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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

Addendum

This note sets out provisions for Chapter VII (Review) for a revised text of the Model Law. This note also contains a table indicating correlation of the articles in the proposed revised Model Law to the articles of the 1994 Model Law and new provisions considered by the Working Group to date.



CHAPTER VII. REVIEW

Article 56. Right to review¹

Any supplier or contractor that claims to have suffered, or that may suffer, loss or injury due to non-compliance with the provisions of this Law may seek review in accordance with articles 57 to 61 and challenge in appropriate bodies in accordance with applicable law any decisions taken as a result of such a review.

Article 57. Review by the procuring entity or the approving authority²

(1) Without prejudice to the right of suppliers or contractors to seek directly review before an independent administrative body in accordance with article 58 of this Law, a supplier or contractor entitled under article 56 to seek review may submit a complaint to the procuring entity or where applicable to the approving authority.³ The complaints shall be submitted in writing provided that:

(a) Complaints as regards the terms of solicitation shall be submitted no later than the deadline for presenting the submissions;

(b) All other complaints arising from the procurement proceedings shall be submitted before the entry into force of the procurement contract within [...] days of when the supplier or contractor submitting the complaint became aware of the circumstances giving rise to the complaint or of when that supplier or contractor should have become aware of those circumstances, whichever is earlier.

(2) Unless the complaint is resolved by mutual agreement of the parties, the procuring entity or the approving authority as appropriate shall, within [...] days after the submission of the complaint, issue a written decision. The decision shall:

(a) State the reasons for the decision; and

(b) If the complaint is upheld in whole or in part, state the corrective measures that shall be undertaken.

(3) If the procuring entity or the approving authority does not issue a decision by the time specified in paragraph (2) of this article, the supplier or contractor submitting the complaint or the procuring entity as the case may be is entitled immediately thereafter to institute proceedings under article 58 or 61. Upon the

¹ The Working Group, at its fifteenth session, approved the draft article without change (A/CN.9/668, para. 257).

² The Working Group, at its fifteenth session, approved the article as revised at that session (A/CN.9/668, paras. 259-260). In particular, it was agreed that the provisions should not fix any deadlines in terms of a specific number of days but leave this information in square brackets to be filled in by an enacting State. It was also agreed that the Guide should in this respect bring to the attention of enacting States the time period specified in the WTO Agreement on Government Procurement.

³ The paragraph was redrafted further to the suggestion at the Working Group's fifteenth session to make the provisions of the proposed article less ambiguous as regards the optional nature of the review under article 59 (A/CN.9/668, para. 259).

institution of such proceedings, the competence of the procuring entity or the approving authority to entertain the complaint ceases.

Article 58. Review before an independent administrative body^{*4}

(1) A supplier or contractor entitled under article 56 to seek review may submit a complaint to [insert name of administrative body].

(2) The complaints shall be submitted in writing within [...] days of when the supplier or contractor submitting the complaint became aware of the circumstances giving rise to the complaint or of when that supplier or contractor should have become aware of those circumstances, whichever is earlier, provided that the complaints as regards the terms of solicitation shall be submitted no later than the deadline for presenting the submissions.

(3) The [timely] submission of a complaint under article 57 shall suspend the time period for submission of a complaint under this article for the whole duration of the actual proceedings under article 57 up to the maximum period required for the procuring entity or the approving authority as the case may be to take a decision in accordance with article 57 (2) and communicate such decision to the supplier or contractor in accordance with article 60 (3).

(4) Upon receipt of a complaint, the [insert name of administrative body] shall give notice of the complaint promptly to the procuring entity and to the approving authority where applicable.

