

He agreed with the Australian representative that an attempt should be made to find a solution to the problems raised by the United Kingdom. The essential problem was to find a way of ensuring that a debtor was informed in due time of proceedings initiated against him in a foreign country by a creditor. He thought the matter should be referred to the Working Group for consideration.

Mr. GUEST (United Kingdom) said that the three problems which the Working Group should consider were: (a) the question of the notification of a debtor of the institution against him of judicial proceedings; (b) the question of the competence of the forum in which the proceedings were instituted; and (c) whether international effect should be given to the causes of interruption stated in articles 12, 14, 15, 16 and 18 (1) (b).

Mr. SMIT (United States of America) said that the Working Group should also consider the question of the definition of the countries in which the occurrence of an interruptive event would have international effect.

The CHAIRMAN observed that certain delegations, such as Belgium, Brazil, France and Nigeria, favoured the deletion of article 35, that others were opposed to it but would accept a reformulation of the principles stated therein and that the overwhelming majority favoured a compromise solution. He suggested that the article should be referred to the Working Group together with the comments of delegations, notably those of the United Kingdom.

It was so decided.

Article 36

Mr. BURGUCHEV (Union of Soviet Socialist Republics) proposed that discussion of article 36 should be deferred until the Commission's next meeting because the Working Group was currently engaged in its reformulation.

It was so decided.

Articles 37 and 38

The CHAIRMAN noted that the Soviet delegation had proposed (A/CN.9/V/CRP.19) that article 37 should be deleted.