



Negotiating Group on the Multilateral Agreement on Investment (MAI)

Expert Group No.3 on “Special Topics”

AGENDA

Meeting on 9-11 September 1996

EXPERT GROUP N°3: "SPECIAL TOPICS"

AGENDA

9 - 11 (a.m.) September 1996

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| 1. | Adoption of the Agenda | DAFFE/MAI/EG3/A(96)3 |
| 2. | Adoption of the Summary Record of the meeting on 17-19 June 1996 | DAFFE/MAI/EG3/M(96)2 |
| 3. | Key Personnel | |
| | -- Note by the Chairman | DAFFE/MAI/EG3(96)8 |
| 4. | Performance Requirements | |
| | -- Note by the Chairman | DAFFE/MAI/EG3(96)9 |
| 5. | Investment Incentives | |
| | -- Note by the Chairman | DAFFE/MAI/EG3(96)10 |
| | <u>For reference</u> | |
| | -- Investment Incentives in Existing Agreements | DAFFE/MAI/EG3(96)14 |
| 6. | Privatisation | |
| | -- Note by the Chairman | DAFFE/MAI/EG3(96)11 |
| 7. | Monopolies/State Enterprises | |
| | -- Note by the Chairman | DAFFE/MAI/EG3(96)12 |
| 8. | Corporate Practices | |
| | -- Note by the Chairman | DAFFE/MAI/EG3(96)13 |

9. Expert Group's Report to the Negotiating Group

Reference documents:

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|---|--------------------|
| -- Consolidated reports by DG1 and DG2 | DAFFE/MAI(96)16 |
| -- Report by MAI Expert Group No. 1 on Selected Topics Concerning Dispute Settlement and Geographical Scope | DAFFE/MAI/EG1(96)5 |
| -- Report of the Expert Group on the Treatment of Tax Measures in the MAI | DAFFE/MAI/EG2(96)8 |

Notes to the Agenda

Items 3-to 8

The meeting will start at 9:30 a.m. sharp on 9 September 1996. Items 3, 4 and 5 will be discussed on the first day and items 6-8 on the second day. The last morning will be devoted to the finalisation of the Expert Group's Report to the Negotiating Group, for consideration at its 11(p.m.)-13 September 1996 meeting.

The Notes submitted by the Chairman summarise the results of the Expert Group's discussions at its May and June 1996 meetings on the six topics appearing on its mandate (key personnel, performance requirements, incentives, privatisation, monopolies/state enterprises and corporate practices). They take account of the written comments by Delegations on the preliminary drafts submitted to them over the summer in accordance with the procedure agreed by the Group.

In order to fulfil its current mandate, the Expert Group will need to finalise its proposals, including proposals for text where appropriate, on each of these issues. This will be done on the basis of the Chairman's notes as well as any new contributions that Delegations may wish to make. It is recalled that Delegations have been encouraged to submit, where feasible, drafting proposals for MAI provisions on these subjects. One delegation has already submitted text on key personnel [DAFFE/MAI/EG3/RD(96)2]. Depending on the responses to this invitation, the Chairman may also submit drafting proposals of his own.

Item 9

In considering the report it will submit to the Negotiating Group in September, the Expert Group may also wish to discuss the desirability of requesting an extended mandate to finalise, wherever appropriate, proposals for text on the special topics it has been invited to examine.

Annex

Mandate of the Expert Group No. 3 on "Special Topics"

1. The Expert Group, open to participation of all delegations, is charged with considering the relevant aspects of the following "special topics":
 - a. Key Personnel
 - b. Performance Requirements
 - c. Incentives
 - d. Privatisation
 - e. Monopolies/State Enterprises
 - f. Corporate Practices
2. The Group will make proposals, including proposals for text where appropriate, to the Negotiating Group at its session in September 1996.
3. The Group will terminate after its Report to the Negotiating Group, unless the Negotiating Group decides otherwise.