)(b)

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~~[(i) A Plan of Work for Exploration approved by the Council for the same Resource category for a different qualified applicant]~~ [(i) A Plan of Work for Exploration approved by the Council for the same Resource category for a different qualified applicant]

~~[(v) any other area designated for preservation for reasons of special biological, scientific, archaeological, historic, cultural, aesthetic or wilderness significance;]~~

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

We are unsure as to why paragraph (2)(b)(i) was deleted given the requirements of the Convention (article 6(3)(a), annex III).

Paragraph (2)(b)(v) is vague in its drafting, not least which authority has the power to designate such areas.

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Regulation 15(2)(e)

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~~[(e) There is inadequate or substandard environmental baseline information for the area covered by the proposed Plan of Work, or any part of that area.]~~

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

The content of this sub-paragraph is already covered by regulation 13(4)(f)(i).

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Regulation 15(2)bis

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~~2bis: The Commission shall not recommend approval of a proposed Plan of Work if the applicant, its controlling shareholder or shareholders or its predecessor in law previously violated the general obligations of contractors in a non-negligible way.~~

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

We see no basis in the Convention for including this 2bis.