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UNITED NATIONS COMMISSION ON
INTERNATIONAL TRADE LAW
Working Group on the New
International Economic Order
Third Session
New York, 12-23 July 1982

PROVISIONAL AGENDA

1. Election of officers
2. Adoption of the agenda
3. Consideration of contracts for the supply and construction of large industrial works.
4. Other business
5. Adoption of the report

Notes on the provisional agenda

The Working Group on the New International Economic Order was established at the eleventh session of the Commission. 1/ Its membership was decided at the twelfth session of the Commission. 2/ At the thirteenth session of the Commission, the membership was increased to include all other States members of the Commission. 3/ The Working Group consists, therefore, of the following States:

1/ Report of the United Nations Commission on International Trade Law on the work of its eleventh session (1978), Official Records of the General Assembly, Thirty-third Session, Supplement No. 17, (A/33/17), para. 71.

2/ 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. 100.

3/ 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. 143.

Australia, Austria, Burundi, Chile, Colombia, Cuba, Cyprus, Czechoslovakia, Egypt, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Guatemala, Hungary, India, Indonesia, Iraq, Italy, Japan, Kenya, Nigeria, Peru, Philippines, Senegal, Sierra Leone, Singapore, Spain, Trinidad and Tobago, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Yugoslavia.

The Working Group at its first session held in New York, in January 1980, recommended to the Commission for possible inclusion in its work programme, inter alia, the harmonization, unification and review of contractual provisions commonly occurring in international contracts on research and development. 4/ The Commission, at its thirteenth session, agreed to accord priority to work related to contracts for the supply and construction of large industrial works and requested the Secretary-General to carry out a study concerning clauses used in these contracts. The study 5/ was submitted to the second session of the Working Group and examined by it. 6/ At that session, the Working Group requested the Secretariat to prepare a further study covering topics noted but which had not been analyzed in that study 7/ and also to include a number of other topics as the Secretariat deemed appropriate in the light of the discussion at that session. 8/

The terms of reference of the Working Group for the present session are to conclude discussion of the study submitted to the second session and to discuss the study prepared by the Secretariat for the present session. 9/ The purpose of this discussion is to assist the Secretariat in drafting a legal guide which would identify the legal issues involved in contracts for the supply and construction of large industrial works and suggest possible solutions to assist parties, in particular from developing countries, in their negotiations. 10/

4/ A/CN.9/176, para. 31.

5/ A/CN.9/WG.V/WP.4 and Adds. 1-8.

6/ A/CN.9/198, paras. 11-88.

7/ A/CN.9/WG.V/WP.4, para. 36.

8/ A/CN.9/198, paras. 90 and 91; Report of the United Nations Commission on International Trade Law on the work of its fourteenth session (1981), Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 17 (A/36/17), para. 84.

9/ A/CN.9/198, paras. 89-91.

10/ A/CN.9/198, para. 20; Report of the United Nations Commission on International Trade Law on the work of its fourteenth session (1981), Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 17 (A/36/17), para. 84.

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 contracts for the supply and construction of large industrial works

In addition to the study of the Secretary-General submitted to the second session of the Working Group, entitled "Clauses related to contracts for the supply and construction of large industrial works" (A/CN.9/WG.V/WP.4 and Add.1-8), the Working Group will have before it the following document:

Study II of the Secretary-General entitled "Clauses related to contracts for the supply and construction of large industrial works" (A/CN.9/WG.V/WP.7 and Add. 1-6).

The topics that remain to be discussed in the study submitted to the second session of the Working Group are the following:

A/CN.9/WG.V/WP.4/Add.1: Chapter I, Drawings and Descriptive Documents
Chapter II, Supply
Chapter III, Erection
Chapter IV, Passing of Risks
Chapter V, Transfer of Property

A/CN.9/WG.V/WP.4/Add.7: Chapter XVIII, Applicable Law.

Item 5. Adoption of the report

The Commission requested the Working Group to submit a progress report to its fifteenth session.

Meetings

The session of the Working Group will take place from 12 to 23 July 1982 ^{11/} at United Nations Headquarters, New York. Meetings will be scheduled from 12 to 16 July, 19 to 21 July and 23 July 1982. Meeting hours will be from 10 a.m. to 1 p.m. and from 3 to 6 p.m., except on 12 July when the meeting will commence at 10.30 a.m.

^{11/} Report of the United Nations Commission on International Trade Law on the work of its fourteenth session (1981), Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 17 (A/36/17), para. 131.