

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29<sup>TH</sup> SESSION:  
COUNCIL - PART II**

*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.fm](mailto:council@isa.org.fm).*

- 1. Name(s) of Delegation(s) making the proposal:** Federated States of Micronesia
  
- 2. Please indicate the relevant provision to which the textual proposal refers.**

Draft exploitation regulation 52(4) and 52(5)

- 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 Contractor shall conduct a consultation regarding the Performance Assessment Report with all States and Stakeholders in accordance with Regulation 93bis ~~and Regulation 93ter~~]. The Commission shall review the performance assessment report and any stakeholder comments received [within 60 Days of receipt of such report and comments]. The [Commission] shall, where necessary and appropriate, consult external competent, independent experts in its review of the performance assessment.

5. Where the Commission upon review of the report and any submission received in relation to it [under Regulation 93 bis ~~and Regulation 93ter~~], considers the performance assessment to be unsatisfactory or the report submitted to be inadequate, to the applicable Standards [and Guidelines], the Commission may require, after providing the Contractor with a reasonable opportunity to address any inadequacies, the Contractor to:

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

The FSM proposes to insert references to DR 93 ter in paragraphs 4 and 5 of DR 52 in order to account for the current inclusion of DR 93 ter in the consolidated draft text, as a complement to the general provision on Stakeholder consultations in DR 92 bis. DR 93 ter refers to, among other others, consultations with adjacent coastal States for the development of “Performance Assessment”.