

GENERAL AGREEMENT ON TARIFFS AND TRADE

GPR/74/Add.10

ACCORD GENERAL SUR LES TARIFS DOUANIERS ET LE COMMERCE

6 January 1994

ACUERDO GENERAL SOBRE ARANCELES ADUANEROS Y COMERCIO

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AGREEMENT ON GOVERNMENT PROCUREMENT

Addendum

Attached is a copy of Sweden's Annexes¹ to Appendix I of the Agreement on Government Procurement.

ACCORD RELATIF AUX MARCHES PUBLICS

Addendum

On trouvera ci-joint copie des annexes de la Suède¹ figurant à l'Appendice I de l'Accord relatif aux marchés publics.

ACUERDO SOBRE COMPRAS DEL SECTOR PÚBLICO

Addendum

Adjuntos figuran los anexos¹ del Apéndice I del Acuerdo sobre Compras del Sector Público correspondientes a Suecia.

¹English only/Anglais seulement/Inglés solamente.

ANNEX 1

Entities which Procure in Accordance
With the Provisions of this Agreement

SWEDEN

Supplies

Threshold: SDR 130,000

Services (as specified in Annex 4)

Threshold: SDR 130,000

Works (as specified in Annex 5)

Threshold: SDR 5,000,000

List of Entities:

The following contracting authorities of the State:

A

Akademien för de fria konsterna	Royal Academy of Fine Arts
Allmänna advokatbyråerna (28)	Public Law-Service Offices (28)
Allmänna reklamationsnämnden	National Board for Consumer Complaints
Arbetskyddsstyrelsen	National Board of Occupational Safety and Health
Arbetsdomstolen	Labour Court
Arbetsgivarverk, statens	National Agency for Government Employers
Arbetslivscentrum	Centre for Working Life
Arbetslivsfonden	Working Lives Fund
Arbetsmarknadsstyrelsen	National Labour Market Board
Arbetsmiljöfonden	Work Environment Fund
Arbetsmiljöinstitutet	National Institute of Occupational Health
Arbetsmiljönämnd, statens	Board of Occupational Safety and Health for Government Employees
Arkitekturmuseet	Museum of Architecture

Arkivet för ljud och bild

National Archive of Recorded Sound and
Moving Images

Arrendenämnder (12)

Regional Tenancies Tribunals (12)

B

Barnmiljörådet

National Child Environment Council

Beredning för utvärdering av
medicinsk metodik, statens

Swedish Council on Technology Assessment
in Health Care

Beredningen för internationellt
tekniskt-ekonomiskt samarbete

Agency for International Technical and
Economic Co-operation

Besvärsnämnden för rättshjälp

Legal Aid Appeals Commission

Biblioteket, Kungl.

Royal Library

Biografbyrå, statens

National Board of Film Censors

Biografiskt lexikon, svenskt

Dictionary of Swedish Biography

Bokföringsnämnden

Swedish Accounting Standards Board

Bostadsdomstolen

Housing Appeal Court

Bostadskreditnämnd, statens (BKN)

National Housing Credit Guarantee Board

Boverket

National Housing Board

Brottsförebyggande rådet

National Council for Crime Prevention

Brottsskadenämnden

Criminal Injuries Compensation Board

C

Centrala försöksdjursnämnden

Central Committee for Laboratory Animals

Centrala studentstödsnämnden

National Board of Student Aid

Centralnämnden för fastighetsdata

Central Board for Real-Estate Data

D

Datainspektionen

Data Inspection Board

Departementen

Ministries (Government Departments)

