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**United Nations Commission
on International Trade Law
Working Group VI (Security Interests)
Thirty-second session
Vienna, 11-15 December 2017**

Annotated provisional agenda

I. Provisional agenda

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II. Composition of the Working Group

1. The Working Group is composed of all States members of the Commission (their term of office expires on the last day prior to the beginning of the annual session of the Commission in the year indicated), which are the following: Argentina (2022), Armenia (2019), Australia (2022), Austria (2022), Belarus (2022), Brazil (2022), Bulgaria (2019), Burundi (2022), Cameroon (2019), Canada (2019), Chile (2022), China (2019), Colombia (2022), Côte d'Ivoire (2019), Czech Republic (2022), Denmark (2019), Ecuador (2019), El Salvador (2019), France (2019), Germany (2019), Greece (2019), Honduras (2019), Hungary (2019), India (2022), Indonesia (2019), Iran (Islamic Republic of) (2022), Israel (2022), Italy (2022), Japan (2019), Kenya (2022), Kuwait (2019), Lebanon (2022), Lesotho (2022), Liberia (2019), Libya (2022), Malaysia (2019), Mauritania (2019), Mauritius (2022), Mexico (2019), Namibia (2019), Nigeria (2022), Pakistan (2022), Panama (2019), Philippines (2022), Poland (2022), Republic of Korea (2019), Romania (2022), Russian Federation (2019), Sierra Leone (2019), Singapore (2019), Spain (2022), Sri Lanka (2022), Switzerland (2019), Thailand (2022), Turkey (2022), Uganda (2022), United Kingdom of Great Britain and Northern Ireland (2019), United States of America (2022), Venezuela (Bolivarian Republic of) (2022) and Zambia (2019).

* Reissued for technical reasons on 25 September 2017.



2. Member States not members of the Commission, non-Member States having received a standing invitation to participate as observers in the sessions and the work of the General Assembly, and international governmental organizations may attend the session as observers and participate in the deliberations. In addition, invited international non-governmental organizations may attend the session as observers and represent the views of their organizations on matters where the organization concerned has expertise or international experience so as to facilitate the deliberations at the session.

III. Annotations to agenda items

Item 1. Opening of the session and scheduling of meetings

3. The thirty-second session of the Working Group will be held at the Vienna International Centre in Vienna from 11 to 15 December 2017. Meeting hours will be from 9.30 a.m. to 12.30 p.m. and from 2 to 5 p.m., except on Monday, 11 December 2017, when the session will be opened at 10.00 a.m. There will be five working days available for consideration of the agenda items at the session. The Working Group may wish to note that, consistent with decisions taken by the Commission at its thirty-fourth session,¹ the Working Group is expected to hold substantive deliberations during the first nine half-day meetings (that is, from Monday to Friday morning), with a draft report on the entire period being presented for adoption at the tenth and last meeting of the Working Group on Friday afternoon.

Item 2. Election of officers

4. In accordance with its practice at previous sessions, the Working Group may wish to elect a Chairman and a Rapporteur.

Item 4. Draft Practice Guide to the UNCITRAL Model Law on Secured Transactions

(a) Background information

5. At its fiftieth session (Vienna, 3-21 July 2017), the Commission considered a note by the Secretariat entitled “Possible future legislative work on security interests and related topics” (A/CN.9/913) and a proposal by the Governments of Australia, Canada, Japan and the United Kingdom “Possible future work on security interests: Proposal for a Practice Guide to the UNCITRAL Model Law on Secured Transactions” (A/CN.9/926). The latter (A/CN.9/926) suggested that the Commission should prepare a practice guide to provide guidance to potential users of the UNCITRAL Model Law on Secured Transactions (the “Model Law”) with respect to contractual, transactional, and regulatory issues related to secured transactions, as well as financing of micro-businesses.

6. There was general support in the Commission for the preparation of such a practice guide to the Model Law. It was widely felt that, without guidance on a number of practical issues, users of secured transactions laws implementing the Model Law (such as parties to transactions, judges, arbitrators, regulators, insolvency administrators and academics) would not be able to use those laws to their maximum benefit. It was felt that the practice guide could address the following: (a) contractual issues (such as the types of secured transaction that were possible under the Model Law); (b) transactional issues (such as the valuation of collateral); (c) regulatory issues (such as the conditions under which movable assets were treated as eligible collateral for regulatory purposes); and (d) issues relating to finance to micro-businesses (such issues relating to the enforcement of security interests).²

¹ *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 17* and corrigendum (A/56/17 and Corr.3), para. 381.

² *Ibid.*, *Seventy-Second Session, Supplement No. 17* (A/72/17), paras. 222 and 223.

7. After discussion, the Commission decided that a practice guide on secured transactions should be prepared and referred that task to Working Group VI (Security Interests). It was agreed that issues addressed in document [A/CN.9/926](#) and the relevant sections of document [A/CN.9/913](#) should form the basis of that work. The Commission further agreed that broad discretion should be left to the Working Group in determining the scope, structure and content of the practice guide.³

(b) Documentation for the session

8. The Working Group will have before it, and may wish to use as a basis of its considerations, notes by the Secretariat entitled “Draft Practice Guide to the UNCITRAL Model Law on Secured Transactions” ([A/CN.9/WG.VI/WP.75](#) and Addenda). The following documents may also provide background information:

(a) UNCITRAL Model Law on Secured Transactions;⁴

(b) The United Nations Convention on the Assignment of Receivables in International Trade;⁵

(c) UNCITRAL Legislative Guide on Secured Transactions;⁶

(d) UNCITRAL Legislative Guide on Secured Transactions: Supplement on Security Rights in Intellectual Property;⁷ and

(e) UNCITRAL Guide on the Implementation of a Security Rights Registry.⁸

9. UNCITRAL documents are posted on the UNCITRAL website (www.uncitral.org) upon their issuance in all the official languages of the United Nations. Delegates may wish to check the availability of the documents by accessing the Working Group’s page in the “Working Group Documents” section of the UNCITRAL website.

Item 5. Future work

10. At its fiftieth session, the Commission decided to retain on its future work agenda the following topics: (a) warehouse receipts; (b) intellectual property licensing; and (c) the use of alternative dispute resolution mechanisms to resolve disputes arising in the context of secured transactions (see [A/CN.9/913](#)). Without assigning any priority to them, the Commission agreed to discuss those topics at a future session.⁹

Item 6. Other business

11. The thirty-third session of the Working Group is scheduled to take place in New York from 30 April to 4 May 2018.

Item 7. Adoption of the report

12. The Working Group may wish to adopt, at the close of its session, on Friday, 15 December 2017, a report for submission to the fifty-first session of the Commission scheduled to take place in New York from 25 June to 13 July 2018. The main conclusions reached by the Working Group at its ninth meeting (on Friday morning) will be summarily read out for the record at the tenth meeting (on Friday afternoon) and subsequently incorporated into the report.

³ Ibid., para. 227.

⁴ ISBN: 978-92-1-133856-0.

⁵ General Assembly resolution 56/81, annex (United Nations publication, Sales No. E.04.V.14).

⁶ United Nations publication, Sales No. E.09.V.12.

⁷ United Nations publication, Sales No. E.11.V.6.

⁸ United Nations publication, Sales No. E.14.V.6.

⁹ *Official Records of the General Assembly, Seventy-Second Session, Supplement No. 17 (A/72/17)*, para. 229.