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**Possible revisions to the UNCITRAL Model Law on
Procurement of Goods, Construction and Services –
a revised text of the Model Law**

Note by the Secretariat

1. The background to the current work of Working Group I (Procurement) on the revision of the UNCITRAL Model Law on Procurement of Goods, Construction and Services (the “Model Law”) (A/49/17 and Corr.1, annex I) is set out in paragraphs 8 to 89 of document A/CN.9/WG.I/WP.67, which is before the Working Group at its sixteenth session. The main task of the Working Group is to update and revise the Model Law, so as to take account of recent developments in public procurement.
2. At its fifteenth session, the Working Group completed the first reading of the proposed revised Model Law contained in a note by the Secretariat (A/CN.9/WG.I/WP.66/Add.1-4). It noted that, although a number of issues were outstanding, including the entire chapter IV, the conceptual framework was agreed upon. It also noted that further research was required for some provisions in particular in order to ensure that they were compliant with the relevant international instruments. The Working Group requested the Secretariat to revise the drafting materials contained in document A/CN.9/WG.I/WP.66/Add.1-4, reflecting its deliberations at the fifteenth session, for further consideration (A/CN.9/668, paras. 11 and 12).
3. The present note is submitted pursuant to the Working Group’s requests at its fifteenth session. It sets out the draft revised Model Law that reflects the deliberations at the Working Group’s fifteenth session (the “proposed revised Model Law”), except for its chapter IV and provisions on framework agreements allowing for negotiated procedures. The Working Group may wish to recall in this respect that at its fifteenth session it noted difficulties with the completion of the outstanding research and the drafting by the sixteenth session of the Working



Group. As regards procurement methods involving negotiations (chapter IV), one delegation agreed to present a conference room paper proposing a revised chapter IV (A/CN.9/668, para. 278). It was also agreed that the drafting of provisions allowing for negotiations in the context of framework agreements should be undertaken together with chapter IV (A/CN.9/668, para. 224).

4. Therefore, the draft of chapter IV contained in addendum 3 to this note merely consolidates the relevant provisions from the 1994 Model Law with consequential changes in the light of the revisions agreed to be made so far to the 1994 Model Law. That addendum also sets out the proposal for a consolidated article on request for proposals and competitive negotiations, which the Working Group had before it but did not consider at its fifteenth session (A/CN.9/668, paras. 210-212). Any additional proposals on provisions for procurement methods involving negotiations will be made available at the session.

5. In accordance with the agreement reached at the Working Group's fifteenth session (A/CN.9/668, para. 280), the documents for the sixteenth session of the Working Group will be posted on the UNCITRAL website upon their availability in various language versions.
