

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 30TH SESSION:
COUNCIL - PART I**

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 of Working Group:

Working group on inspection, compliance and enforcement (ICE)

2. Name(s) of Delegation(s) making the proposal:

Norway as facilitator of the working group, together with Canada.

3. Please indicate the relevant provision to which the textual proposal refers.

DR 102

4. 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.

1. The Council shall amend the Rules of Procedure of the Legal and Technical Commission to establish the Inspection, Compliance, and Enforcement (ICE) Chamber consistent with the provisions of this regulation.
2. Within the Legal and Technical Commission, the ICE Chamber shall have exclusive responsibility over inspection, compliance and enforcement matters.
3. The ICE Chamber shall direct the Authority’s Inspection Programme, in line with any relevant guidance and directives that the Legal and Technical Commission receives from the Council, and consistent with all applicable regulations and relevant standards and guidelines in this Part.
4. The ICE Chamber shall draft reports and develop recommendations on all matters regarding inspection, compliance, and enforcement that will be submitted to Council through a dedicated Legal and Technical Commission Co-Chair.
5. The Council shall only consider a recommendation or report related to inspection, compliance, or enforcement from the Legal and Technical Commission that has been endorsed by the ICE Chamber.
6. Pursuant to the Rules and Procedures of the Legal and Technical Commission, the Council shall elect ten members with appropriate expertise in regulatory compliance, inspection, or enforcement to serve in the ICE Chamber, giving due consideration to the principle of equitable geographic representation.
7. A State Party’s representation in the ICE Chamber shall constitute its representation on the Legal and Technical Commission.

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

The draft text was presented at a digital intersessional meeting of the working group on ICE 24 September 2024. The only subsequent amendment made are:

In point 2: deleted “the” and “all” in “..chamber shall have **the** exclusive responsibility over **all** inspection...”

In point 6: “and” is substituted with “or” in the third line.

It was highlighted during the said meeting that substantial parts of the text in DR102 in version 1 of the President’s consolidated text should be included in Standards or Guidelines.

On 25 September the draft text was circulated to the participants of the working group with a request for comments to the facilitator by 15 October.

The proposal entails a division of the Legal and Technical Commission into two chambers. The rationale is to address the need for an independent compliance body and inspectorate reporting directly to the Council, while using existing governance structures and expertise.

Some members of the working group viewed the proposed text as a good basis for further discussions, whilst other delegations preferred earlier proposals. Finally, some members of the working groups reserved their comments on the text proposal until a more advanced stage of the discussions.

The facilitator of the working group fully acknowledges that there is no consensus on the proposal but assesses that this model may be the best basis for further discussion.