



**UNIDROIT COMMITTEE OF GOVERNMENTAL EXPERTS
FOR THE PREPARATION OF A DRAFT PROTOCOL TO
THE CONVENTION ON INTERNATIONAL INTERESTS IN
MOBILE EQUIPMENT ON MATTERS SPECIFIC TO
SPACE ASSETS
Third session
Rome, 7/11 December 2009**

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DRAFT ORDER OF BUSINESS

(prepared by the UNIDROIT Secretariat)

7 December 2009

9.30 a.m. - 5 p.m.

9.30 a.m. - 11 a.m.

Item No. 1 on the revised draft agenda: Adoption of the agenda

Item No. 2 on the revised draft agenda: Organisation of work

Item No. 3 on the revised draft agenda: consideration of the preliminary draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets, on the basis of the text of the preliminary draft Protocol as it emerged from the first session of the Committee of governmental experts (C.G.E./Space Pr./3/W.P. 4) (hereinafter referred to as the *preliminary draft Protocol*) and an alternative version of the preliminary draft Protocol prepared by Sir Roy Goode (United Kingdom) and Mr J.M. Deschamps (Canada) - as Co-chairmen of the Drafting Committee of the Committee of governmental experts - to reflect the conclusions reached by the Steering Committee, set up by the General Assembly at its 61st session, held in Rome on 29 November 2007, to build consensus around the provisional conclusions reached by the Government/industry meeting held in New York on 19 and 20 June 2007 (C.G.E./Space Pr./3/W.P. 5 rev.) (hereinafter referred to as the *alternative text (policy issues)*), *inter alia* in the light of the comments and proposals submitted by Governments, Organisations and the international commercial space, financial and insurance communities (C.G.E./Space Pr./3/W.P. 9):

- Article I(2)(g) of the preliminary draft Protocol / Article I(2)(j) and (k) of the alternative text (policy issues) (definition of “space” and “space assets”)

11 a.m. - 11.20 a.m.

Morning refreshments

11.20 a.m. - 12.30 p.m.

Item No. 3 on the revised draft agenda (*continued*):

- Article I(2)(a) of the preliminary draft Protocol / alternative text (policy issues) (definition of “debtor’s rights”) – Article I(2)(h) of the alternative text (policy issues) (definition of “rights assignment”) - Article I(2)(i) of the alternative text (policy issues) (definition of “rights reassignment”) - Article II(1) of the alternative text (policy issues) (application of the Convention as regards debtor’s rights) – Article V of the alternative text (policy issues) (effects of rights assignment) - Article VI of the alternative text (policy issues) (formal requirements for rights assignment) - Article VII of the alternative text (policy issues) (assignment of future rights) - Article VIII of the alternative text (policy issues) (recording of rights assignment as part of registration of international interest) - Article IX of the alternative text (policy issues) (priority of recorded rights assignment) - Article X of the alternative text (policy issues) (rights grantor’s duty to creditor) - Article XI of the alternative text (policy issues) (rights reassignment) – Article XIX of the alternative text (policy issues) (default remedies as regards rights assignments and rights reassignments)

12.30 p.m. - 2 p.m.

Luncheon

2 p.m. - 3.30 p.m.

Item No. 3 on the revised draft agenda (*continued*):

- Article I(2)(f) of the preliminary draft Protocol (definition of “related rights”) / alternative text (policy issues) (definition of “licence”) – Article II(2) of the preliminary draft Protocol (application of the Convention as regards related rights) – Article XII of the alternative text (policy issues) (duty of assignor as to licences) - Article XVI(2) of the preliminary draft Protocol / Article XXVII(2) of the alternative text (policy issues) (limitations on remedies)

Item No. 4 on the revised draft agenda: consideration of that part of the Report of the Sub-committee of the Committee of governmental experts to examine certain aspects of the future international registration system for space assets (C.G.E./Space Pr./3/W.P. 7) concerning the identification of space assets

Item No. 3 on the revised draft agenda (*continued*):

- Article VII of the preliminary draft Protocol / Article XVI (3) and (4) of the alternative text (policy issues) (identification of space assets)

3.30 p.m. - 3.50 p.m.

Afternoon refreshments

3.50 p.m. - 5 p.m.

