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PROVISIONAL AGENDA

Addendum

Note by the Secretary-General

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ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1. Opening of the session

At its second session the Commission decided^{1/} that its third session should be held in New York from 6 to 30 April 1970, and in the case of an extension, should not continue beyond 2 May 1970. Accordingly, the third session of the Commission will be convened on 6 April 1970 at the United Nations Headquarters in New York and has been scheduled to end on 30 April 1970 unless the Commission decides to extend the session until 2 May 1970.

Item 2. Election of officers

To conform with a decision of the Commission at its first session, the Commission would elect a Chairman, three Vice-Chairmen and a Rapporteur for the third session.^{2/}

Item 3. Adoption of the agenda

A provisional agenda, prepared by the Secretariat, has been issued as document A/CN.9/36.

In planning the work of the third session, the Commission might wish to consider a working method similar to that employed at its second session. At that session, the Commission established two Committees of the Whole to examine certain agenda items involving complex documentation, and to make recommendations to the plenary session of the Commission with respect of these items. The two Committees met simultaneously at times when no meeting of the plenary was scheduled.

^{1/} Report of the United Nations Commission on International Trade Law on the work of its second session, 1969, Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 18 (A/7618), para. 188. (Herein cited as UNCITRAL, Report on the Second Session (1969)).

^{2/} Report of the United Nations Commission on International Trade Law on the work of its first session, Official Records of the General Assembly, Twenty-third Session, Supplement No. 16 (A/7216), para. 14. With respect to the procedure for conducting the election, reference may be made to the decision of the Commission at its first session concerning the applicability of the rules relating to the procedures of committees of the General Assembly. See ibid. para. 16.

Since the Commission commenced detailed technical work on all priority items in 1969, it might wish to have no preliminary general debate on items to be discussed in the Committees. In this case, Committees of the Whole could start their work at an early stage of the session. The Secretariat would be able to provide facilities for simultaneous meetings of the Committees commencing in the afternoon of 7 April 1970.

If the Commission decides to set up Committees of the Whole it is suggested that agenda items which are of a technical nature be referred to these Committees. Taking also into consideration the time that may be needed for the examination of each item, the agenda items might be allocated as follows:

Plenary meetings

1. Opening of the session
2. Election of officers
3. Adoption of the agenda
9. Co-ordination of the work of organizations in the field of international trade law and collaboration with these organizations
10. Training and assistance in the field of international trade law
12. Programme of work through 1973
13. Date of the fourth session
14. Adoption of the report of the Commission

Committee I of the Whole

4. International sale of goods
6. International commercial arbitration

Committee II of the Whole

5. International payments
7. International legislation on shipping
8. Register of organizations and register of texts; bibliography
11. Publication of a Yearbook

The annex to the present document contains a suggested schedule of plenary meetings and meetings of the Committees based on the above allocation of agenda items.

Item 4. International sale of goods

(a) Uniform rules governing the international sale of goods^{3/}

The Commission will have before it the following documents: (i) an analysis of the studies and comments by Governments on the Hague Conventions of 1964 (A/CN.9/31); (ii) an analysis of the replies and comments by Governments on the Hague Convention of 1955 (A/CN.9/33); (iii) the Report of the Working Group on the International Sale of Goods on its meeting held in New York from 5 to 16 January 1970 (A/CN.9/35); (iv) a note by the Secretariat with suggestions concerning alternative approaches for consideration of the Report of the Working Group (A/CN.9/R.2).

(b) Time-limits and limitations (prescription) in the field of international sale of goods^{4/}

The Commission will have before it the Report of the Working Group on Time-limits and Limitations (Prescription) in the International Sale of Goods on its meeting held in Geneva from 18 to 22 August 1969 (A/CN.9/30) and a note by the Secretariat with suggestions concerning alternative approaches for consideration of the Report of the Working Group (A/CN.9/R.1).

(c) General conditions of sale and standard contracts^{5/}

The Commission will have before it a report by the Secretary-General (A/CN.9/34), including comments received from Governments as of 10 March 1970 on the ECE General Conditions which were circulated in accordance with the decision of the Commission at its second session. If the regional economic commissions of the United Nations or any other Government should submit views or comments, the Secretariat will endeavour to place such communications before the third session of the Commission.