Domstolsverket

National Courts Administration

E

Elsäkerhetsverket

National Electrical Safety Board

Expertgruppen för forskning om
regional utveckling

Expert Group on Regional Studies

Exportkreditnämnden

Export Credits Guarantee Board

F

Fideikommissnämnden

Entailed Estates Council

Finansinspektionen

Financial Supervisory Authority

Fiskeriverket

National Board of Fisheries

Flygtekniska försöksanstalten*

Aeronautical Research Institute*

Folkhälsoinstitutet

National Institute of Public Health

Forskningsrådsnämnden

Council for Planning and Co-ordination of
Research

Fortifikationsförvaltningen*

Fortifications Administration*

Frivårdens behandlingscentral

Probation Treatment Centre

Förlikningsmannaexpedition, statens

National Conciliators' Office

Försvarets civilförvaltning*

Civil Administration of the Defence Forces*

Försvarets datacenter*

Defence Data-Processing Centre*

Försvarets forskningsanstalt*

National Defence Research Establishment*

Försvarets förvaltningsskola*

Defence Forces' Administration School*

Försvarets materielverk*

Defence Material Administration*

Försvarets radioanstalt*

National Defence Radio Institute*

Försvarets sjukvårdsstyrelse*

Medical Board of the Defence Forces*

Försvarshistoriska museer, statens*

Swedish Museums of Military History*

Försvarshögskolan*

National Defence College*

Försäkringskassorna

Social Insurance Offices

Försäkringsdomstolarna

Social Insurance Courts

Försäkringsöverdomstolen

Supreme Social Insurance Court

G

Geologiska undersökning, Sveriges

Geological Survey of Sweden

Geotekniska institut, statens

Geotechnical Institute

Glesbygdsmyndigheten

National Rural Area Development Authority

Grafiska institutet och institutet för högre
kommunikations-och reklamutbildning

Graphic Institute and the Graduate School of
Communications

H

Handelsflottans kultur-och fritidsråd

Swedish Government Seamen's Service

Handelsflottans pensionsanstalt

Merchant Pensions Institute

Handikappråd, statens

National Council for the Disabled

Haverikommission, statens

Board of Accident Investigation

Hovrätterna (6)

Courts of Appeal (6)

Humanistisk-samhällsvetenskapliga
forskningsrådet

Council for Research in the Humanities and
Social Sciences

Hyresnämnder (12)

Regional Rent Tribunals (12)

Häktena (30)

Remand Prisons (30)

Hälso-och sjukvårdens ansvarsnämnd

Committee on Medical Responsibility

Högsta domstolen

Supreme Court

I

Inskrivningsmyndigheten för
företagsinteckningar

Register Authority for Floating Charges

Institut för byggnadsforskning, statens

Council for Building Research

Institut för psykosocial
miljömedicin, statens

National Institute for Psycho-Social Factors
and Health

Institutet för rymdfysik

Swedish Institute of Space Physics

Invandrarverk, statens

Swedish Immigration Board

J

Jordbruksverk, statens

Swedish Board of Agriculture

Justitiekanslern

Office of the Chancellor of Justice

Jämställdhetsombudsmannen och
jämställdhetsdelegationen

Office of the Equal Opportunities
Ombudsman and the Equal Opportunities
Commission

K

Kabelnämnden/Närradionämnden

Swedish Cable Authority/Swedish
Community Radio Authority

Kammarkollegiet

National Judicial Board of Public Lands
and Funds

Kammarrätterna (4)

Administrative Courts of Appeal (4)

Kemikalieinspektionen

National Chemicals Inspectorate

Kommerskollegium

National Board of Trade

Koncessionsnämnden för miljö-
skydd

National Franchise Board for Environment
Protection

Konjunkturinstitutet

National Institute of Economic Research

Konkurrensverket

Swedish Competition Authority

Konstfackskolan

College of Arts, Crafts and Design

Konsthögskolan

College of Fine Arts

Konstmuseer, statens

National Art Museums

Konstnärsnämnden

Arts Grants Committee

Konstråd, statens

National Art Council

Konsumentverket

National Board for Consumer Policies

Krigsarkivet*

Armed Forces Archives*

Kriminaltekniska laboratorium, statens

National Laboratory of Forensic Science

Kriminalvårdens regionkanslier (7)

Correctional Region Offices (7)

Kriminalvårdsanstalterna (78)

National/Local Institutions (78)

Kriminalvårdsnämnden

National Paroles Board

Kriminalvårdsstyrelsen

National Prison and Probation
Administration

Kronofogdemyndigheterna (24)

Enforcement Services (24)

Kulturråd, statens

National Council for Cultural Affairs

Kustbevakningen*

Swedish Coast Guard*

Kärnkraftinspektion, statens

Nuclear-Power Inspectorate

L

Lantmäteriverk, statens

Central Office of the National Land Survey

Livrustkammaren/Skoklosters
slott/Hallwylska museet

Royal Armoury

Livsmedelsverk, statens

National Food Administration

Lotterinämnden

Gaming Board

Läkemedelsverket

Medical Products Agency

Läns- och distriktsåklagar-
myndigheterna

County Public Prosecution Authority and
District Prosecution Authority

Länsarbetsnämnderna (24)

