



International Chamber of Commerce

The world business organization

Department of Policy and Business Practices

Commission on Banking Technique and Practice

Final Agenda

**Meeting on Monday 23 November and Tuesday 24 November
2009, National Bank of Belgium, Warmoesberg, Rue Montagne
aux Herbes Potagères 61, B 1000 Brussels**

Meeting Partners and Sponsors



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ICC Banking Commission Meeting of Brussels, Belgium, 23-24 November 2009

Message from the Secretary General, International Chamber of Commerce (ICC)

Dear Delegates,

We are delighted to welcome you to this session of the ICC Banking Commission in Belgium.

In the agenda presented to you in the following pages, I am also pleased to note that the Banking Commission is fully embarked on many projects of importance, ranging from the drafting of Forfeiting rules and the revision of the well-known ISBP to the development of a market intelligence function and a register on trade finance.

Over the last years, at time of a major financial crisis, the ICC Banking Commission has indeed taken unprecedented steps to reach out to our membership, both in the banking community and beyond. The ICC Banking Commission has become a partner of choice for many multilateral organizations, including the World Trade Organization and the Asian Development Bank (ADB), both having representatives at this meeting in Brussels.

One agenda item is of great importance for all of us. In Brussels, the ICC Banking Commission and Commercial Law & Practice (CLP) Commission will seek adoption on their jointly developed ICC Uniform Rules for Demand Guarantees (URDG), the first revision of the rules since they were drafted by ICC in 1991. The new URDG rules were meticulously prepared over a period of more than two-years and were the result of cooperation among a number of ICC constituent groups, therefore taking into account the legitimate expectations of all relevant sectors. The URDG Drafting Group and the Task Force on Guarantees, ably chaired by Dr Georges Affaki, carefully reviewed hundreds pages of comments submitted by the different stakeholders and ICC National committees in order to reach a wide consensus on the final text which will be presented to you in Brussels.

Indeed, I am immensely gratified by the leadership of the ICC Banking Commission which has truly energized our effort to harmonize business practice across all regions of the world. I would like to take the opportunity to thank ICC Belgium, FebelFin, National Bank of Belgium, the European Banking Federation, Belgian Foreign Affairs Services, BNP Paribas Fortis, ING, KBC, Coastline Solutions, Surecomp and MIT for their generous support. ICC members and friends are essential to the continued success of the Banking Commission.

Without doubt, this meeting will bear fruit. Many thanks for your support. Your active participation makes a difference to all we are doing here at ICC.

Yours sincerely,

Jean Rozwadowski



DAY 1 - Monday, 23 November 2009

13.00 - 14.00 Registration commences

14.00 - 14.30 Inauguration and welcome

1. Welcoming address

Regina Prehofer, Chair, ICC Banking Commission

Jean Rozwadowski, Secretary General, ICC

Bruno van Lierde, Chairman, ICC Belgium

2. Keynote speech

Guy Quaden, Governor of the National Bank of Belgium, member of the Executive Board and the General Assembly of the European Central Bank

3. Approval of the last executive summary and adoption of this agenda

(Document no. 470/1127)

14.30 – 15.30 Meeting

4. Overview of Banking Commission projects

Thierry Senechal, ICC Secretariat, will provide an update on current and forthcoming projects and issues, including upcoming Banking Commission meetings

5. The ICC ADB Trade Finance Register

Steven Beck (ADB) and **Dan Taylor** (ICC), co-Chairs of the ICC-ADB Working Group on the Trade Finance Register will present the project and discuss its feasibility and objectives. **Jean-François Lambert**, Global Head, Sales and Management, Trade and Supply Chain, HSBC, will present a banker's perspective on this topic



6. Forfeiting rules

Don Smith, Chair of the IFA-ICC Drafting Group will provide an update on the project of writing rules for both the primary and secondary markets

7. Incoterms 2011: The ongoing revision

Charles Debattista, Vice Chair, Commercial Law & Practice Commission, will provide an update on the revision of the Incoterms

15.30 -16.00 Coffee break

8. Revision of ISBP

Gary Collyer will lead a discussion on the need to revise ISBP and seek approval from the Commission

9. AML, FATF and Sanction Clauses

Neil Chantry will provide an update on the working papers being currently drafted by the AML Task Force. Mr. Chantry will also discuss the recent FATF request inviting ICC input to a preliminary report of an FATF Project Team entitled “Combating Proliferation Financing: Policy Options for the FATF”

David Meynell will present specific case studies on UCP Exclusion Clauses.