(5) The [insert name of administrative body] may grant one or more of the following remedies, unless it dismisses the complaint:

(a) Declare the legal rules or principles that govern the subject matter of the complaint;⁵

* States where hierarchical administrative review of administrative actions, decisions and procedures is not a feature of the legal system may omit this article and provide only for judicial review (article 61), on the condition that in the enacting State exists an effective system of judicial review, including an effective system of appeal, to ensure legal recourse and remedies in the event that the procurement rules and procedures of this Law are not followed, in compliance with the requirements of the United Nations Convention against Corruption.

⁴ The Working Group, at its fifteenth session, approved the draft article as revised at that session subject to further consideration of an outstanding issue (see the footnote immediately below) (A/CN.9/668, para. 265). It was agreed to clarify in the Guide in the context of this article the meaning of the term “independent administrative body,” in particular whether the body should be composed of outside experts. It was noted that the Guide might highlight the disruptions to the procurement proceedings if decision-taking at the review stage lacked independence since decisions would be subject to appeal and would cause further delays (A/CN.9/668, para. 262 (g)).

⁵ At the Working Group’s fifteenth session, in response to the suggestion that paragraph (5) (a) should be included in the chapeau of the paragraph, the Secretariat was requested to research the drafting history of the provisions. The Working Group decided to defer the consideration of the suggestion until after the findings of the Secretariat were considered (A/CN.9/668, para. 264). The results of the requested research are set out in a note by the Secretariat A/CN.9/WG.I/WP.68, under section D.

(b) Prohibit the procuring entity from acting or deciding unlawfully or from following an unlawful procedure;

(c) Require the procuring entity that has acted or proceeded in an unlawful manner, or that has reached an unlawful decision, to act or to proceed in a lawful manner or to reach a lawful decision;

(d) Annul in whole or in part an unlawful act or decision of the procuring entity;

(e) Revise an unlawful decision by the procuring entity or substitute its own decision for such a decision;

(f) Require the payment of compensation for any reasonable costs incurred by the supplier or contractor submitting the complaint in connection with the procurement proceedings as a result of an unlawful act or decision of, or procedure followed by, the procuring entity, and for any loss or damages suffered, which [may] [shall] be limited to [either] costs for the preparation of the submission or [protest] [the costs relating to the challenge, or both];⁶

(g) Order that the procurement proceedings be terminated;

(h) Annul the procurement contract that entered into force unlawfully and, if notice of the procurement contract award has been published, order the publication of notice of the annulment of the award.

(6) The [insert name of administrative body] shall within [...] days issue a written decision concerning the complaint, stating the reasons for the decision and the remedies granted, if any.

(7) The decision shall be final unless an action is commenced under article 63.

⁶ The Working Group, at its fifteenth session, agreed to retain in paragraph (5) (f) option I only, the wording of which should be aligned with the relevant provisions of international instruments, such as article XX (7) (c) of the WTO Agreement on Government Procurement (1994) (the GPA) and article XVIII (7) (b) of the provisionally agreed text of the revised WTO Agreement on Government Procurement (the draft revised GPA). The Working Group further agreed to move option II from paragraph (5) (f) to the Guide with the explanations of the reasons for removing it, in particular that allowing for compensation of anticipatory losses proved to be highly disruptive for procurement proceedings since it provided additional incentives for complaints. It was also suggested that the Guide should explain evolution in regulations on this matter and highlight the relevant provisions of the WTO instruments. For the reasons set out in a note by the Secretariat A/CN.9/WG.I/WP.68, section C, the Secretariat faced difficulties with the implementation of the Working Group's instructions. The Working Group may wish to consider the proposed wording together with the considerations raised in the referred note by the Secretariat. The words put in square brackets also reflect the different wording in article XX (7) (c) of the GPA and article XVIII (7) (b) of the provisionally agreed text of the revised GPA. Finally, the Working Group may wish to revise the wording of the preceding subparagraph to include a reference to corrective action, which is the term used in both the GPA and the revised GPA.

Article 59. Certain rules applicable to review proceedings under articles 57 and 58⁷

(1) Promptly after the submission of a complaint under article 57 or article 58, the review body shall notify all suppliers or contractors participating in the procurement proceedings⁸ to which the complaint relates as well as any governmental authority whose interests are or could be affected of the submission of the complaint and of its substance.

