

REUNION DU GROUPE DE TRAVAIL « CONTRATS »
"CONTRACTS" WORKING GROUP MEETING

Projet d'ordre du jour
Draft agenda

novembre / November 2010



PROJET D'ORDRE DU JOUR

DEUXIÈME RÉUNION DU GROUPE DE TRAVAIL SUR LE CHOIX DE LA LOI APPLICABLE EN MATIÈRE DE CONTRATS INTERNATIONAUX

(Bureau Permanent, La Haye, du 15 au 17 novembre 2010)

proposé par le Bureau Permanent

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DRAFT AGENDA

SECOND MEETING OF THE WORKING GROUP ON CHOICE OF LAW IN INTERNATIONAL CONTRACTS

(Permanent Bureau, The Hague, 15-17 November 2010)

proposed by the Permanent Bureau

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SECOND MEETING OF THE WORKING GROUP ON CHOICE OF LAW IN INTERNATIONAL CONTRACTS

(Permanent Bureau, The Hague, 15-17 November 2010)

It is proposed that the meeting will begin each day at 9.30 a.m. and end at 6.00 p.m. Lunch breaks will be from 1.00 to 2.30 p.m.

The suggested timetable will be followed with a certain degree of flexibility and may need to be modified in the light of progress in the discussions.

Monday 15 November 2010

- 9.30-10.00 a.m. **Opening of the meeting**
Opening remarks by the Secretary General of the Hague Conference on Private International Law
Brief update on progress made since January 2010, by Marta Pertegás
- 10.00-10.30 a.m. **Introductory presentation**
Overview of preparatory materials, brief introduction of the draft agenda and other organisational issues, by Daniel Girsberger (Chairman) and by Dieter Martiny, Andrew Dickinson and Paco Garcimartín (Chairs of the sub-groups)
- 10.30-11.00 a.m. **General aspects of party autonomy: available options and structure**
- a) Presentation
 - Preamble
 - Formulation of the principle of party autonomy in general
 - Joint or different principles for State courts and arbitral tribunals?
 - Other general aspects (*excluding* specific agenda items)
 - b) Discussion
- 11.00-11.15 a.m. Coffee break
- 11.15 a.m. – 1.00 p.m. **General aspects of party autonomy (cont.)**
- b) Discussion (cont.)
- 1.00-2.30 p.m. Lunch break
- 2.30-4.15 p.m. **Existence and material validity of the choice of law agreement and consent of the parties**
- a) Presentation
 - Existence
 - Material validity
 - Consent
 - b) Discussion

4.15-4.30 p.m. Tea break

4.30–6.00 p.m. **Implied choice of law**

- a) Presentation
- b) Discussion

Dinner offered by the Permanent Bureau (time and location to be decided)

Tuesday 16 November 2010

9.30-11.00 a.m. **Change of choice of law and severability**

- a) Presentation
- b) Discussion

11.00-11.15 a.m. Coffee break

11.15 a.m. – 1.00 p.m. **Formal requirements**

- a) Presentation
- b) Discussion

1.00-2.30 p.m. Lunch break

2.30-4.30 p.m. **The range of the selected law (in particular non-State law)**

- a) Presentation
- b) Discussion

4.30-4.45 p.m. Tea break

4.45-6.00 p.m. **Preliminary discussion on public policy and mandatory rules**

- a) Presentation
- b) Discussion

Wednesday 17 November 2010

9.30 – 11.00 a.m. **Scope of the applicable law**

- a) Presentation
 - Particular issues
 - Multi-party relationships
 - Drafting models
- b) Discussion

11.00-11.15 a.m. Coffee break

11.15 a.m. – 1.00 p.m.	Scope of the instrument (continued from First Meeting) a) Presentation <ul style="list-style-type: none">• Other excluded contracts?• Delimitation of a “contract” / “contractual matter” b) Discussion
1.00-2.30 p.m.	Lunch break
2.30-4.15 p.m.	Follow-up / make-up session Time allocated to any previously discussed subjects that require additional attention
4.15-4.30 p.m.	Tea break
4.30-6.00 p.m.	Conclusions and Recommendations of the Second Meeting of the Working Group a) Presentation of the Preliminary Report of the Second Meeting and future stages of the Project b) Discussion