

**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.

DR93bis – 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.

....

4. The Secretary General shall determine the consultation period for each consultation, which shall begin on the date of the publication of a notice of consultation and may not be less than:

a) ~~{45}~~/~~{60}~~ Days for a consultation relating to a scoping report prepared pursuant to Regulation 47 bis; and

b) ~~{60}~~/~~{90}~~ Days for all other consultations.

5. The Secretary General shall prepare a notice of consultation. The notice of consultation shall invite States and Stakeholders to make submissions to the consultation, describe the matters on which submissions are sought, include the documentation that is the subject of consultation and other relevant information, and specify the final date for submissions. The applicant or Contractor shall provide the Secretary General with all information and documentation required to prepare a notice of consultation.

6. The Secretary General shall publish the notice of consultation at the Authority’s website and send written notice of consultation to States and [potentially directly affected] Stakeholders.

7. During the consultation period, the applicant or Contractor shall [endeavour to] conduct engagement with States and [potentially directly affected] Stakeholders public engagement, and in accordance with [Regulation 93 ter] applicable Standards, and taking into [consideration]

Guidelines. The Secretary General may direct the applicant or Contractor to conduct such meetings, workshops and engagement.

8. The Secretary General shall receive all submissions.

9. The Secretary General shall transmit all submissions to the applicant or Contractor. The applicant or Contractor shall consider the submissions received and may revise the documentation that was the subject of consultation. The applicant or Contractor shall prepare a written response to consultation that collates and responds to the ~~substantive~~ comments expressed in submissions and includes an explanation of any revisions to the document and how those revisions respond to ~~substantive~~ comments expressed in the submissions. The applicant or Contractor shall submit the written response, with any revised documentation, to the Secretary-General for transmission to the Commission.

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

On paragraph 4, Australia suggests the longer periods for consultation, being 60 days for consultation related to a scoping report and 90 days for all other consultations.

On paragraph 9, we propose deleting the word 'substantive' at the 2 points at which it appears. In our view, robust stakeholder consultation requires a contractor to consider and respond to all comments provided, not just the ones they determine are substantive