(2) Any such supplier or contractor or governmental authority has the right to participate in the review proceedings. A supplier or contractor or the governmental authority that fails to participate in the review proceedings is barred from subsequently making the same type of claim.

(3) The participants to the review proceedings shall have access to all proceedings and shall have the right to be heard prior to a decision of the review body being made on the complaint, the right to be represented and accompanied, and the right to request that the proceedings take place in public and that witnesses be presented. No information shall be disclosed if its disclosure would be contrary to law, or would impede law enforcement, or would not be in the public interest, or would prejudice legitimate commercial interests of the suppliers or contractors or would impede fair competition.⁹

(4) In the cases of the review by the approving authority or the [insert name of administrative body], the procuring entity shall provide timely to the review body all the documents pertinent to the complaint, including the record of the procurement proceedings, provided, however, that no information shall be disclosed if its disclosure would be contrary to law, would impede law enforcement, would not be in the public interest, would prejudice legitimate commercial interests of the parties or would impede fair competition.¹⁰

⁷ The Working Group, at its fifteenth session, approved the draft article as revised at that session (A/CN.9/668, paras. 267-268).

⁸ At the Working Group's fifteenth session, it was agreed to clarify in the Guide that the term "participating in the procurement proceedings" could include a different pool of participants depending on the timing of the review proceedings and subject of the complaint, and further to specify that those whose submissions were rejected might not have the right to participate in the review proceedings if the latter concerns the stages in the procurement proceedings subsequent and not related to the rejection (A/CN.9/668, para. 267 (c)).

⁹ The Working Group, at its fifteenth session, agreed to consider including in paragraphs (3) and (4) exceptions to disclosure on the basis of confidentiality, with the Guide explaining that considerations of confidentiality should not impair a fair trial and a fair hearing (A/CN.9/668, para. 267 (b)). The paragraph was redrafted accordingly by the addition of the second sentence. The provisions added should be considered together with similar provisions in other articles of the proposed revised Model Law, such as draft article 19 (2) (b) (see document A/CN.9/WG.I/WP.69/Add.2). At its fifteenth session, the Working Group deferred the consideration of the possible exceptions to the disclosure (A/CN.9/668, para. 131).

¹⁰ This paragraph has been revised pursuant to the agreement at the Working Group's fifteenth session to remove the ambiguity in reference to "relevant documents" and to include in the paragraph exceptions to disclosure on the basis of confidentiality, with the Guide explaining that considerations of confidentiality should not impair a fair trial and a fair hearing (A/CN.9/668, para. 267 (a) and (b)). See the immediately preceding footnote for the issues related to the confidentiality provisions.

(5) A copy of the decision of the review body shall be furnished within [...] days after the issuance of the decision to the participants to the review proceedings. In addition, after the decision has been issued, the complaint and the decision shall be promptly made available for inspection by the general public, provided, however, that no information shall be disclosed if its disclosure would be contrary to law, would impede law enforcement, would not be in the public interest, would prejudice legitimate commercial interests of the parties or would impede fair competition.¹¹

(6) Any decision by the review body and the grounds and circumstances therefore shall be made part of the record of the procurement proceedings.

Article 60. Suspension of procurement proceedings¹²

(1) The [timely] submission of a complaint suspends the procurement proceedings for a period to be determined by the review body:

(a) Provided that the complaint is not frivolous and contains a declaration the contents of which, if proven, demonstrate that the supplier or contractor will suffer irreparable injury in the absence of a suspension, that it is probable that the complaint will succeed, and that the granting of the suspension would not cause disproportionate harm to the procuring entity or to other suppliers or contractors;

(b) Unless the procuring entity certifies that urgent public interest considerations require the procurement to proceed. The certification, which shall state the grounds for the finding that such urgent considerations exist and which shall be made a part of the record of the procurement proceedings, is conclusive with respect to all levels of review except judicial review.