County Labour Boards (24)

Länsrätterna (25)

County Administrative Courts (25)

Länsstyrelserna (24)

County Administrative Boards (24)

Löne- och pensionsverk, statens

National Government Employee Salaries and
Pensions Board

M

Marknadsdomstolen

Market Court

Maskinprovningar, statens

National Machinery Testing Institute

Medicinska forskningsrådet

Medical Research Council

Meteorologiska och hydrologiska
institut, Sveriges

Swedish Meteorological and Hydrological
Institute

Militärhögskolan*

Armed Forces Staff and War College*

Musiksamlingar, statens

Swedish National Collections of Music

N

Naturhistoriska riksmuseet

Museum of Natural History

Naturvetenskapliga forsknings-
rådet

Natural Science Research Council

Naturvårdsverk, statens

National Environmental Protection Agency

Nordiska Afrikainstitutet	Scandinavian Institute of African Studies
Nordiska hälsovårdshögskolan	Nordic School of Public Health
Nordiska institutet för samhällsplanering	Nordic Institute for Studies in Urban and Regional Planning
Nordiska museet, stiftelsen	Nordic Museum
Nordiska rådets svenska delegation	Swedish Delegation of the Nordic Council
Notarienämnden	Recorders Committee
Nämnden för internationella adoptionsfrågor	National Board for Intra Country Adoptions
Nämnden för offentlig upphandling	National Board for Public Procurement
Nämnden för statens gruvegendom	State Mining Property Commission
Nämnden för statliga förnyelsefonder	National Fund for Administrative Development and Training for Government Employees
Nämnden för utställning av nutida svensk konst i utlandet	Swedish National Committee for Contemporary Art Exhibitions Abroad
Närings- och teknikutvecklingsverket	National Board for Industrial and Technical Development
<u>O</u>	
Ombudsmannen mot etnisk diskriminering och nämnden mot etnisk diskriminering	Office of the Ethnic Discrimination Ombudsman Advisory Committee on Questions Concerning Ethnic Discrimination
<u>P</u>	
Patentbesvärsrätten	Court of Patent Appeals
Patent- och registreringsverket	Patents and Registration Office
Person- och adressregisternämnd, statens	Co-ordinated Population and Address Register
Polarforskningssekretariatet	Swedish Polar Research Secretariat
Presstödsnämnden	Press Subsidies Council
Psykologisk-pedagogiska bibliotek, statens	National Library for Psychology and Education

R

Radionämnden	Broadcasting Commission
Regeringskansliets förvaltningskontor	Central Services Office for the Ministries
Regeringsrätten	Supreme Administrative Court
Riksantikvarieämbetet och statens historiska museer	Central Board of National Antiquities and National Historical Museums
Riksarkivet	National Archives
Riksbanken	Bank of Sweden
Riksdagens förvaltningskontor	Administration Department of the Swedish Parliament
Riksdagens ombudsmän, JO	The Parliamentary Ombudsmen
Riksdagens revisorer	The Parliamentary Auditors
Riksförsäkringsverket	National Social Insurance Board
Riksgäldskontoret	National Debt Office
Rikspolisstyrelsen	National Police Board
Riksrevisionsverket	National Audit Bureau
Riksskatteverket	National Tax Board
Riksutställningar, Stiftelsen	Travelling Exhibitions Service
Riksåklagaren	Office of the Prosecutor-General
Rymdstyrelsen	National Space Board
Råd för byggnadsforskning, statens	Council for Building Research
Rådet för grundläggande högskoleutbildning	Council for Renewal of Undergraduate Education
Räddningsverk, statens*	National Rescue Services Board*
Rättshjälpsnämnden	Regional Legal-aid Commission
Rättsmedicinalverket	National Board of Forensic Medicine