10. The extraterritorial effect of judgment enforcement measures against foreign bank branches

Georges Affaki will report on recent New York State and French court decisions ordering foreign banks over which they have personal jurisdiction to deliver to a judgment creditor assets owned by a judgment debtor held by the bank outside the country where the court has jurisdiction

11. ICC DOCDEX

Hannah Tümpel of the ICC International Centre for Expertise will present an update of DOCDEX rules and processes

18.00 End of meeting



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19.30 -22.30 Dinner reception

Welcoming dinner offered by the Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation with address by State Secretary Mr. Etienne Schouppe

The dinner (buffet) will take place at the Hôtel de Ville, Grand Place, Brussels on 23 November 2009. Delegates are requested to register by completing and sending back the registration form. Partners welcome upon registration



Day 2 - Tuesday, 24 November 2009

09.00 – 09.20 Welcome

12. Welcome address

Michel Vermaerke, CEO Febelfin, the association of financial services industry in Belgium

13. Keynote speech

Herman Daems, Chairman of BNP Paribas Fortis & GIMV, Professor K.U.Leuven

09.20 - 10.30

14. Presentation of the final URDG draft and vote for adoption of URDG

(Voting instructions were forwarded to ICC National Committees and ICC Banking Commission members on 9 October 2009 – Please note that the Commercial Law & Practice Commission will seek adoption the following day, 25 November 2009, in Brussels)

10.30 - 11.00 Coffee break

15. Draft Official Opinions of the Banking Commission and latest DOCDEX decisions

Gary Collyer will first discuss the process recently implemented to obtain and review queries from National Committees. Then he will present the queries for Banking Commission discussion. Finally, he will discuss the latest DOCDEX case(s) (Document no. 470/1126)



**12.30-14.00 Lunch at National Bank of Belgium
(Open to all delegates)**

14.00-15.30 Discussion on opinions continued

16. ICC Banking Commission On Board Notation Paper

Gary Collyer will present a document prepared by UCP 600 Drafting Group outlining the requirements for an “On Board Notation” in respect of transport documents presented for examination under articles 19, 20, 21 or 22 of UCP600
(Document no. 470/1128)

17. ICC and its Commissions: A business overview

Martin Wassell, First Director, ICC, will present a business overview on the ICC and its commissions, highlighting key challenges and opportunities ahead of us

15.30 – 16.00 Coffee break

18. Panel discussion on ICC market intelligence, trade finance surveys and SWIFT

Moderator: **Marc Auboin**, Counsellor, World Trade Organization,

Panelists:

- (i) **Gary Collyer** will present the results of the targeted survey carried out in the Summer of 2009 in preparation of the G-20 meeting of Pittsburgh
- (ii) **Vincent O’Brien** will discuss the market intelligence work being carried out in 2009-2010. The outline of ICC Global Trade Finance Survey 2010 will be discussed
- (iii) **Dan Taylor** will discuss issues related to the collection of data, including Loss Given Default ratios, needed to demonstrate how trade finance should be treated under Basel II



- (iv) **André Casterman**, Head of Trade and Supply Chain at SWIFT, will present SWIFT data as a barometer of world trade. He will also introduce key projects related to trade messages, SWIFT Watch, e-invoicing, and the extension of the Trade for Corporates offering

19. Presentation of the BPO Rulebook

David Meynell (Deutsche Bank) and **David Hennah** (SWIFT) will make a joint presentation of the TSU and how it works, the number of banks registered, etc. The bank user will illustrate how the BPO is applied in practice to support at least one or two real products

20. Highlights of ICC Banking Commission meeting of Beijing, Spring 2010

Mr. Kezhong Sha, Deputy Secretary General, ICC China, will make a joint presentation on the upcoming meeting of 21-23 April 2010 to be held in Beijing, China

21. Miscellaneous; Any other business

18.00 End of meeting