

## **Regulation 92**

### **Seabed Mining Register**

1. The Secretary-General shall establish, maintain and publish a Seabed Mining Register in accordance with the applicable Standards and taking into account the Guidelines.

1. bis The Seabed Mining Register shall contain the following information except to the extent it is Confidential Information in accordance with regulations 89(4) and 90(1) which shall be redacted:

[(a) the names of the Contractor and the names and addresses including contact number and email of their Designated Representatives;]

(b) copy of original application for approval of Plan of Work and the accompanying documents submitted by each Contractor in accordance with Regulation 7 [as well as revisions to any such documents, comments received pursuant to Regulation 11, responses to Stakeholder consultation, reports and recommendations of the Commission, and the decision of the Council on the approval of the Plan of Work], [including any modifications to any documents of the original application, comments and responses of Stakeholder's consultation, report and recommendation of the Commission, and decision of the Council on the approval of Plan of Work;]

(c) [copy of the Exploitation Contract signed by the Authority and each Contractor containing its schedules in accordance with Regulation 17 including approved Plan of Work, the geographical extent of Contract Areas and Mining Areas and the category of Resources;] [A copy of each Exploitation Contract including its Schedules in accordance with Regulation 17;]

(d) any encumbrances regarding the Exploitation Contract made in accordance with Regulation 22 and Instruments of Transfer or Assignment in accordance with regulation 23;

(e) [Feasibility Study, consultation report on Feasibility Study and revision of Plan of Work, if any prior to Commercial Production in accordance with Regulation 25] [Any Feasibility Study and related documents prepared in accordance with Regulation 25], and details of Environmental Performance Guarantee lodged pursuant to regulation 26, [and date of commencement of Commercial Production] [and the actual date of commencement of Commercial Production, if applicable];

(f) copy of each annual report submitted by each Contractor in accordance with regulation 38 including details of any Incidents and Notifiable Events, summary of [discharges] [Mining Discharges], [and a summary of any action taken by a Contractor, Sponsoring State and the Authority in inspection and compliance matters] [and action taken in inspection and compliance matters];

(g) [copies of each Contractor's documents validating, declaring, and confirming the Environmental Performance Guarantee;]

(h) all payments made by Contractor to the Authority under these Regulations and copies of royalty returns submitted in accordance with Regulation 71;

(i) Beneficial Ownership Registry and Financial Incentives Registry pursuant to Regulation 63;

(j) [any modifications to the approved Plan of Work and its periodic review report including recommendations of the Commission and decision of the council for each contract pursuant to regulations 57 and 58] [Any modification to a Plan of Work pursuant to Regulation 57 and the findings and recommendations resulting from a Review of a Plan of Work pursuant to Regulation 58];

(k) copy of each recommendation by the Commission and Council decision to extend, suspend or terminate of an Exploitation Contract ~~including the rationale;~~

~~[(l) a copy of inspection reports in accordance with Regulation 100;]~~

~~[(m) a copy of the compliance record for every Contractor, prepared under Regulation 100bis;]~~

~~[(n) a copy of every Non-Compliance Notice issued to each Contractor under Regulation 103 and, where applicable, the corresponding improvement plan;]~~

(o) copy of Closure Plan and its updates including the Final Closure Plan, and implementation report of Final Closure Plan for each Contract Area;

[(p) copies of all reports and recommendations of the Commission and decisions of the council and notices issued by the Secretary General relating to each Contract Area, before, during or after application for a Plan of Work and throughout the term of the Exploitation Contract; and]

(q) any other document, information and other details as may be directed by the Council from time to time.

2. The Seabed Mining Register shall be publicly available [accessible] [online] on the Authority's website.

3. The Secretary-General shall publish any information of a type listed in paragraph (1) in the Seabed Mining Register within seven days of receipt, unless prevented from doing so for good cause, in which case publication shall occur as soon as reasonably practicable.

**Facilitator's Note:**

The support of all delegation contributing to the FoP DR 92 Seabed Mining Register and their participation in the FoP DR 92 thematic issues meeting held in March 2026 during first part of the 30<sup>th</sup> session of the Council meeting is thankfully acknowledged.