S

Sameskolstyrelsen och sameskolor	Sami (Lapp) School Board Sami (Lapp) Schools
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Sjöfartsverket	National Maritime Administration
Sjöhistoriska museer, statens	National Maritime Museums
Skattemyndigheterna (24)	Local Tax Offices (24)
Skogs- och jordbrukets forskningsråd	Swedish Council for Forestry and Agricultural Research
Skogsstyrelsen	National Board of Forestry
Skolverk, statens	National Agency for Education
Smittskyddsinstitutet	Swedish Institute for Infectious Disease Control
Socialstyrelsen	National Board of Health and Welfare
Socialvetenskapliga forskningsrådet	Swedish Council for Social Research
Sprängämnesinspektionen	National Inspectorate of Explosives and Flammables
Statistiska centralbyrån	Statistics Sweden
Statskontoret	Agency for Administrative Development
Stiftelsen WHO	Collaborating Centre on International Drug Monitoring
Strålskyddsinstitut, statens	National Institute of Radiation Protection
Styrelsen för internationell utveckling, SIDA	Swedish International Development Authority
Styrelsen för Internationellt Näringslivsbistånd, SWEDECORP	Swedish International Enterprise Development
Styrelsen för psykologiskt försvar*	National Board of Psychological Defence*
Styrelsen för Sverigebilden	Image Sweden
Styrelsen för teknisk ackreditering	Swedish Board for Technical Accreditation
Styrelsen för u-landsforskning, SAREC	Swedish Agency for Research Cooperation with Developing Countries
Svenska institutet, stiftelsen	Swedish Institute
<u>T</u>	
Talboks- och punktskrifts-biblioteket	Library of Talking Books and Braille Publications

Teknikvetenskapliga forskningsrådet	Swedish Research Council for Engineering Sciences
Tekniska museet, stiftelsen	National Museum of Science and Technology
Tingsrätterna (97)	District and City Courts (97)
Tjänsteförslagsnämnden för domstolsväsendet	Judges Nomination Proposal Committee
Transportforskningsberedningen	Transport Research Board
Transportrådet	Board of Transport
Tullverket	Swedish Board of Customs
<u>U</u>	
Ungdomsråd, statens	State Youth Council
Universitet och högskolor	Universities and University Colleges
Utlänningsnämnden	Aliens Appeals Board
Utsädeskontroll, statens	National Seed Testing and Certification Institute
<u>V</u>	
Vatten- och avloppsnämnd, statens	National Water Supply and Sewage Tribunal
Vattenöverdomstolen	Water Rights Court of Appeal
Verket för högskoleservice (VHS)	National Agency for Higher Education
Veterinärmedicinska anstalt, statens	National Veterinary Institute
Väg- och trafikinstitut, statens	Road and Traffic Research Institute
Värnpliktsverket*	Armed Forces' Enrolment Board*
Växsortsnämnd, statens	National Plant Variety Board
<u>Y</u>	
Yrkesinspektionen	Labour Inspectorate
<u>Å</u>	
Åklagarmyndigheterna	Public Prosecution Authorities

Ö

Överbefälhavaren*

Supreme Commander of the Armed Forces*

Överstyrelsen för civil beredskap*

National Board of Civil Emergency
Preparedness*

ANNEX 2

Entities which Procure in Accordance
With the Provisions of this Agreement

SWEDEN

Supplies

Threshold: SDR 200,000

Services (as specified in Annex 4)

Threshold: SDR 200,000

Works (as specified in Annex 5)

Threshold: SDR 5,000,000

List of Entities:

1. Regional and local public authorities including all County Councils (23) and all Municipalities (286).
2. Procuring entities including companies, associations and foundations established for the specific purpose of meeting needs in the general interest not having an industrial or commercial character and subject to certain other criteria¹ pursuant to the Public Procurement Act: "Lag om offentlig upphandling" (1992:1528).

¹

- Financed for the most part by the State, a regional or a local authority, an ecclesiastical body; or
- Subject to supervision of the procurement by the State, a local authority; or
- Having a supervisory board whose members are appointed by the State, a regional or local authority or an ecclesiastical body; or
- Having a supervisory board, of which more than half of the members are appointed by the State, a regional or a local authority.

