REPORT OF THE LEGAL WORKING GROUP

SOURCE: LEGAL WORKING GROUP
STATUS: COMMITTEE REPORT
ACTION: FOR INFORMATION, CEFACT, March 1998 Session, Agenda Item 4
I. Migration from the Legal Rapporteurs Team (LRT) to the Legal Working Group (LWG)

The LRT held a meeting in London in November 1997, which ensured the finalization of the work programme in view of the preparation of the Terms of Reference.

The first meeting of the Legal Working Group took place in London, February 9-10, 1998. At the meeting, the full Terms of Reference for the new group were prepared for further submission to the LWG members and their adoption at the next meeting of the LWG. Submission to CSG and CEFACT Plenary for approval would then follow.

Subject to appointment by the CEFACT Plenary, the LWG has resumed to operate with two joint chairs who will be the current Legal Rapporteurs.

II. Progress on Work programme.

1. MODEL INTERCHANGE AGREEMENT

As EDI is used over the Internet and is complemented by the use of Web sites, catalogues and related Internet developments, the LWG is proposing to review the current Interchange Agreement included in Recommendation n° 26 with the view to ensure that it will cover the larger spectrum of electronic commerce.

It has been decided at this stage that current Recommendation n° 26 will remain as such and will continue to govern EDI-UN/EDIFACT relationships. The review should lead to a new recommendation being proposed to the UN/ECE for adoption, however largely taking into account the experience of the model interchange agreement as adopted in Recommendation 26. The current target for the achievement of this work is placed at March 1999.

The LWG will start the review through the actual technical annex/explanatory notes with the aim to provide for guidelines on business-to-business agreement. The guidelines should provide the bridge between the contractual framework which will consist in the interchange agreement itself and the technical annex which should be a pure technical reference document addressing the implementation of technology related requirements.

A high priority is placed on this work.
2. REQUIREMENTS FOR WRITING, DOCUMENT AND SIGNATURE.

Further to the analysis which was carried out by SITPRO in collaboration with UNCITRAL on requirements for writing, document and signature in international conventions relating to trade and transport (R.1096) and which implicitly or explicitly requires paper documentation to be issued or produced, a recommendation will be prepared as a UN/ECE Recommendation to UNCITRAL for possible action in a co-ordinated way. This work is in progress.

III. Agenda for next meetings

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<tr>
<th>Place</th>
<th>Dates</th>
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<tr>
<td>Geneva</td>
<td>18-19 June 1998</td>
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<tr>
<td>Brussels - JRT</td>
<td>7-11 September 1998</td>
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<td>To be determined</td>
<td>30 Nov.- 1 Dec. 1998</td>
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