13 November 2026

Friends of the President Group (United Kingdom)
Modifications
Report on Intersessional Work (July 2026-March 2027)

Summary: The Friends of the President Group on Modifications, facilitated by the United Kingdom, continued its work during the intersessional period following the second part of the 31st Council Session held in July 2026. The Group focused on Draft Regulation 58, Section 16 of Annex X, and other provisions that interact with Draft Regulation 57. It finalised a consolidated textual proposal through three meetings and email correspondence. The proposal was submitted to the Secretariat on 25 November 2026 and annexed to this report (see **Annex 1**).

Revised Textual Proposal: The rationale for the revised textual proposal is contained in the Group's submission. The proposal addresses Draft Regulations 7(4), 23(4 bis), 38(2)(m), 39(1 bis), 48(1), 48 bis, 57, 58 and 92(1 bis)(j), Annex IX, Schedules 1 and 15, and Annex X, Section 16.

Outcome of the intersessional work: The Group reached agreement on proposals intended to clarify the relationship between modification and review of a Plan of Work, and between modification of a Plan of Work and revision of other provisions of an Exploitation Contract. The Group also agreed consequential amendments designed to ensure that proposed modifications enter the Draft Regulation 57 process at the appropriate stage and that environmental assessment is not unnecessarily duplicated.

The Group's proposals clarify that changes to a Mining Area, changes associated with a transfer, and changes to the specified location of books, accounts and records should be dealt with through Draft Regulation 57. The proposals also clarify the information to be included in annual reports and the material to be made publicly available through the Seabed Mining Register.

In relation to Draft Regulation 48 bis, the Group proposes that the Commission should assess information provided by the Contractor and recommend to the Council whether the Contractor should be required to undertake an Environmental Impact Assessment and prepare a revised Environmental Impact Statement, prepare a proposed modification to the Plan of Work, or both. A consequential amendment to Draft Regulation 57 would avoid repeating an Environmental Impact Assessment or preparing a further revised Environmental Impact Statement in respect of the same proposed modification, except where the Commission determines that the EIA conducted and revised EIS prepared under DR48bis are insufficient. See

attached flow chart (**Annex 2**) which highlights the duplication which would otherwise arise.[1]

Draft Regulation 58: The Group proposes substantial amendments to clarify the sequencing of a review of a Plan of Work. For ease, the Group attaches a clean version of DR58 at **Annex 3**.

The Contractor would undertake the review and submit its report to the Secretary-General. The review would then be verified, its findings assessed by the Commission, and recommendations submitted to the Council through the Secretary-General. The Council could subsequently decide that the Contractor should prepare a proposed modification, which would then be assessed and decided in accordance with Draft Regulation 57.

The Group, in consultation with the REMP Intersessional Working Group, agreed that the Council should be able to require an earlier review where there are reasonable grounds for considering that a modification constituting a Material Change should be made to the Plan of Work. This replaces the detailed list of possible review triggers in the current text. The Group also proposes deletion of the provision on automatic suspension, since the trigger for a review should not be conflated with the consequences of that review or with suspension and emergency-measures procedures elsewhere in the Regulations.

The Group retained two alternatives concerning responsibility for verification. Under Alt. 1, the Commission would verify the Contractor's review and assess its findings. Under Alt. 2, an independent expert or panel of independent experts appointed by the Commission would undertake the verification and report its findings to the Commission, which would assess those findings and the findings of the review. Under both alternatives, the Commission would retain responsibility for assessment and recommendations to the Council.

Annex X, Section 16: The Group proposes a new opening paragraph to clarify that Section 16 applies to revision of provisions of the Exploitation Contract other than the Plan of Work. Any proposed modification to the Plan of Work would be dealt with in accordance with Draft Regulation 57. The Group also proposes deleting duplicative wording in Section 16.2 and making a consequential amendment to Section 16.3.

Next steps: The Group considers that its work on the provisions identified in the attached textual proposal is substantially complete. The Group invites the Council to consider the proposal and provide a view on the outstanding choice

[1] The Group thanks Anja Morris of the Delegation of Norway for preparing the flow chart at Annex 2.

between Alt. 1 and Alt. 2 in Draft Regulation 58(3) and the corresponding alternatives in Draft Regulation 58(2) and (4). Both alternatives preserve the Commission's regulatory role in assessing the findings and making recommendations to the Council, but they have different implications for Commission capacity, technical independence and cost.

The Group also reiterates that the effective operation of Draft Regulations 57 and 58 will depend on the Authority's working methods during the exploitation phase, including the ability of the Commission and the Council to act within appropriate timeframes and, where necessary, through virtual meetings or written procedures.

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Annex 1
Textual Proposal

[see separate document]

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Annex 2
DR48 bis and 57 Flowchart

[see separate document]

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Annex 3
Consolidated clean text proposal for Draft Regulation 58

Regulation 58

Review of a Plan of Work

1. A Contractor shall review its Plan of Work at intervals not exceeding five years from the date of signature of the Exploitation Contract. Notwithstanding the foregoing, the Council may, based on recommendations of the Commission, in accordance with applicable Standards and considering the Guidelines, decide that an earlier review by the Contractor is required where there are reasonable grounds to consider that a modification constituting a Material Change should be made to the Plan of Work.

2. A Contractor shall submit a report of its review to the Secretary-General, who shall transmit it to the Commission, [**Alt 2.** the independent expert or panel of independent experts referred to in paragraph 3,] the Council, and the Sponsoring State or States.

3. A review of the Plan of Work under paragraph 1 shall be [**Alt 1.** verified by the Commission and its findings assessed by the Commission] [**Alt 2.** verified by an independent expert or panel of independent experts appointed by the Commission] in accordance with the applicable regulations and Standards and considering the Guidelines. The verification shall include verification of the data, information, methodologies and processes underlying the Contractor's review. [**Alt 2.** The independent expert or panel of independent experts shall report its findings to the Commission, which shall assess those findings and the findings of the review.] The Commission shall ensure that the Sponsoring State or States, potentially affected coastal States, and other relevant Stakeholders are afforded an opportunity to provide information relevant to participate in the review, considering any consultation already undertaken under these Regulations and avoiding unnecessary duplication. The Commission shall submit recommendations to the Council through the Secretary-General following verification of the review and assessment of its findings, which may include details of any modifications to the Plan of Work it considers necessary or appropriate.

4. For the purpose of the verification and assessment of the findings of the review under paragraph 3 the Contractor shall provide, through the Secretary-General, any additional information reasonably required by [**Alt 1.** the Commission] [**Alt 2.** the independent expert or panel of independent experts], in the manner and at within the period determined by [**Alt 1.** the Commission] [**Alt 2.** the independent expert or panel of independent experts or the Commission, as applicable], and communicated to the Contractor by the Secretary General.

5. The Council, based on the Contractor's report submitted under paragraph 2 and any recommendations submitted under paragraph 3, may decide that a modification to the Plan of Work should be proposed. In that case, the Contractor shall prepare a proposed modification in accordance with paragraph 2 of regulation 57, and the proposed modification shall be assessed and decided in accordance with regulation 57.

6. Subject to the protection of Confidential Information in accordance with these Regulations, the Secretary-General shall make publicly available, in accordance with regulation 92, the Contractor's report submitted under paragraph 2, the Commission's recommendations submitted under paragraph 3, and any decision of the Council under paragraph 5.