

**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(s) of Delegation(s) making the proposal:** Australia

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

DR58 – 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.**

Review of a Plan of Work

~~1. — A Plan of Work shall be reviewed at intervals not exceeding five years from the date of signature of the Exploitation Contract [or by decision of the Council based on the recommendations of the Commission] in accordance with the applicable Standards and taking into consideration Guidelines, including where any of the following events or changes of circumstance have occurred:~~

[1. Alt. Activities under a Plan of Work shall be reviewed at intervals not exceeding five years from the date of signature of the Exploitation Contract, or more frequently at the request of the Commission or the Council, including where any of the following events or changes of circumstance have occurred:]

[(a) A proposed Material Change in the implementation of the Plan of Work;]

[(a) bis Identification of a new significant environmental risk, or a significant change to existing risk calculations;]

[(a) bis Alt. Information has come to light that was not available when the Plan of Work was approved, including changes in Best Available Techniques or Best Available Scientific Information or Best Environmental Practices, and shows that more appropriate conditions are necessary to deal with the Environmental Effects of the activity;]

(a) ter An indication that the cumulative effects of Exploitation activities exceed any environmental thresholds established under the applicable Standards [and objectives established under the applicable Regional Environmental Management Plan;]

(a) quat New significant information relevant to the effective Protection of the Marine Environment;

(a) quin Adverse impacts on the environment or other activities have arisen that were not anticipated, or are of a scale or intensity that was not anticipated, when the Plan of Work was approved;

(a) sexies A request by another international body concerning other activities or measure in the Marine Environment pursuant to Regulation 31;

(b) Any Incident;

(c) Recommendations for improvement in procedures or practices following an inspection report under Regulation 100;

(d) A performance assessment which requires action under Regulation 52(8);

(e) Changes in ownership or financing which may adversely affect the financial capability of the Contractor;

~~(f) Significant changes in Best Available Techniques;~~

~~(g) Significant changes in Best Available Scientific Information;~~

~~(g) bis Significant changes in Best Environmental Practices;~~

(h) Operational management changes, including changes to subcontractors and suppliers, whereby the Commission, after review with the Contractor of the Contractor's activities under the Plan of Work, shall recommend to the Council whether any modifications to the Plan of Work are necessary; [and][or]

~~(h) bis Changes in the overall policy of the Authority.~~

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

Australia supports paragraph 1 alt over paragraph 1.

We have proposed the consolidation of sub paras (f), (g) and (g) bis into para (a)bis Alt as the current text is duplicative. We have also proposed deleting sub para (h) bis, which refers to 'changes in the overall policy of the Authority', as we consider this is too unclear as to what it would capture.