

DR 57 UK FoP Group**Review of Comments made during March 2026 Council Meeting****15 May 2026**

Country	Comment	UK FoP Group response
Ireland	Delete “by a Contractor” in the title of the Draft Regulation.	The Group agrees with this proposal. The inclusion of the words “by a Contractor” appears to be the result of an oversight in the preparation of the latest Revised Consolidated Text as the FoP Group proposed deleting these words in its November 2025 textual proposal. We will include this deletion in the next textual proposal.
Russia	<p>The definition of Material Change requires further consideration, in particular there is a need to develop additional criteria. Such criteria may need to be defined in another document in the future.</p> <p>The existence of the following situations should not automatically be determinative of a Material Change:</p> <ul style="list-style-type: none"> - new knowledge or technology; and - any change to Standards and Guidelines. 	<p>The Group acknowledges that a future Standard may further develop the concept of a Material Change. We propose adding the words “as may be further defined in a Standard” to the definition of Material Change. Consequently, the existing reference to “any applicable Standards” in Draft Regulation 57(3) is redundant and so we propose deletion.</p> <p>New knowledge or technology or changes to Standards and Guidelines are not automatically determinative of a Material Change. The words “may include changes such as” before the short illustrative, non-exhaustive and non-definitive list in the definition clarifies that the existence of such a situation does not automatically indicate that a proposed modification would be a Material Change.</p>
Norway	Paragraph 4(a) should refer to a revised Environmental Impact Assessment (EIA) rather than a new EIA, as it may not need many changes.	The word “revise” was deleted from the previous textual proposal to acknowledge that EIA is a process that results in an Environmental Impact Statement (EIS). Once an EIS has been

		<p>approved, the EIA that informed it cannot be revised. Therefore, if a revised EIS is required a new EIA is required. This assessment may be informed by the earlier EIA but it is important to be clear that a new assessment is required in respect of the proposed modification.</p>
<p>Norway</p>	<p>Query whether it is excessive to go through full Stakeholder consultation at paragraph 4(d).</p>	<p>The Group agrees that a proportionate approach should be adopted to Stakeholder consultation for proposed modifications to a Plan of Work.</p> <p>A proposed Material Change that does not require an EIA and revised Environmental Plans (addressed in paragraph 4(d)) might include a significant change to the Financing Plan or the Health and Safety Plan. As the proposed modification is material, we consider it appropriate to require Stakeholder consultation.</p> <p>We do not propose Stakeholder consultation for non-Material Changes (i.e. proposed modifications under paragraph 5).</p> <p>To reflect the above, we propose cross-referring Draft Regulation 11 in paragraph 4 (and not cross-referring to it in paragraph 5).</p>
<p>Germany, Switzerland</p>	<p>At paragraph 4(d), the nature of the Stakeholder consultation is unclear: appears to conflate consultations undertaken by the Authority and the Contractor. Would prefer in paragraphs 4(c) and (d) Authority consultation with reference to Draft Regulation 11.</p>	<p>We agree that cross referring to Draft Regulation 11 clarifies the Stakeholder consultation process to be used when considering proposed modifications under paragraph 4.</p> <p>The Group notes that debate is ongoing within the Council regarding the requirements for Applicant</p>

		and Authority Stakeholder consultation on an application for a Plan of Work – we consider this to be a key outstanding issue which requires resolution. Once resolved, it may be appropriate for the Group to reconsider the drafting in paragraph 4(c).
Chile, Pew	Draft Regulation 57 must include cross references to specific Regulations where appropriate to provide greater clarity and legal certainty. For example, cross-references in paragraph 4(c) should be comprehensive (referring to the processes set out in the Regulation generally is insufficient).	<p>The Group agrees that the applicable processes should be set out with sufficient specificity.</p> <p>In paragraph 4(c) and (d), the Group proposes referencing the processes set out in regulations 11, 12, 13 and 15.</p> <p>In paragraph 5 we propose referencing paragraphs 12, 13 and 15.</p> <p>The reference in paragraph 5, and as appropriate in paragraph 7, of Draft Regulation 57 to Draft Regulation 15 applying <i>mutatis mutandis</i>, coupled with the absence of a reference in paragraphs 5 and 6 to Draft Regulation 11 (cf. paragraph 4), excludes from paragraphs 5 and 6 (i) the requirement for Stakeholder consultation and (ii) the Commission’s report to be made in accordance with Draft Regulation 11(5) (as referred to in Draft Regulation 15(1.bis)(a)).</p>
Germany, Switzerland, Pew	Support for publication of LTC recommendations generally, and in particular. For example, at paragraph 5, Germany and Switzerland support the Council “silence” procedure, but propose an additional safeguard, specifically that the	The Group agrees that the Commission’s recommendations should be published. This would be consistent with the approach regarding Commission recommendations for approval / extension of plans for work for exploration.

	LTC's recommendation / reconsidered recommendation is published. This would strengthen confidence in the decision-making process.	<p>The cross-reference to Draft Regulation 15(1bis) in paragraph 7 ensures publication of all Commission reports and recommendations under this Regulation.</p> <p>For further clarity, the Group also proposes amending Draft Regulation 92(1bis)(j) to clarify that recommendations and reports of the Commission are to be included on the Seabed Mining Register. We have left the second part of subparagraph (j) in square brackets so as not to prejudge any future work by the FoP Group on Draft Regulation 58.</p>
Sierra Leone on behalf of the African Group	Several technical drafting proposals to streamline and simplify the text of the DR.	<p>The Group thanks Sierra Leone for its thorough comments which aim to streamline and simplify the text of this Draft Regulation. We have reflected them, as appropriate, in the revised textual proposal.</p> <p>We have not accepted the proposed deletion at the end of paragraph 5(c). We consider it appropriate that the Council provides reasons for requiring the Commission to reconsider its recommendations. We judge that without reasons the Commission may struggle to understand the concerns the Council is seeking to have addressed through reconsideration.</p>
China	Minor changes should be subject to a fast-track process. For example, a 30-Day silence period with no involvement of the Commission.	The Group agrees that minor omissions, errors or other such defects should be subject to a fast-track process compared to other proposed modifications, including proposed Material Changes.

		<p>[It is proposed to simplify paragraph 6 by deleting sub-paragraphs (b) and (c). It is further proposed to clarify that the agreed changes will take effect unless the Council decides within 60 Days of notification that they should be assessed using the processes set out in paragraphs 3-5. This means unless the Council disagrees a decision shall take effect automatically. We consider it appropriate to retain the Council's ability to act, consistent with its role and function under UNCLOS.]</p>
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