



INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW
INSTITUT INTERNATIONALE POUR L'UNIFICATION DU DROIT PRIVE

**DIPLOMATIC CONFERENCE TO ADOPT A
CONVENTION ON SUBSTANTIVE RULES
REGARDING INTERMEDIATED SECURITIES**
Geneva, 1 to 13 September 2008

UNIDROIT 2008
CONF. 11 – Doc. 45
Original: English/French
12 September 2008

DRAFT FINAL ACT

of the diplomatic Conference to Adopt a Convention on Substantive Rules regarding Intermediated Securities held under the auspices of the International Institute for the Unification of Private Law in Geneva from 1 to 13 September 2008

The Plenipotentiaries at the diplomatic Conference to Adopt a Convention on Substantive Rules regarding Intermediated Securities, held under the auspices of the International Institute for the Unification of Private Law, met in Geneva, at the invitation of the Government of the Swiss Confederation, from 1 to 13 September 2008 for the purpose of considering the *draft Convention on Substantive Rules regarding Intermediated Securities*, prepared by four Sessions of a Committee of Governmental Experts of the International Institute for the Unification of Private Law.

Representatives of the Governments of [...] States participated in the Conference.

The representatives of the Governments of the following [...] States presented credentials in due and proper form:

[To be completed after the adoption of the Report of the Credentials Committee]

The following [...] States also participated in the Conference:

[To be completed after the adoption of the Report of the Credentials Committee]

The European Community also participated in the Conference.

The following [...] international Organisations and groups were represented by observers:

[To be completed after the adoption of the Report of the Credentials Committee]

The Conference elected as President Mr Dáithí Ó Ceallaigh (Ireland) and further elected as Vice-Presidents:

Mr Harold Burman (United States of America)
 Mr Antonio Paulo Cachapuz de Medeiros (Brazil)
 Mr Ranganayakulu Jagarlamudi (India)
 Mr James Popple (Australia)
 Ms Maria Vermaas (South Africa)

The Secretariat of the Conference was as follows:

Secretary General – Mr Herbert Kronke, Secretary General
Executive Secretary and Chief Conference Officer – Ms Marina Schneider, Senior Officer

Deputy Secretary and Chief Scientific Officer – Mr Thomas Keijser, Senior Officer
Deputy Secretary – Mr John Atwood, Senior Officer
Deputy Secretary – Ms Frédérique Mestre, Senior Officer
Deputy Secretary – Ms Alessandra Zanobetti, Deputy Secretary-General

Other officials of UNIDROIT also provided services to the Conference.

The Conference established a Commission of the Whole, which was chaired by Mr Hans Kuhn (Switzerland) and Mr Ulrik Rammeskov Bang-Pedersen (Denmark) was elected Vice-Chairman. The Conference also established the following Committees:

Credentials Committee

Chairman: Mr Mohammed Kawu Ibrahim / Mr Edosa Kennedy Aigbekaen (Nigeria)

Members: Argentina
 Australia
 Greece
 Indonesia
 Nigeria

Adviser: Switzerland

Drafting Committee

Chairman: Mr Hideki Kanda (Japan)

Members: Belgium
 Brazil
 Canada

Chile
Germany
France
Japan
Luxembourg
Nordic country
South Africa
Switzerland
United Kingdom
United States of America

European Community

Observers: Nigeria
European Central Bank
Emerging Markets Trade Association

Final Clauses Committee

Chairman: Mr Sébastien Cochard (France)

Members: Canada
China
France
Germany
Italy
Mexico
Switzerland
Ukraine
United States of America

Observer: Argentina

Committee on Emerging Markets Issues, Follow up and Implementation

Co-Chair: Mr Antonio Paulo Cachapuz de Medeiros (Brazil)
Ms Huang Cheng (China)

Members: Argentina
Chile
France
Greece
India
Indonesia
Japan
Nigeria
Republic of Korea
South Africa
Ukraine
United States of America

European Community

Observers: European Central Bank
 European Issuers
 Trade Association for the Emerging Markets

The Conference took note with satisfaction of the advancement of the work aiming at the finalisation of the *draft Convention on Substantive Rules regarding Intermediated Securities* and of the fact that the second reading of the text has been completed.

[The text of the Resolutions adopted by the Conference is subject to verification by the Secretariat of the Conference under the authority of the President of the Conference within a period of fifteen days from the date hereof as to the linguistic changes required to make the texts in the two official languages consistent with one another.]

The Conference furthermore adopted by consensus the following Resolutions:

[...]

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