

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28<sup>TH</sup> 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](mailto:council@isa.org.jm).*

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

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

DR48bis – proposed amendments in green; black text and tracked changes text is from the Consolidated text.

**3. 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.**

**New Environmental Impact Assessment and Revised Environmental Impact Statement**

1. [If a Contractor becomes aware that any of the circumstances listed in paragraph 2 below have not been addressed by either an Environmental Impact Assessment or an environmental management and monitoring plan, it shall promptly notify the SecretaryGeneral in writing, including:

- (a) a detailed description of the circumstance;
- (b) details of the potential effect on or risk to the marine environment; and
- (c) details of any Environmental Impact Assessment conducted or to be conducted, or proposed modification to the Environmental Management and Monitoring Plan

[2.] A Contractor shall conduct an [additional new] Environmental Impact Assessment in accordance with Regulation 47-ter and submit a an [additional] revised Environmental Impact Statement [where]:

- (a) A [Material] change to an existing Plan of Work is proposed which is likely to [significantly] increase the adverse Environmental Effects [or risks] caused by the activities, and is not covered by Regulation 57(3),
- (b) A [significant Material] change in the Marine Environment [compared to baseline data] is detected through monitoring or other data sources which would call for a new or [revised reviewed] Environmental Impact Statement [or Environmental Management and Monitoring Plan],
- (c) An activity described in the Plan of Work is predicted to exceed the impact

thresholds set out in the Standards on environmental thresholds,

(d) An applicable ~~relevant~~ Standard, activity or predicted ~~significant~~ impact has not already been addressed by an Environmental Impact Statement, or

(e) Otherwise deemed necessary by the Commission or Council, in accordance with applicable Standards and taking into consideration ~~account~~ Guidelines, following its review of a Contractors' activities contained in an annual report submitted pursuant to Regulation 38 or review of a Plan of Work pursuant to Regulation 58.

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

Australia proposes deleting 'material' and 'significant' before 'change' in paragraphs 2(a) and 2(b). We consider all changes should be relevant and considered when determining whether a contractor should submit an additional EIA, not just those which are material or significant.

Similarly, in paragraph 2(d), we suggest deleting 'significant' before impact, as all impacts that have not been addressed by the EIS should be considered