Many delegations during March 2026 meeting acknowledged that overall improvement of the DR 92 through FoP work.

FoP DR 92 SMR (India) is grateful for the on-floor comments noted during the March meeting and textual submission and comments received thereafter. Based on the above the compiled version of FoP DR 92 SMR is attached.

The textual submissions received are mainly proposed for refining the DR 92.

- The proposed addition is mentioned as underlined and bracketed text.
- The respective deletion for the proposed addition or any new insertion is kept under bracketed text.
- Proposed deletion in mention as strike through bracketed text.

Comments regarding capitalization of defined terms, cross referencing of the para to the applicable DR, following uniform style for singular or plural and avoiding repetition, have been include in the revised DR 92.

Some overarching comments noted during the March 2026 meeting given below:

1. DR 92 should accommodate two separate register format for each contract like one for general information related and another for core contractual & application documents related.
2. DR 92 should ensure consistency of the documents between exploration and exploitation phases.
3. SMR should not be limited to simple repository of information also should work as a legal tool for the Authority.

Moreover, the working group on UCH have indicated that they are discussing for inclusion of UCH related matter in the Seabed Mining Register and appropriate language will be provided after discussion in the WG meeting, which to be included in due course.

Delegations are requested provide their views on the above noted comments.

Based on the comments of one delegation before March 2026 meeting, the list mentioned para 1bis, a to q were arranged as much as possible to keep sequence of documents for an exploitation contract. Facilitator thinks the document should be available online for each contract-wise separately and following uniform sequence. Views of delegation is requested on the former and if agreed, proposal for insertion of appropriate word or phrase in para I bis is requested.

There was a general consensus for cross referencing across the exploitation regulations referring the matter to be included in the SMR and mentioning the same as a para of the respective DR. In line with that following regulations have been identified having reference to SMR and the text mentioned therein is tabulated for your review and suggestions, if any.

Sr. No.	DR /Section /Para No.	Content	Remarks
1.	DR 17, Part-III, Section-1, Para 3	<p><b>Regulation 17</b>  <b>The Exploitation Contract</b>  3. The Exploitation Contract and its schedules is a public document and shall be published on the website of the Authority within 7 Days in the <b>Seabed Mining Register</b>, except for Confidential Information, which shall be redacted.</p>	
2.	DR 22, Part-III, Section-1, Para 5	<p><b>Regulation 22</b>  <b>Use of Exploitation Contract as Security</b>  5. A Contractor shall file with the <b>Seabed Mining Register</b> [a summary of any agreement]/[the agreement] that results or may result in a transfer or assignment of an Exploitation Contract, part of an Exploitation Contract or any interest in an Exploitation Contract, including registration of any security, guarantee, mortgage, pledge, lien, charge or other encumbrance over all or part of an Exploitation Contract. Nothing in this regulation shall relieve a Contractor of any obligation or liability under its Exploitation Contract.</p>	
3.	DR 23, Part-III, Section-1, Para 6 and 8(c)	<p><b>Regulation 23</b>  <b>Transfer of rights and obligations under an Exploitation Contract</b>  6. Where the Exploitation Contract is subject to an encumbrance registered in the <b>Seabed Mining Register</b>, the Commission shall not recommend consent to the transfer unless it has received evidence of consent to the transfer from the beneficiary of the encumbrance.</p> <p>8. A transfer is validly effected only upon:</p> <p>(c) recording by the Secretary-General of the transfer in the <b>Seabed Mining Register</b>; and</p>	
4.	DR 33, Part III, Section-6, Para 1bis., 2(e), 5	<p><b>Regulation 33</b>  <b>Preventing and responding to Incidents</b>  1. bis A Contractor shall maintain an <b>Incident Register</b> in respect of all on board any mining vessels or Installations engaged in Exploitation activities.</p> <p>2. The Contractor shall, upon becoming aware of an Incident:</p>	

