

Article 2 (continued)

Mr. ROGNLIEN (Norway) pointed out that the Commission had already adopted with respect to article 2 a compromise which consisted in placing between square brackets the definition in paragraph (1), so as to bring it to the attention of the diplomatic conference.

Mr. ELLICOTT (Australia) said that, although he was not opposed to that provisional solution, the Commission would sooner or later have to deal with the question of the definition of an international sale. He therefore proposed that that question should be included in the agenda for the Commission's sixth session, which would no doubt precede the meeting of the diplomatic conference. He also suggested that the Working Group on Sales should be asked to give its views on the matter.

Mr. KAMAT (India) said that his delegation supported the compromise mentioned by the representative of Norway.

The CHAIRMAN invited the Commission to approve article 2 on the understanding that paragraph (1) was placed in square brackets and that the question of the definition of an international sale was included in the agenda for the Commission's sixth session.

Article 2 was adopted.

Article 3 (continued)

Mr. ROGNLIEN (Norway) pointed out that the Working Group had prepared two alternative texts for article 3 and that the Commission should now take a decision on the matter. The first alternative would have the effect of limiting the application of the Convention to parties having their places of business in different Contracting States. Since some delegations had considered alternative A too limiting, the Working Group had prepared another alternative, alternative B, supplemented by the reservation in article X. He added that there was a third solution, namely, to adopt the definition used by the Working Group on Sales.