3/ UNCITRAL, Report on the Second Session (1969), para. 38, pp. 11-12.

4/ Ibid., para. 46, pp. 13-14.

5/ Ibid., para. 60, pp. 17-18.

Item 5. International payments

(a) Negotiable instruments^{6/}

The Commission will have before it an analysis of comments and suggestions by Governments and by banking and trade institutions on proposed approaches with respect to negotiable instruments used in international transactions (A/CN.9/38).

(b) Bankers' commercial credits^{7/}

The Commission will have before it a note by the Secretary-General on the implementation of the Commission's decision at its second session (A/CN.9/44).

(c) Guarantees and securities^{8/}

In 1969 the Secretary-General submitted to the second session of the Commission a preliminary study of the subject (A/CN.9/20 and Add.1); Hungary submitted to the same session a proposal concerning the preparation of uniform rules and practice relating to bank guarantees (A/CN.9/L.13). The Commission at the second session decided to defer its consideration of the documents until its third session.^{9/} The Commission will also have before it a note by the Secretary-General transmitting the observations of certain members of the Commission on the above preliminary study (A/CN.9/45 and Add.1), and a note by the Secretary-General transmitting a report prepared by the International Chamber of Commerce on bank guarantees (A/CN.9/37).

Item 6. International commercial arbitration^{10/}

The Commission will have before it a preliminary study by the Special Rapporteur appointed by the Commission at its second session (A/CN.9/42) and a report by the Secretary-General with respect to ratification of or accession to the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958 (A/CN.9/49 and Add.1).

6/ Ibid., para. 87, p. 24.

7/ Ibid., para. 95, pp. 25-26.

8/ Ibid., para. 99, p. 27.

9/ Ibid., para. 97, p. 26 and para. 99, sub-para. 1, p. 27.

10/ Ibid., paras. 112-113, p. 29.

Item 7. International legislation on shipping^{11/}

The Commission will have before it a note by the Secretary-General reporting on the meeting of the UNCTAD Committee on Shipping, the deliberations in the Sixth Committee of the General Assembly on the subject and further material relating to co-ordination of further work in this field (A/CN.9/41).

Item 8. (a) Register of organizations^{12/}

(b) Register of texts^{12/}

The Commission will have before it a progress report, prepared by the Secretary-General, with respect to the preparation of the registers (A/CN.9/40).

(c) Bibliography^{13/}

In 1969 the Secretary-General submitted to the second session of the Commission a sample of bibliographic material on arbitration (A/CN.9/24/Add.1 and Add.2). At that session the Commission was not in a position to give detailed consideration to this material.^{14/} The Commission will have before it a note by the Secretary-General on the subject (A/CN.9/43) and further samples of bibliographic material (A/CN.9/R.3).

Item 9. Co-ordination of the work of organizations in the field of international trade law and collaboration with these organizations^{15/}

At its second session, the Commission requested the Secretary-General to collect information on the activities of organizations pertaining to the priority topics included in its programme of work. The Secretary-General will report with respect to the information so far received in its progress report

^{11/} Ibid., para. 133, pp. 32-34.

^{12/} Ibid., para. 141, pp. 36-37.

^{13/} Ibid., para. 142, p. 37.

^{14/} Ibid..

^{15/} Ibid., para. 155, pp. 40-41.

on the Register of Texts and Register of Organizations referred to under agenda items 8 (a) and (b) above (A/CN.9/40).

Item 10. Training and assistance in the field of international trade law^{16/}

The Commission will have before it a report prepared by the Secretary-General (A/CN.9/39) reporting on the progress in the implementation of the decision on this subject at the second session of the Commission.

Item 11. Publication of a Yearbook^{17/}

The Commission will have before it a report by the Secretary-General (A/CN.9/32 and Add.1) noting the action of the General Assembly at the twenty-fourth session with respect to the publication of an UNCITRAL Yearbook, and setting forth material on the timing and content of such a publication.

Item 12. Programme of work through 1973

The Commission will have before it (i) a note by the Secretary-General referring to the relevant parts of documents of the twenty-fourth session of the General Assembly (A/CN.9/46) and (ii) a proposal by UNIDROIT concerning the future work of the Commission (A/CN.9/L.19).