(2) The review body may extend the originally determined period of suspension in order to preserve the rights of the supplier or contractor submitting the complaint or commencing the action pending the disposition of the review proceedings, provided that the total period of suspension shall not exceed the period required for the review body to take decision in accordance with article 57 or 58 as applicable.

(3) The decision on the suspension or the extension of the suspension shall be promptly communicated to all participants to the review proceedings, indicating the duration of suspension or extension. Where the decision was taken not to suspend the procurement proceedings on the grounds indicated in paragraph (1) of this article, the review body shall notify the supplier or contractor concerned about that decision and the grounds therefor. Any decision under this article and the grounds and circumstances therefor shall also be made part of the record of the procurement proceedings.

¹¹ Ibid., as regards confidentiality provisions.

¹² The Working Group, at its fifteenth session, approved the draft article, which is based on article 56 of the 1994 Model Law, without change (A/CN.9/668, para. 269).

Article 61. Judicial review¹³

The [insert name of court or courts] has jurisdiction over actions pursuant to article 56 and petitions for judicial review of decisions made by review bodies, or of the failure of those bodies to make a decision within the prescribed time limit, under article 57 or 58.

¹³ The Working Group, at its fifteenth session, approved the draft article, which is based on article 57 of the 1994 Model Law, without change (A/CN.9/668, para. 269).

Article in the revised Model Law	Corresponding provisions in the 1994 Model Law	New provisions considered by the Working Group
Chapter I. GENERAL PROVISIONS	Chapter I. GENERAL PROVISIONS	
Article 1. Scope	Article 1. Scope	Revisions to article 1 of the 1994 Model Law agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 16-17)
Article 2. Definitions	Article 2. Definitions	Revisions to article 2 of the 1994 Model Law agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 272-274)
Article 3. International obligations of this State relating to procurement [and intergovernmental agreements within (this State)]	Article 3. International obligations of this State relating to procurement [and intergovernmental agreements within (this State)]	
Article 4. Procurement regulations	Article 4. Procurement regulations	Revisions to article 4 of the 1994 Model Law agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 26-27)
Article 5. Publication of legal texts	Article 5. Public accessibility of legal texts	Draft article 5 as preliminarily approved by the Working Group at its twelfth session (A/CN.9/640, paras. 30-34), except for its paragraph (3), which was included in a separate article 6 (see below)
Article 6. Information on forthcoming procurement opportunities		Draft article 5, paragraph (3), as preliminarily approved by the Working Group at its twelfth session (A/CN.9/640, paras. 30-34) Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 37-38)
Article 7. Rules concerning methods of procurement and type of solicitation (new provisions, based on the 1994 text)	Articles 18, 17 (a) and (b), 19 (1) (a), 22, 23 (a) and (b), and 37 (2) and (3) (c), and the Guide commentary to article 22 (basis of new provisions)	Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 39-70)

Article in the revised Model Law	Corresponding provisions in the 1994 Model Law	New provisions considered by the Working Group
Article 8. Communications in procurement	Replaced article 9. Form of communications	Article 5 bis as preliminarily approved by the Working Group at its twelfth session (A/CN.9/640, paras. 17-25)
Article 9. Participation by suppliers or contractors	Article 8. Participation by suppliers or contractors	
Article 10. Qualifications of suppliers and contractors	Article 6. Qualifications of suppliers and contractors Article 10. Rules concerning documentary evidence provided by suppliers or contractors	Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 73-76)
Article 11. Rules concerning description of the subject matter of the procurement and the terms and conditions of the procurement contract or framework agreement	Article 16. Rules concerning description of goods, construction or services	Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 77-81)
Article 12. Rules concerning evaluation criteria (new provisions based on the 1994 text)	Articles 27 (e), 34 (4), 38 (m), 39 and 48 (3) (basis of new provisions)	Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 82-87)
Article 13. Rules concerning the language of documents	Article 17. Language Article 29. Language of tenders	Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 88 and 169)
Article 14. Submission securities	Article 32. Tender securities	
Article 15. Prequalification proceedings	Article 7. Prequalification proceedings. Also articles 23, 24 and 25, provisions related to prequalification	Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 93-110)
Article 16. Rejection of all submissions	Article 12. Rejection of all tenders, proposals, offers or quotations	Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 111-117)
Article 17. Rejection of abnormally low submissions		Based on article 12 bis as preliminarily agreed upon by the Working Group at its twelfth session (A/CN.9/640, paras. 44-55)

