

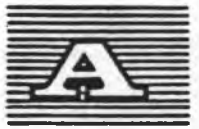
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UNITED NATIONS COMMISSION  
ON INTERNATIONAL TRADE LAW  
Working Group on International  
Contract Practices  
Second Session  
New York, 13-17 April 1981

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

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

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

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. 1/

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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.

The Working Group held its first session at Vienna (24-28 September 1979). The work done at that session is reflected in the report of the Working Group on the work of that session (A/CN.9/177).

The Working Group was of the view that further work by it was justified, and recommended the holding of a further session.<sup>2/</sup> This recommendation was adopted by the Commission at its thirteenth session.<sup>3/</sup>

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 (I)" (A/CN.9/161) submitted to the twelfth session of the Commission.

(b) The report of the Working Group on International Contract Practices on the work of its first session (A/CN.9/177).

(c) A report of the Secretary-General entitled "Liquidated Damages and Penalty Clauses (II)" (A/CN.9/WG.2/WP.33) submitted in response to a request made by the Working Group at its first session.<sup>4/</sup>

(d) An analysis of the replies to a questionnaire on liquidated damages and penalty clauses circulated by the International Chamber of Commerce at the request of the Secretariat (A/CN.9/WG.2/WP.33/Add.1).

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 fourteenth session of the Commission.

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<sup>2/</sup> A/CN.9/177, paras. 40-43

<sup>3/</sup> Report of the United Nations Commission on International Trade Law on the work of its thirteenth session (1980), Official Records of the General Assembly, Thirty-fifth session, Supplement No. 17 (A/35/17), para. 16

<sup>4/</sup> A/CN.9/177, paras. 41-42