

## **NATIONAL OFFSHORE MINERALS COMMITTEE**

### **Terms of Reference**

#### **1. BACKGROUND**

The SPC-EU Deep Sea Minerals Project recommends the establishment of a National Offshore Mining Committee ('NOMC'); and is able to offer funding for technical and policy advisory assistance to support the NOMC in-country activities.

#### **2. MEMBERSHIP**

The NOMC will be broad ranging in its composition, and inclusive of:

- potentially affected communities
- government officials
- non-state actors (NSA)
- national technical experts

Where possible the NOMC should aim to represent different genders, ages, and ethnicities or other relevant background characteristics, to reflect national demographics.

#### **3. SCOPE**

The NOMC will:

- provide a forum for informed discussions about marine mineral exploration and mining;
- spearhead and assist the development of national offshore minerals policy, legislation and regulation as well as other deep sea minerals related activities that are within the scope of the DSM Project; and
- provide an accessible means for local communities and interest groups to raise concerns and queries, and to learn more about the opportunities and challenges that will be brought about by deep sea minerals exploration and mining.

#### **4. OBJECTIVE**

The aim of establishing the NOMC is to facilitate decision-making in relation to the implementation of in-country deep sea minerals activities.

The creation of a cross-agency, multi-disciplinary and participatory committee like the NOMC should ensure that the Government has at its disposal all relevant information for policy and operational decisions; and should enhance public knowledge, understanding and

awareness. This should increase the likelihood that policies and decisions related to deep sea minerals will be implemented with public consent and commitment. The NOMC may also serve to encourage trust and avoid conflicts, and to meet national legal, policy, and good governance requirements.

## **5. RESOURCES AVAILABLE**

Agreed costs of forming and operating the NOMC will be covered by the SPC-EU Deep Sea Minerals Project.

The NOMC will work in collaboration with the SPC-EU Deep Sea Minerals Project Technical Assistance Team (TAT) (i.e. Team Leader, Legal Advisor, Project Assistant) to ensure effective and timely implementation of Project activities. Depending on circumstances and priorities, relevant experts can be contracted to assist the NOMC.

## **6. SUGGESTED NOMC ACTIVITIES AND RESPONSIBILITIES**

- Convene quarterly meetings per year and develop an annual plan of work.
- Develop a national offshore minerals policy.
- Advise upon the drafting of national offshore minerals legislation.
- Make recommendations for other State decisions regarding deep seabed mineral exploration and exploitation.
- Identify opportunities and suitable candidates for capacity building opportunities; and assess the effectiveness of capacity-building initiatives.
- Work with the SPC-EU Deep Sea Minerals Project's TAT, identifying particular activities useful in the local context, or particular national support needs with which the Project can assist.
- Facilitate and mediate discussion and consultation between (i) key stakeholders, affected communities and the general public, and (ii) mining companies and/or relevant Government agencies.
- Raise awareness and disseminate accurate information about offshore marine minerals exploration and mining issues.
- Prepare regular (e.g. quarterly) progress reports/updates and submit them to TAT.
- Represent the country, and provide updates of NOMC activities, at national, regional and international meetings/workshops.

## **7. FINANCIAL PROCEDURES**

Reasonable and agreed costs incurred as a result of the NOMC in-country activities will be covered by the SPC-EU Deep Sea Minerals Project. The funds can be drawn down in advance from SPC, and acquitted for subsequently.

Upon written confirmation of bank account details, electronic transfer of funds will be made directly to the responsible ministry in-country and will be managed by the DSM Project technical focal point. The SPC-EU DSM Project contact for funding requests, and acquittals, is Vira Atalifo, on [vira@sopac.org](mailto:vira@sopac.org) / [viraa@spc.int](mailto:viraa@spc.int) .

An estimate of the annual allocation of agreed costs that will be funded by the SPC-EU DSM Project is set out below, for guidance. The initial transfer of funds required for the seating allowance and any other reasonable costs of holding the inaugural meeting of the NOMC will be transferred immediately upon request.

At that meeting, the NOMC should prepare a provisional budget for the first year's activities of the NOMC, including invoices/quotations for its impending activities after the first meeting. Once this has been submitted to, and agreed by, the SPC-EU DSM Project, the funds for those activities can then also be drawn down.

Any expenditure over the total allocation contained in the agreed budget, or on activities that are not contained in the agreed budget and were not otherwise agreed in advance with the SPC-EU DSM Project, will not be funded by the SPC-EU DSM Project.

All expenditure made will have to be acquitted for by the DSM Project's technical focal point before the NOMC's next meeting, and before any subsequent request for funding can be approved. SOPAC will release funds based on satisfactory work done, work plan and progress report. The acquittal must demonstrate how the funds have been spent, and attach original receipts, invoices or other evidence that will meet auditing standards.

The NOMC should provide the SPC-EU DSM Project a quarterly progress report that includes the details of activities that had been carried out in the last quarter, and a work plan with budget for the next 3 months.