



## SPC-EU Deep Sea Minerals Project

*Pacific ACP States Regional Workshop on Deep Sea Minerals  
Law and Contract Negotiations – Session 5*

### **Deep Sea Minerals: National Regulatory Regimes**

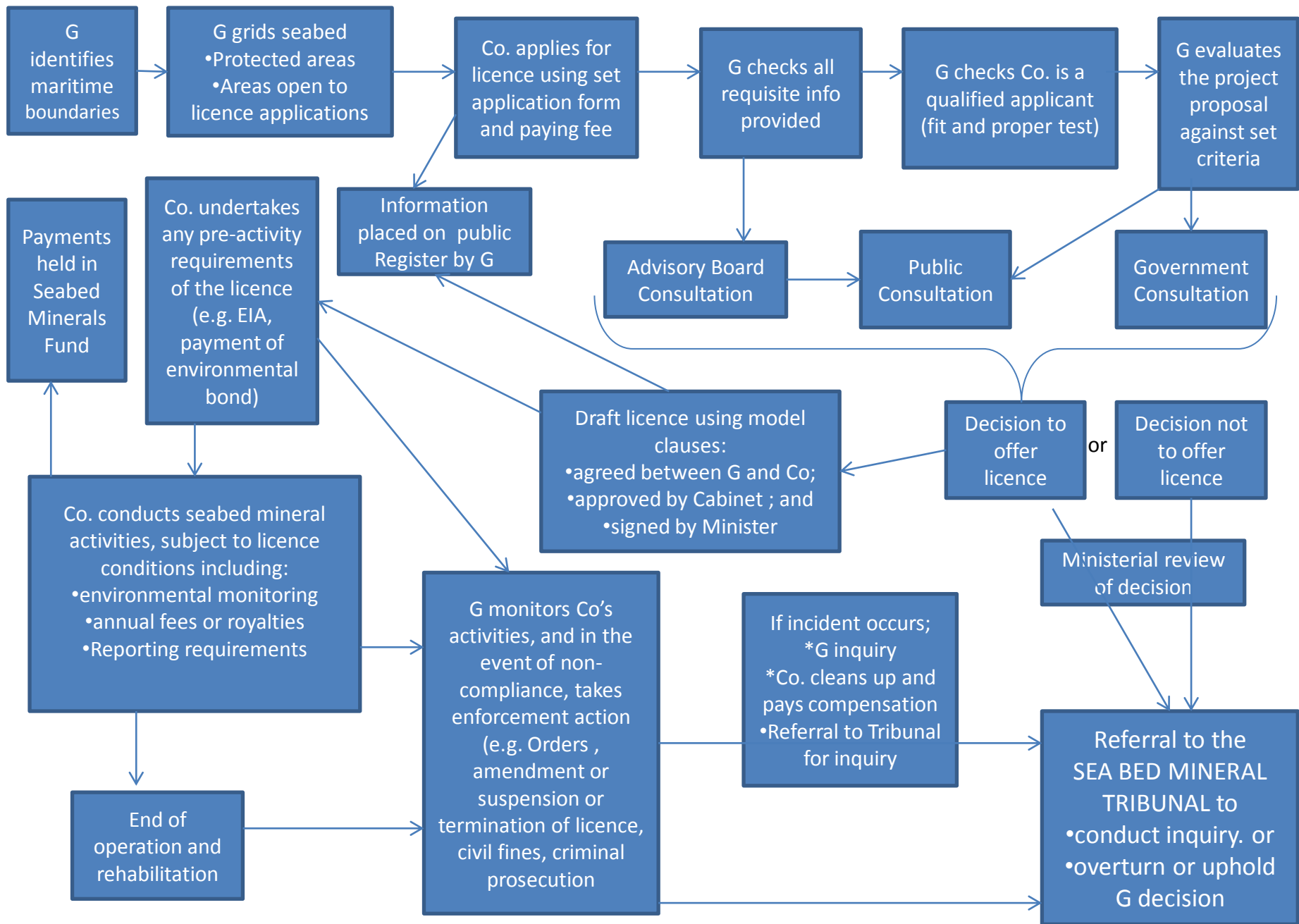
**Hannah Lily**

Legal Advisor, DSM Project, SPC (SOPAC Division)

Nuku'alofa, 12 March 2013

## National Regulatory Regime

- Should include:
  - Licensing:
    - Application processes
    - Decision-making (and review of decisions)
    - Public participation and consultation
  - Monitoring and enforcement
  - Environmental management
  - Sanctions and penalties for non-compliance
  - Different bodies: objectives, powers, duties, functions.
  - How do different Governmental agencies interact?
- Model: application forms, licence terms, report format?



## Case Studies

- Two important topics to assist State develop national law:
  - What is the precautionary principle?!
  - Non-state actor participation
- Case studies:
  - **Fiji:** *process* of developing a DSM law
  - **Tonga:** *content* of DSM law
  - **Cook Islands:** *implementation* of DSM law