



Negotiating Group on the Multilateral Agreement on Investment (MAI)

Expert Group No.3 on “Special Topics”

SUMMARY RECORD

Meeting on 9-11 September 1996

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9-11(a.m.) September 1996

1. Adoption of the Agenda

The Expert Group adopted the Agenda [DAFFE/MAI/EG3/A(96)3].

2. Approval of the Summary Record of the meeting held on 17-19 June 1996.

The Expert Group adopted the Summary Record [DAFFE/MAI/EG3/M(96)2].

3-8 Key Personnel, Performance Requirements, Investment Incentives, Privatisation, Monopolies/State Enterprises and Corporate Practices

The Expert Group:

- Continuing its consideration of the six issues identified in its mandate on the basis of the Chairman's notes [DAFFE/MAI/EG3(96)8, DAFPE/MAI/EG3(96)9, DAFPE/MAI/EG3(96)10, DAFPE/MAI/EG3(96)11, DAFPE/MAI/EG3(96)12 and DAFPE/MAI/EG3(96) 13], a proposal by one delegation on temporary entry and stay of investors and key personnel [DAFFE/MAI/EG3(96)/RD(96)2], and a background note on investment incentives in existing agreements [DAFFE/MAI/EG3(96)14];
- Elaborated a draft text, with square brackets around non-agreed words, and comments on the subject of Performance Requirements;
- Considered that the proposal by one delegation provided a useful basis for developing MAI provisions for Key Personnel and elaborated a number of comments on this text; also developed comments on this subject;
- Agreed on extensive comments on possible MAI disciplines on the subjects of Investment Incentives, Privatisation, Monopolies/State Enterprises and Corporate Practices.

9. Expert Group's Report to the Negotiating Group

The Expert Group:

- Discussed the presentation of the results of its work to the Negotiating Group at its September 1996 session, which is foreseen by its current mandate;
- Discussed the possible elements of an extended mandate;
- Agreed that the report and letter of transmittal [DAFFE/MAI/EG3(96)7], incorporating these results and a proposed new mandate, be submitted to the Negotiating Group.