



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
LIMITED

A/CN.9/WG.2/WP.31
13 August 1979

ORIGINAL: ENGLISH

UNITED NATIONS COMMISSION
ON INTERNATIONAL TRADE LAW
Working Group on the International
Sale of Goods
Tenth session
Vienna, 24-28 September 1979

PROVISIONAL AGENDA

1. Election of officers
2. Adoption of the agenda
3. Consideration of the feasibility of formulating uniform rules on liquidated damages and penalty clauses applicable to a wide range of international trade contracts
4. Other business
5. Adoption of the report

Notes on the provisional agenda

At its twelfth session, the United Nations Commission on International Trade Law decided to rename its Working Group on the International Sale of Goods as the Working Group on International Contract Practices. 1/ The terms of reference of the Working Group are to consider the feasibility of formulating uniform rules on liquidated damages and penalty clauses applicable to a wide range of international trade contracts, and to report its conclusions to the Commission at a future session. 2/

1/ Report of the United Nations Commission on International Trade Law on the work of its twelfth session (1979), Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 17 (A/34/17), para. 126

2/ Ibid., para. 31.

The Working Group consists of the following 15 members of the Commission:

Austria, Brazil, Czechoslovakia, France, Ghana, Hungary, India, Japan, Kenya, Mexico, Philippines, Sierra Leone, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

Item 1. Election of officers

The Working Group, in accordance with normal practice, may wish to elect a Chairman and a Rapporteur.

Item 3. Consideration of the feasibility of formulating uniform rules on liquidated damages and penalty clauses

The Working Group will have before it the following documents:

- (a) The report of the Secretary-General entitled "Liquidated damages and penalty clauses" (A/CN.9/161) submitted to the 12th session of the Commission.
- (b) A publication (in English and French only) of the Council of Europe entitled Penal Clauses in Civil Law, containing the text of resolution (78) 3 adopted by the Committee of Ministers of the Council of Europe on 20 January 1978, and an explanatory memorandum.
- (c) The text (in French only) of the Benelux Convention on Penal Clauses signed at The Hague on 26 November 1973.

Item 5. Adoption of the report

The Working Group may wish to adopt, at the close of its session, a progress report for submission to the thirteenth session of the Commission.