Article in the revised Model Law	Corresponding provisions in the 1994 Model Law	New provisions considered by the Working Group
Article 18. Rejection of a submission on the ground of inducements from suppliers or contractors or on the ground of conflicts of interest	Article 15. Inducements from suppliers or contractors	Conflicts of interest (A/CN.9/664, para. 116) A proposal by a delegation for a new paragraph 1 of the article and revisions agreed upon, at the Working Group's fifteenth session (A/CN.9/668, paras. 121-125)
Article 19. Acceptance of submissions and entry into force of the procurement contract	Article 13. Entry into force of the procurement contract Article 36. Acceptance of tender and entry into force of procurement contract	Standstill period (A/CN.9/664, paras. 45-55 and 72) Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 126-145)
Article 20. Public notice of awards of procurement contract and framework agreement	Article 14. Public notice of procurement contract awards	Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 146-148)
Article 21. Confidentiality	Article 45. Confidentiality	Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 149-152)
Article 22. Record of procurement proceedings	Article 11. Record of procurement proceedings	Paragraph (1) (b) bis as preliminarily approved by the Working Group at its ninth session (A/CN.9/595, para. 49) Paragraph (1) (i) bis, as preliminarily approved by the Working Group at its eleventh and twelfth sessions (A/CN.9/623, para. 100, and A/CN.9/640, para. 91) Restructured paragraph (3) as suggested at the Working Group's twelfth session (A/CN.9/640, para. 90). The Working Group did not consider in detail the restructured provisions. Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 153-157)

Article in the revised Model Law	Corresponding provisions in the 1994 Model Law	New provisions considered by the Working Group
	<p>Chapter II. METHODS OF PROCUREMENT AND THEIR CONDITIONS FOR USE was deleted (articles 18 and 22 were reflected in new article 7, the remaining articles are in the relevant provisions of new chapters III and IV)</p>	
<p>Chapter II. TENDERING PROCEEDINGS</p>	<p>Chapter III. TENDERING PROCEEDINGS</p>	<p>Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 161-166, and 169-172)</p> <p>Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 175-176, and 179-181)</p>
<p>Articles 23-28</p>	<p>Articles 23-28, with consequential changes</p>	<p>Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 161-166)</p>
	<p>Article 29. Language of tenders was deleted and its provisions merged with the proposed article 13. Rules concerning the language of documents, in chapter I. General provisions, in order to make them applicable to all procurement methods</p>	<p>Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, para. 169)</p>
<p>Articles 29-30</p>	<p>Articles 30-31, with consequential changes</p>	<p>Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 170-172)</p> <p>Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 175-176)</p>
	<p>Article 32. Tender securities became article 14. Submission securities and placed in chapter I. General provisions, in order to make it applicable to all procurement methods</p>	

