

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 30TH SESSION:
COUNCIL - PARTS 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(s) of Delegation(s) making the proposal:

Republic of Nauru

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

Regulation 60bis

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.

Regulation 60bis

Unexpected and temporary suspensions of production

1. As soon as reasonably practicable after any unexpected cessation in Commercial Production, including a temporary suspension, the Contractor shall put in place a care and maintenance plan, taking into account the results of monitoring and data and information gathered during the exploitation phase and the relevant Regional Environmental Management Plan.

2. The Contractor shall notify the Secretary-General of any such unexpected cessation or temporary suspension in Commercial Production as soon as reasonably practicable and shall provide the Secretary-General with a copy of the care and maintenance plan.

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

We support the Facilitator’s comment on the need to discuss and resolve the issue of temporary suspension.

We support removing temporary suspensions from draft regulation 60(1) given that this regulation relates to “cessation of production”. It is not appropriate to require a Closure Plan where there is only a temporary suspension of activities. Instead, as is the case in terrestrial mining, a care and maintenance plan should be used for temporary suspensions.

We consider that the issue of unexpected and temporary suspensions of production would be best dealt with in a separate and specific regulation. This would require the contractor to put in place a care and maintenance plan – but not activate the closure plan given that the suspension is only temporary in nature.