		<p>(e) record the Incident in the <b>Incidents Register</b>; and</p> <p>5. The Secretary-General shall publish copies of Incident reports on the Authority's website [and the <b>Seabed Mining Register</b> except to the extent this is] Confidential Information.</p>	
5.	DR 34, Part-III, Section 6, Para 2 (b)	<p><b>Regulation 34</b></p> <p><b>Notification of Incidents and Notifiable Events</b></p> <p>2. The Contractor shall, as soon as reasonably practicable, but no later than 24 hours after the Contractor becomes aware of any such Notifiable Event:</p> <p>(b) record the Notifiable Events in the <b>Incidents Register</b>.</p>	
6.	DR 35, Part-III, Section-6, Para 9	<p><b>Regulation 35</b></p> <p><b>Human remains and [objects and sites of an archaeological or historical nature] [Underwater Cultural Heritage]</b></p> <p>9. The Council shall forward to the <b>Seabed Mining Register</b> all information, except for Confidential Information, used in making its decision under paragraph 5 of this regulation.</p>	
7.	DR 38, Part-III, Section-9, Para 3	<p><b>Regulation 38</b></p> <p><b>Annual Report</b></p> <p>3. Annual reports shall be published in the <b>Seabed Mining Register</b>, except for Confidential Information, which shall be redacted. To this end, Contractors shall structure the annual reports such that any Confidential Information can be clearly identified and extracted.</p>	
8.	DR 53bis, Part-IV, Section 9, Para 3 & 4	<p><b>Regulation 53 ter</b></p> <p><b>Mining Discharges</b></p> <p>[3. A Contractor shall keep a register of <b>Mining Discharges</b>, to be updated [promptly] after any discharge event, that shall be reported annually to the Authority under regulation 38, as part of the Contractor's annual report.]</p> <p>[4. The Applicant or Contractor must continuously monitor its Mining Discharges and <b>maintain a register</b> that is reported to the Authority at least weekly in addition to the mandatory annual report pursuant to regulation 38.]</p>	
9.	DR 57, Part-V, Para 7	<p><b>Regulation 57</b></p> <p><b>Modification of a Plan of Work by a Contractor</b></p>	

		7. All modifications and changes to a Plan of Work pursuant to this regulation shall be recorded in the <b>Seabed Mining Register</b> by the Secretary-General as soon as reasonably practicable following approval or agreement in accordance with this regulation.	
10.	DR 63, Part-VII, Section-1, Para 5	<b>Regulation 63 [Incentives]</b> [5. A Financial Incentives Registry shall be established, maintained and published through the <b>Seabed Mining Register</b> , pursuant to regulation 92.]	
11.	DR 83, Part-VII, Section-8	<b>Regulation 83 Recording in Seabed Mining Register</b> [All payments received by the Authority from Contractors shall be recorded in the <b>Seabed Mining Register</b> and shall be publicly available.]	
12.	DR 83 bis, Part-VII, Section-8, Para 4	<b>Regulation 83 bis Beneficial Ownership Registry</b> 4. The <b>[Beneficial Ownership Registry]</b> shall be published through the Seabed Mining Register.	
13.	DR 93, Part-X, Para 2ter	<b>Regulation 93 Notice and general procedure</b> 2. ter All Communication to the Designated Representative shall be transmitted to the address stated on the <b>Seabed Mining Register</b> .	
14	DR 93 ter, Part-X, Para 10	<b>Regulation 93 ter State and Stakeholder Consultation [by an Applicant or Contractor]</b> 10. The Secretary-General shall maintain a permanent public record of the notice of each consultation conducted under this regulation, all submissions, and the written response to consultation, by publishing the notice, submissions and response on the Authority's website (except for Confidential Information which shall be redacted from documents before publication). The Secretary-General shall ensure that such consultation records relating to a specific Exploitation Contract are included in, or are accessible from, the relevant entry in the <b>Seabed Mining Register</b> , in accordance with regulation 92.	
15	Schedule Use of terms and scope	"Designated Representative" "Designated Representative" means the person so named on behalf of a Contractor on the <b>Seabed Mining Register</b> or prior to award of the Exploitation Contract, in the application.	
16	Schedule	"Seabed Mining Register"	

	Use of terms and scope	“Seabed Mining Register” means the registry established and maintained by the Authority in accordance with regulation 92.	
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