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UNITED NATIONS

**GENERAL
ASSEMBLY**



Distr.
LIMITED

A/CN.9/WG.II/WP.61
29 August 1988

ORIGINAL: ENGLISH

28778

UNITED NATIONS COMMISSION
ON INTERNATIONAL TRADE LAW
Working Group on International
Contract Practices
Twelfth Session
Vienna, 21 November - 2 December 1988

PROVISIONAL AGENDA

1. Election of officers
2. Adoption of the agenda
3. Review of the ICC draft Uniform Rules on Guarantees
4. Possible features and issues that might appropriately be covered in a uniform law
5. Other business
6. Adoption of the report

Notes on the provisional agenda

At its twenty-first session, the Commission considered the report of the Secretary-General on stand-by letters of credit and guarantees (A/CN.9/301). ^{1/} The Commission agreed with the conclusion of the report that a greater degree of certainty and uniformity was desirable and noted with approval the suggestion in the report that future work be envisioned in two stages, the first relating to contractual rules or model terms and the second pertaining to statutory law.

^{1/} Report of the United Nations Commission on International Trade Law on the work of its twenty-first session, Official Records of the General Assembly, Supplement No. 17 (A/43/17), para 18.

With regard to the first stage, the Commission welcomed the work undertaken by the International Chamber of Commerce (ICC) in preparing draft Uniform Rules on Guarantees and agreed that comments and possible recommendations by the States Members of the Commission, with its balanced representation of all regions and the various legal and economic systems, could help to enhance the world-wide acceptability of such rules. ^{2/} Accordingly, the Commission decided to devote one session of the Working Group on International Contract Practices to a review of the ICC draft Uniform Rules on Guarantees to assess the world-wide acceptability of the draft Rules and to formulate comments and possible suggestions that ICC could take into account before finalizing the draft Rules. ^{3/}

The Commission also asked the Working Group to examine the desirability and feasibility of any future work relating to the second stage as envisaged in the conclusions of the report, namely the idea of striving for greater uniformity at the statutory law level, through work towards a uniform law. ^{4/}

The Working Group consists of the following States: Algeria, Argentina, Australia, Austria, Brazil, Central African Republic, Chile, China, Cuba, Cyprus, Czechoslovakia, Egypt, France, German Democratic Republic, Hungary, India, Iraq, Iran (Islamic Republic of), Italy, Japan, Kenya, Lesotho, Libyan Arab Jamahiriya, Mexico, Netherlands, Nigeria, Sierra Leone, Singapore, Spain, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, and Yugoslavia.

Item 1. Election of officers

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

Item 3. Review of ICC draft Uniform Rules on Guarantees

The Working Group will have before it a note by the Secretariat containing the most recent version of the ICC draft Uniform Rules on Guarantees (A/CN.9/WG.II/WP.62).

Item 4. Possible features and issues that might appropriately be covered in a uniform law

The Working Group will have before it a note by the Secretariat providing examples of matters that could not effectively be regulated by agreement of the parties, including any uniform rules, and should thus be considered in the preparation of a uniform law (A/CN.9/WG.II/WP.63).

^{2/} Ibid., para. 20.

^{3/} Ibid., para. 22.

^{4/} Ibid.

Item 5. Adoption of the report

The Working Group may wish to adopt, at the close of its session, a report for submission to the twenty-second session of the Commission (to be held from 16 May to 2 June 1989 at Vienna).

Meetings

The session of the Working Group will take place from 21 November to 2 December 1988 at the Vienna International Centre. Meetings will be scheduled from 21 to 25 November, from 28 to 30 November, and on 2 December 1988. Meeting hours will be from 9.30 to 12.30 and 14.00 to 17.00, except on Monday, 21 November, when the meeting will commence at 10.30.