



---

## **Negotiating Group on the Multilateral Agreement on Investment (MAI)**

### **Expert Group No.3 on “Special Topics”**

#### **AGENDA**

#### **Meeting on 16-18 November 1996**

## EXPERT GROUP N° 3 "SPECIAL TOPICS"

### AGENDA

16-18 November 1996

1. **Adoption of the Agenda** DAFFE/MAI/EG3/A(96)5
2. **Adoption of the Summary Record of the meeting on 14-16 October 1996** DAFFE/MAI/EG3/M(96)4
3. **Key Personnel**
  - Draft text by the Chairman DAFFE/MAI/EG3(96)16
4. **Performance Requirements**
  - Draft text by the Chairman DAFFE/MAI/EG3(96)17
5. **Privatisation**
  - Draft text by the European Commission DAFFE/MAI/EG3(96)18
  - Contribution by the Czech Republic DAFFE/MAI/EG3/RD(96)10
6. **Monopolies and State/Enterprises**
  - Draft text by the Chairman DAFFE/MAI/EG3(96)19
7. **Investment Incentives**
  - Draft text by the European Commission DAFFE/MAI/EG3(96)20
  - Note by New Zealand DAFFE/EG3/RD(96)7
8. **Corporate Practices**
  - Draft texts by Australia and the European Commission DAFFE/MAI/EG3(96)21
  - Contribution by Australia DAFFE/MAI/EG3/RD(96)9/REV1

**9. Report to the Negotiating Group**

**10. Other business**

Reference documents

- |   |                          |
|---|--------------------------|
| -- Consolidated texts and comments by Drafting Groups No. 1, No. 2 and No. 3    | DAFFE/MAI/DG3(96)16/REV1 |
| -- Report by the MAI Expert Group No. 3 on Special Topics                       | DAFFE/MAI/DG3(96)7       |
| -- Report by the Expert Group No. 2 on the Treatment of Tax Measures in the MAI | DAFFE/MAI /EG1(96)5      |
| -- Report by Expert Group No 2. on the Treatment of Tax Measures in the MAI     | DAFFE/MAI/EG2(96)8       |

## **Notes to the Agenda**

### **Items 3 to 9**

The meeting will start at 9:30 a.m. sharp on 18 November 1996. There will be an evening session the same day from 7:30 p.m. to 9:30 p.m. The items on the agenda will, in principle, be taken up in the order announced. The last part of the third day will be devoted to a last reading and finalisation of the Expert Group's Report to the Negotiating Group.

In accordance with its revised mandate (attached), the Expert Group will need to finalise specific proposals including, where possible, text on the subjects of Key personnel, Performance Requirements, Privatisation, Monopolies/State Enterprises, Investment Incentives and Corporate Practices, for consideration by the Negotiating Group at its 18-20 December 1996 meeting.

The discussion will focus on text. The commentaries reflect the results of the October 1996 meeting and written observations received by the Secretariat as of 4 November 1996. Any additional contributions by delegations will be circulated separately.

### **Item 10**

In addition to the finalisation of its report to the Negotiating Group on the first six "special topics" listed in its mandate, the Expert Group would need to discuss the organisation of its 27-28 January 1997 meeting, when it will be expected to examine the issues of Research and Development/Technology and Non-discriminatory Barriers ("market needs" tests) with a view to reporting to the Negotiating Group on these subjects at its 29-31 January 1996 session.

*Annex*

**REVISED MANDATE FOR EXPERT GROUP NO. 3 ON "SPECIAL TOPICS"**

1. The Expert Group, open to participation of all delegations, is charged with preparing specific proposals including, where possible, text on each of the following "special topics":
  - a. Key Personnel
  - b. Performance Requirements
  - c. Privatisation
  - d. Monopolies/State Enterprises
  - e. Investment Incentives
  - f. Corporate Practices
2. The Group will also examine issues relating to:
  - a. Research and Development/Technology
  - b. Non-discriminatory barriers ("market needs" tests)
3. The Group will meet in November and report to the Negotiating Group at its session in December 1996 on the topics listed in paragraph 1.
4. The Group will meet again in January 1997 and report to the Negotiating Group at its January 1997 session on the topics listed in paragraph 2.
5. The Group will terminate after its January Report to the Negotiating Group, unless the Negotiating Group decides otherwise.