



**MAC Protocol  
Committee of Governmental Experts  
First session  
Rome, 20 – 24 March 2017**

UNIDROIT 2017  
Study 72K – CGE1 – W.P. 9  
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**DAILY REPORT  
FOR  
24 MARCH 2017**

*(prepared by the UNIDROIT Secretariat)*

1. The Chair opened the fifth day of the first session of the Committee of Governmental Experts (hereinafter the “Committee”) for the preparation of a draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Agricultural, Construction and Mining Equipment (hereinafter the “MAC Protocol”) at the Headquarters of the Food and Agriculture Organisation of the United Nations in Rome, on 24 March 2017 at 9:36 a.m.

**Agenda Item 4: Consideration of the preliminary draft Protocol (continued)**

Report of the Drafting Committee

2. The Co-Chairs of the Drafting Committee introduced the Report of the Drafting Committee (Study 72K – CGE1 – W.P. 7). They explained that, as consistent with the referrals made by the Committee of Governmental Experts, the Drafting Committee made two types of changes; (i) substantive; and (ii) grammatical. The Co-Chairs then explained the changes made to the preliminary draft Protocol, as tracked in the Report of the Drafting Committee.

3. One delegation queried whether the proposed amendments to Article XXV (c) were designed to apply where new HS codes were added to the Annexes under the procedure contained in Article XXXII (4).

4. *The Committee decided to defer further consideration of the issue until its second session.*

5. Several delegations note their concern with the 75% threshold required to prevent a change to the Annexes becoming effective under Article XXXII (4).

6. *The Committee agreed to replace [75%] with [XX] in Article XXXII (4) and to put the entirety of Paragraphs 4 and 5 of Article XXXII in square brackets for further consideration at the second session of the Committee.*

7. *The Report of the Drafting Committee was adopted by the Committee. The Committee decided that the preliminary draft Protocol contained in the Report of the Drafting Committee would form the basis of the preliminary draft Protocol to be considered at the second session of the Committee of Governmental Experts.*

### Intersessional Working Group on Registration Criteria

8. *On nomination by the Chair, a delegation accepted the role of Chair of the Intersessional Working Group on Registration Criteria.*
9. *The Committee decided that the Intersessional Working Group on Registration Criteria should additionally consider potential measures to improve the preliminary draft Protocol's transparency in portraying the types of MAC equipment it applied to.*
10. *The Chair requested that the Secretariat provide logistical and administrative support to the Intersessional Working Group.*

### **Agenda Item 5: Future Work**

11. The Secretary-General proposed that the next session of the Committee be held from 2 – 6 October 2017 at the headquarters of the Food and Agriculture Organisation in Rome.
12. *The Committee agreed that the second session of the Committee of Governmental Experts for the preparation of a draft Protocol to the Cape Town Convention on Matters specific to Agricultural, Construction and Mining equipment would take place from 2 – 6 October 2017 in Rome, Italy.*

### **Agenda Item 6: Review of Report**

13. The Reporter introduced the draft Report, as reflected in the Daily Reports (Study 72K – CGE1 - W.P. 2, Study 72K – CGE1 - W.P. 4, Study 72K – CGE1 - W.P. 6 and Study 72K – CGE1 - W.P. 8).
14. *The Committee reviewed and adopted the Daily Reports.*
15. *The Committee authorised the Secretariat to make minor spelling, grammatical and formatting changes to the Report and the preliminary draft Protocol as required.*

### **Agenda Item 7: Any Other Business**

16. *No other business was raised.*
17. The Chair closed the final day of the first session of the Committee of Governmental Experts at 12:14 p.m.