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UNITED NATIONS COMMISSION  
ON INTERNATIONAL TRADE LAW  
Working Group on International  
Negotiable Instruments  
Fourteenth session  
Vienna, 9-20 December 1985

PROVISIONAL AGENDA

1. Election of officers
2. Adoption of the agenda
3. Revision of draft Convention on International Bills of Exchange and International Promissory Notes
4. Other business
5. Adoption of the report

Notes on the provisional agenda

The Working Group on International Negotiable Instruments was established at the fifth session of the United Nations Commission on International Trade Law. 1/ Its membership was expanded, at the seventeenth session of the Commission, to consist of the following members: Australia, Cuba, Czechoslovakia, Egypt, France, India, Japan, Mexico, Nigeria, Sierra Leone, Spain, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America. 2/

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1/ Report of the United Nations Commission on International Trade Law on the work of its fifth session (1972), Official Records of the General Assembly, Twenty-seventh session, Supplement No. 17 (A/8717), para. 61.

2/ Report of the United Nations Commission on International Trade Law on the work of its seventeenth session (1984), Official Records of the General Assembly, Thirty-ninth session, Supplement No. 17 (A/39/17), para. 88.

The mandate of the Working Group is to revise the draft Convention on International Bills of Exchange and International Promissory Notes in the light of decisions and discussion at the seventeenth session of the Commission, 3/ and also taking into account those comments of Governments and international organizations in documents A/CN.9/248 and A/CN.9/249/Add.1 which were not discussed at that session.

Item 1. Election of officers

The Working Group, in accordance with its practice at previous sessions, may wish to elect a Chairman and a Rapporteur.

Item 3. Revision of draft Convention on International Bills of Exchange and International Promissory Notes

The Working Group, at its thirteenth session (New York, 7-18 January 1985), commenced its review of the draft Convention on International Bills of Exchange and International Promissory Notes by considering the major controversial issues, as set forth in document A/CN.9/249 and as discussed by the Commission at its seventeenth session, 4/ and some related questions. 5/ The Working Group made considerable progress in solving the major controversial issues, namely the concept of holder and protected holder, the effect of forged endorsements and the liability of the transferor by mere delivery or by endorsement.

The Commission, at its eighteenth session, 6/ agreed that, in the light of the progress made, it was reasonable to request the Working Group to complete the consideration of the major controversial issues and, to the extent possible, the remaining issues, with a view to submitting a draft to the Commission in a form suitable for consideration at its nineteenth session. However, in view of the fact that the Working Group might not have sufficient time to reformulate the draft in such a form in one session, the Commission agreed that the Working Group might hold an additional session in February or March 1986, or might complete its mandate by other appropriate means.

The Working Group will have before it a note by the Secretariat (A/CN.9/WG.IV/WP.30), responding to requests of the Working Group to consider or study certain questions relating to major controversial issues and to draft appropriate provisions.

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3/ Ibid. paras. 21-88.

4/ Ibid. paras. 21-38.

5/ Report of the Working Group on International Negotiable Instruments on the work of its thirteenth session (New York, 7-18 January 1985), A/CN.9/261.

6/ Report of the United Nations Commission on International Trade Law on the work of its eighteenth session, Official Records of the General Assembly, Fortieth Session, Supplement No. 17 (A/40/17), paras. 336-337.

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 nineteenth session of the Commission (to be held from 16 June to 11 July in New York).

Meetings

The session of the Working Group will take place at the Vienna International Centre. Meeting hours will be from 9.30 a.m. to 12.30 p.m. and from 2.00 p.m. to 5.00 p.m., except on Monday, 9 December, when the meeting will commence at 10.30 a.m.

Documents before the Working Group at its fourteenth session

A/CN.9/WG.IV/WP.29 - Provisional Agenda;

A/CN.9/WG.IV/WP.30 - Draft Convention on International Bills of Exchange and International Promissory Notes: Some considerations and suggestions relating to major controversial issues: note by the Secretariat;

A/CN.9/211 - Draft Convention on International Bills of Exchange and International Promissory Notes: Text of draft articles as adopted by the Working Group on International Negotiable Instruments: note by the Secretariat;

A/CN.9/213 - Commentary on draft Convention on International Bills of Exchange and International Promissory Notes: Report of the Secretary-General;

A/CN.9/248 - Draft Convention on International Bills of Exchange and International Promissory Notes and draft Convention on International Cheques: Analytical compilation of comments by Governments and international organizations: Report of the Secretary-General;

A/CN.9/249 - Draft Convention on International Bills of Exchange and International Promissory Notes and draft Convention on International Cheques: Major controversial and other issues: note by the Secretariat;

A/CN.9/249/Add.1 - Draft Convention on International Bills of Exchange and International Promissory Notes and draft Convention on International Cheques: Major controversial and other issues: Addendum: Summary of the comments of Romania and Switzerland: note by the Secretariat;

A/39/17 - Report of the United Nations Commission on International Trade Law on the work of its seventeenth session (1984), Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 17;

A/CN.9/261 - Report of the Working Group on International Negotiable Instruments on the work of its thirteenth session (New York, 7-18 January 1985).