Item No. 4 on the revised draft agenda (*continued*): consideration of that part of the Report of the Sub-committee of the Committee of governmental experts to examine certain aspects of the future international registration system for space assets (C.G.E./Space Pr./3/W.P. 7) concerning the identification of space assets (*continued*)

Item No. 3 on the revised draft agenda (*continued*):

- Article VII of the preliminary draft Protocol / Article XVI(3) and (4) of the alternative text (policy issues) (identification of space assets) (*continued*) - Article IX[(4)] of the preliminary draft Protocol / Article XVIII[(4)] of the alternative text (policy issues) (modification of default remedies provisions as regards space assets)

8 December 2009

9.30 a.m. - 5 p.m.

9.30 a.m. - 11 a.m.

Item No. 3 on the revised draft agenda (*continued*):

- Article IX[(4)] of the preliminary draft Protocol / Article XVIII[(4)] of the alternative text (policy issues) (modification of default remedies provisions as regards space assets) (*continued*) - Article XVI[(3)] of the preliminary draft Protocol / Article XXVII[(3)] of the alternative text (policy issues) (limitations on remedies)

11 a.m. - 11.20 a.m.

Morning refreshments

11.20 a.m. - 12.30 p.m.

Item No. 3 on the revised draft agenda (*continued*):

- Article XVI[(3)] of the preliminary draft Protocol / Article XXVII[(3)] of the alternative text (policy issues) (limitations on remedies) (*continued*)

12.30 p.m. - 2 p.m.

Luncheon

2 p.m. - 3.30 p.m.

Item No. 3 on the revised draft agenda (*continued*):

- Article XVI[(3)] of the preliminary draft Protocol / Article XXVII[(3)] of the alternative text (policy issues) (limitations on remedies) (*continued*)

Item No. 4 on the revised draft agenda (*continued*): consideration of that part of the Report of the Sub-committee of the Committee of governmental experts to examine certain aspects of the future international registration system for space assets (C.G.E./Space Pr./3/W.P. 7) *not* concerning the identification of space assets

3.30 p.m. - 3.50 p.m.

Afternoon refreshments

3.50 p.m. - 5 p.m. ¹

Item No. 4 on the revised draft agenda (*continued*): consideration of that part of the Report of the Sub-committee of the Committee of governmental experts to examine certain aspects of the future international registration system for space assets (C.G.E./Space Pr./3/W.P. 7) *not* concerning the identification of space assets (*continued*)

¹ The first meeting of the Drafting Committee will need to be convened from 5.30 p.m. to 8.30 p.m.

9 December 2009**9.30 a.m. - 5 p.m.**

- 9.30 a.m. - 11 a.m. Item No. 3 on the revised draft agenda (*continued*):
- consideration of those other provisions of the preliminary draft Protocol not hitherto discussed during the session, with the exception of Chapter VI (Final provisions), ² in particular the bracketed language in Article IX(1), Article X[(5)], the bracketed language in Article XII(2), the bracketed language in Article XVI(2), Article XVII(1) and (2), Article XX(1) and [Article XXI *bis*]
- 11 a.m. - 11.20 a.m. Morning refreshments
- 11.20 a.m. - 12.30 p.m. Item No. 3 on the revised draft agenda (*continued*):
- consideration of those other provisions of the preliminary draft Protocol not hitherto discussed during the session, with the exception of Chapter VI (Final provisions), in particular the bracketed language in Article IX(1), Article X[(5)], the bracketed language in Article XII(2), the bracketed language in Article XVI(2), Article XVII(1) and (2), Article XX(1) and [Article XXI *bis*] (*continued*)
- 12.30 p.m. - 2 p.m. Luncheon
- 2 p.m. - 3.30 p.m. Item No. 3 on the revised draft agenda (*continued*):
- consideration of those other provisions of the preliminary draft Protocol not hitherto discussed during the session, with the exception of Chapter VI (Final provisions), in particular the bracketed language in Article IX(1), Article X[(5)], the bracketed language in Article XII(2), the bracketed language in Article XVI(2), Article XVII(1) and (2), Article XX(1) and [Article XXI *bis*] (*continued*)
- 3.30 p.m. - 3.50 p.m. Afternoon refreshments
- 3.50 p.m. - 5 p.m. ³ Item No. 3 on the revised draft agenda (*continued*):
- consideration of those other provisions of the preliminary draft Protocol not hitherto discussed during the session, with the exception of Chapter VI (Final provisions), in particular the bracketed language in Article IX(1), Article X[(5)], the bracketed language in Article XII(2), the bracketed language in Article XVI(2), Article XVII(1) and (2), Article XX(1) and [Article XXI *bis*] (*continued*)

² As indicated in footnote 32 to C.G.E./Space Pr./3/W.P. 4, "it is envisaged that, in line with practice, draft Final Provisions will be prepared for the Diplomatic Conference at such time as the Committee of governmental experts has completed its work. The draft Final Provisions set out in Chapter VI are in no way intended to prejudge that process but simply to indicate the suggestions of the Space Working Group on this matter. They are based on the Final Provisions contained in the Aircraft Protocol."