Item 13. Date of the fourth session

The fourth session of the Commission is expected to be held at the United Nations Office in Geneva, in accordance with paragraph 6 of General Assembly resolution 2205 (XXI), on a date to be fixed by the Commission taking into account, *inter alia*, the available facilities and the need to co-ordinate the work of UNCITRAL with other related bodies.

Item 14. Adoption of the report of the Commission

The General Assembly, in paragraph 10 of resolution 2205 (XXI), decided that the Commission shall submit an annual report, including its recommendations, to the General Assembly, and that the report shall be submitted simultaneously to the United Nations Conference on Trade and Development for comments. Under a decision by the Sixth Committee,^{18/} the report of the Commission is introduced to the General Assembly by the Chairman of the Commission or by another officer designated by him.

^{16/} Ibid., para. 160, pp. 42-43.

^{17/} Ibid., para. 166, p. 45.

^{18/} A/7408, para. 3.

ANNEX

Suggested schedule of meetings

<u>Date</u>	<u>Meeting</u>	<u>Plenary</u>	<u>Committee I</u>	<u>Committee II</u>
6 April	afternoon	1. Opening of the session 2. Election of officers		
7 April	morning	3. Adoption of the agenda		
	afternoon		Election of officers	Election of officers
			4. International sale of goods	5. International Payments
			(a) Uniform rules governing international sale of goods	(b) Bankers' Commercial Credits
8 April	morning		4. International sale of goods	5. International Payments
			(a) Uniform rules governing international sale of goods	(c) Guarantees and Securities
	afternoon		-do-	-do-
9 April	morning		4. International sale of goods	5. International Payments
			(a) Uniform rules governing international sale of goods	(c) Guarantees and Securities
	afternoon		-do-	-do-
10 April	morning		4. International sale of goods	5. International Payments
			(a) Uniform rules governing international sale of goods	(a) Negotiable instruments
	afternoon		-do-	-do-
13 April	morning		4. International sale of goods	5. International Payments
			(a) Uniform rules governing international sale of goods	(a) Negotiable instruments
	afternoon		-do-	-do-
14 April	morning		4. International sale of goods	5. International Payments
			(a) Uniform rules governing international sale of goods	(a) Negotiable instruments
	afternoon		-do-	-do-

<u>Date</u>	<u>Meeting</u>	<u>Plenary</u>	<u>Committee I</u>	<u>Committee II</u>
15 April	morning)	10. Training and assistance in the field of international trade law		
	afternoon)			
16 April	morning)		4. International sale of goods	7. International legislation on shipping
	afternoon)		(c) General conditions of sale and standard contracts	-do-
17 April	morning)		6. International commercial arbitration	7. International legislation on shipping
	afternoon)			
20 April	morning)		4. International sale of goods	8.(a) Register of organizations
	afternoon)		(b) Time-limits and limitations (prescription) in the field of international sale of goods	(b) Register of texts
			-do-	(c) Bibliography
	afternoon)		-do-	-do-
21 April	morning)		4. International sale of goods	11. Publication of a Yearbook
	afternoon)		(b) Time-limits and limitations (prescription) in the field of international sale of goods	
			-do-	-do-
22 April	morning)	7. International legislation on shipping		
	afternoon)			
23 April	morning)	5. International payments		
	afternoon)	(a) Negotiable instruments		
		(b) Bankers' commercial credits		
		(c) Guarantees and securities		
24 April	morning)	4. International sale of goods		
	afternoon)	(a) Uniform rules governing international sale of goods		
		(b) Time-limits and limitations (prescription) in the field of international sale of goods		

<u>Date</u>	<u>Meeting</u>	<u>Plenary</u>	<u>Committee I</u>	<u>Committee II</u>
27 April	morning) 8.. (a) Register of) organizations) (b) Register of) texts) (c) Bibliography) 11. Publication of a) Yearbook) 9. Co-ordination of the) work of organizations) in the field of inter-) national trade law and) collaboration with) these organizations		
28 April	morning) 12. Programme of work) through 1973) 12. Programme of work) through 1973) 13. Date of the fourth) session		
29 April	morning afternoon) 14. Adoption of the report) of the Commission		
30 April	morning afternoon) 14. Adoption of the report) of the Commission		