

ISA 29th Session, Part II – Reading of the Draft Consolidated Text

Oral Statement by the Federal Republic of Germany

Delivered in July 2024

Regulation 42 - Restrictions on advertisements, prospectuses and other notices

Germany supports the proposed edits in this provision as reflected in the text, namely, the deletion of the words “to the knowledge”. Additionally, we believe it is important to ensure that third parties do not make such statements on behalf of the Contractor. While the current text has some language to that extent, we believe this can be strengthened. At the same time, we also suggest clarifying that this provision also covers applicants and prospective contractors, and ideally, also sponsoring states involved. We will provide respective wording in written format.

Furthermore, we would like to suggest that this provision also specifies the consequences that would apply if this provision is contravened. In this regard, similar wording as Germany proposed earlier in the context of DR 40 could be used here and the matter should be referred to the compliance committee.