Article in the revised Model Law	Corresponding provisions in the 1994 Model Law	New provisions considered by the Working Group
Articles 31-33	Articles 33-35, with consequential changes	Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 175-176, and 179-181)
	Article 36. Acceptance of tender and entry into force of procurement contract became article 19 and placed in chapter I. General provisions, in order to make it applicable to all procurement methods	
CHAPTER III. CONDITIONS FOR USE AND PROCEDURES OF RESTRICTED TENDERING, TWO-ENVELOPE TENDERING, AND REQUEST FOR QUOTATIONS	Chapter II, articles 20 and 21; chapter IV, article 42 and other relevant provisions; and chapter V, articles 47 and 50	Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 183-201) Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 202-208)
Article 34. Restricted tendering Options 1 and 2 Option 3 Article 34. Tendering with reselection	Articles 20 (Conditions for use of restricted tendering) and 47 (Restricted tendering)	Article X of the WTO Agreement on Government Procurement and article IX of the WTO revised Agreement on Government Procurement Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 183-192)
Article 35. Two-envelope tendering	Article 42. Selection procedure without negotiation, and other relevant provisions of chapter IV. Principal method for procurement of services	Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 193-201)
Article 36. Request for quotations	Articles 21 (Conditions for use of request for quotations) and 50 (Request for quotations)	Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 202-208)

Article in the revised Model Law	Corresponding provisions in the 1994 Model Law	New provisions considered by the Working Group
[CHAPTER IV. CONDITIONS FOR USE AND PROCEDURES OF TWO-STAGE TENDERING, REQUEST FOR PROPOSALS, AND COMPETITIVE NEGOTIATION]	Chapter II, article 19; chapter IV, articles 43 and 44 and other relevant provisions; chapter V, articles 46, 48 and 49; and relevant provisions from the PFIPs instruments	A proposal by a delegation for a merged articles 48 and 49 (A/CN.9/668, paras. 210-211) Consideration of the chapter is pending
CHAPTER V. CONDITIONS FOR USE AND PROCEDURES OF ELECTRONIC REVERSE AUCTIONS		Articles 22 bis and 51 bis to septies (see A/CN.9/WG.I/WP.59, A/CN.9/WG.I/WP.61, para. 17, and A/CN.9/640, paras. 56-89), with consequential changes Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 213-222)
CHAPTER VI. FRAMEWORK AGREEMENTS PROCEDURES		Articles 22 ter and 51 octies to quindecies (see A/CN.9/WG.I/WP.62, and A/CN.9/664, paras. 75-110), with consequential changes Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 230-233 and 239-255) Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 226-229 and 235-237)
CHAPTER VII. REVIEW	Chapter VI. Review	Revisions considered at the Working Group's fourteenth session (A/CN.9/664, paras. 19-74) Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 259-262 and 267-268) Revisions considered at the Working Group's fifteenth session (A/CN.9/668, paras. 264 and 267 (b))

Article in the revised Model Law	Corresponding provisions in the 1994 Model Law	New provisions considered by the Working Group
Article 56. Right to review	Article 52. Right to review	Revisions considered at the Working Group's fourteenth session (A/CN.9/664, paras. 19-27)
Article 57. Review by the procuring entity or the approving authority	Article 53. Review by procuring entity (or by approving authority)	Revisions considered at the Working Group's fourteenth session (A/CN.9/664, paras. 28-33) Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 259-260)
Article 58. Review before an independent administrative body	Article 54. Administrative review	Revisions considered at the Working Group's fourteenth session (A/CN.9/664, paras. 34-58) Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, para. 262) Revisions considered at the Working Group's fifteenth session (A/CN.9/668, para. 264)
Article 59. Certain rules applicable to review proceedings under articles 57 and 58	Article 55. Certain rules applicable to review proceedings under article 53 [and article 54]	Revisions considered at the Working Group's fourteenth session (A/CN.9/664, paras. 59-60) Revisions agreed upon at the Working Group's fifteenth session (A/CN.9/668, paras. 267-268) Revisions considered at the Working Group's fifteenth session (A/CN.9/668, para. 267 (b))
Article 60. Suspension of procurement proceedings	Article 56. Suspension of procurement proceedings	Revisions considered at the Working Group's fourteenth session (A/CN.9/664, paras. 61-73)
Article 61. Judicial review	Article 57. Judicial review	