³ The second meeting of the Drafting Committee will need to be convened from 5.30 p.m. to 8.30 p.m.

10 December 2009**9.30 a.m. - 5 p.m.**

- 9.30 a.m. - 11 a.m. Item No. 3 on the revised draft agenda (*continued*):
- consideration of the proposal of Ms P.L. Meredith, on behalf of leading space insurance underwriters on title salvage and revenue salvage (C.G.E./Space Pr./3/W.P. 9, pp. 5-9)
- 11 a.m. - 11.20 a.m. Morning refreshments
- 11.20 a.m. - 12.30 p.m. Item No. 5 on the revised draft agenda: consideration of technical amendments proposed to the preliminary draft Protocol by Sir Roy Goode and Mr Deschamps, as Co-chairmen of the Drafting Committee of the Committee of governmental experts (C.G.E./Space Pr./3/W.P. 8 rev.) (hereinafter referred to as the *alternative text (proposed technical amendments)*),
- Article I(2)(a) of the alternative text (proposed technical amendments) (definition of "controlled goods") - Article I(3) of the alternative text (proposed technical amendments) (location / situation of space asset) - Article XXXI[(3)] of the alternative text (proposed technical amendments) (discharge of registration in event of space asset not being launched)
- 12.30 p.m. - 2 p.m. Luncheon
- 2 p.m. - 3.30 p.m. Item No. 5 on the revised draft agenda (*continued*):
- Article II(3) of the alternative text (proposed technical amendments) (exclusion of space asset from coverage by Aircraft Protocol) – Article VIII of the preliminary draft Protocol (choice of law in respect of rights assignments and rights reassignments)
- 3.30 p.m. - 3.50 p.m. Afternoon refreshments
- 3.50 p.m. - 5 p.m. ⁴ Item No. 5 on the revised draft agenda (*continued*):
- Article XX of the alternative text (proposed technical amendments) (placement of data and materials) / Article XXVII(2) of the alternative text (proposed technical amendments) (limitations on remedies) – Article XXIV(2) of the alternative text (proposed technical amendments) (modification of priority provisions) – Article XXXVII(2) of the alternative text (proposed technical amendments) (entry into force) – Article XXXIX of the alternative text (proposed technical amendments) (transitional provisions) – Article XL(1)(b) of the alternative text (proposed technical amendments) (declarations relating to certain provisions)

⁴ The third meeting of the Drafting Committee will need to be convened from 5.30 p.m. to 8.30 p.m.

11 December 2009**9.30 a.m. - 5 p.m.**

- 9.30 a.m. - 11 a.m. Item No. 3 on the revised draft agenda (*continued*):
- review of the work of the Drafting Committee ⁵
- 11 a.m. - 11.20 a.m. Morning refreshments
- 11.20 a.m. - 12.30 p.m. Item No. 3 on the revised draft agenda (*continued*):
- review of the work of the Drafting Committee ⁶
- 12.30 p.m. - 2 p.m. Luncheon
- 2 p.m. - 3.30 p.m. Item No. 3 on the revised draft agenda (*continued*):
- review of the work of the Drafting Committee (*continued*)
- 3.30 p.m. - 3.50 p.m. Afternoon refreshments
- 3.50 p.m. - 5 p.m. Item No. 7 on the revised draft agenda: Review of report
Item No. 6 on the revised draft agenda: Future work
Item No. 8 on the revised draft agenda: Any other business
Closure of the session.

⁵ This time may, however, need to be given over to a fourth meeting of the Drafting Committee, depending on the amount of progress realised by that Committee over its first, second and third meetings.

⁶ This part of the review by the Committee of governmental experts of the work of the Drafting Committee will only be a continuation of that work in the event that the Drafting Committee ends up having to meet for a fourth time on the morning of 11 December 2009.