ANNEX 3

Other Entities which Procure in Accordance
With the Provisions of this Agreement

SWEDEN

Supplies

Threshold: SDR 400,000

Services (as specified in Annex 4)²

Threshold: SDR 400,000

Works (as specified in Annex 5)

Threshold: SDR 5,000,000

List of public entities in the sectors of:

1. Electricity

Entities which have as one of their activities the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport, distribution or the supply of electricity on the basis of a concession pursuant to "Lag (1902:71) innefattande vissa bestämmelser om elektriska anläggningar", *inter alia*;

Vattenfall AB
Stockholm Energi Produktion AB
Swedish International Grid
Sydkraft AB
Trollhätte kanalverk

2. Urban Transport

Entities which have as one of their activities the operation of networks providing a service to the public in the field of transport by automated systems, urban railway, tramway, trolley bus, bus or cable according to "Lag (1978:438) om huvudmannaskap för viss kollektiv persontrafik", for urban railway or tramway services pursuant to "Lag (1990:1157) om järnvägssäkerhet" and for trolley bus or bus services in accordance with "Lag (1988:263) om yrkestrafik", *inter alia*;

Storstockholms Lokaltrafik AB, SL

3. Airports

Entities which have as one of their activities the exploitation of a geographical area for the purpose of the provision of airport facilities e.g. publicly owned and operated airports in accordance with "Lag

²Under the conditions provided for in the Swedish Procurement Act (1992:1528).

(1957:297) om luftfart" having as their result the reservation for one or more entities of the exploitation of the activities described, *inter alia*;

Civil Aviation Administration

4. Ports

Entities which have as one of their activities the exploitation of a geographical area for the purpose of the provision of port facilities e.g. publicly owned and/or operated ports and terminal facilities according to "Lag (1988:293) om inrättande, utvidgning och avlysning av allmän farled och allmän hamn", "Förordning (1983:744) om trafiken på Göta kanal", *inter alia*;

Gävle port

Göteborg port

Luleå port

Stockholm port

Trelleborg port

Uddevalla port

5. Water

Local authorities and municipal companies which have as one of their activities the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of drinking water or the supply of drinking water according to "Lag (1970:244) om allmänna vatten- och avloppsanläggningar".

ANNEX 4

Services

SWEDEN

Of the Universal List of Services, as contained in document MTN.GNS/W/120, the following services are included:

Subject	CPC Ref No
Maintenance and repair services	6112, 6122, 633, 886
Land transport services, including armoured car services and courier services, except transport of mail	712 (except 71235), 7512, 87304
Air transport services of passengers and freight, except transport of mail	73 (except 7321)
Transport of mail by land, except rail, and by air	71235, 7321
Telecommunications services	752* (except 7524, 7525, 7526)
Financial services (a) insurance services (b) banking and investment services**	ex 81 812, 814
Computer and related services	84
Accounting, auditing and book-keeping services	862
Market research and public opinion polling services	864
Management consulting services and related services	865, 866***
Architectural services; engineering services and integrated engineering services, urban planning and landscape architectural services, related scientific and technical consulting services, technical testing and analysis services	867
Advertising services	871

Building-cleaning services 874, 82201-82206
and property management services

Publishing and printing services 88442
on a fee or contract basis

Sewage and refuse disposal, 94
sanitation and similar services

- * except voice telephony, telex, radiotelephony, paging and satellite services
- ** except contracts for financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services. Payments to and from Government agencies shall be transacted through the Swedish Postal Giro system (Postgirot)
- *** except arbitration and conciliation services

ANNEX 5

Construction Services

SWEDEN

Specifications on covered construction services

Definition:

A Construction services contract is a contract which has as its objective the realization by whatever means of civil or building works, in the sense of Division 51 of the Central Product Classification.

List of Division 51, CPC:

All public works/construction services of Division 51.

GENERAL NOTES AND DEROGATIONS FROM THE PROVISIONS OF ARTICLE III

1. Sweden will not extend the benefits of this Agreement:

- as regards the award of contracts by entities covered by paragraphs 1 and 2 of Annex 2 to the suppliers and service providers of Canada and the USA;
- as regards the award of contracts by entities listed in Annex 3, paragraph
 - 1 (electricity) to the suppliers and service providers of Canada, Hong Kong, Japan, and the USA;
 - 2 (urban transport) to the suppliers and service providers of Canada, Israel, Japan, Korea and the USA;
 - 3 (airports) to the suppliers and service providers of Canada, Korea, and the USA;
 - 4 (ports) to the suppliers and service providers of Canada and the USA;
 - 5 (water) to the suppliers and service providers of Canada and the USA;

until such time as Sweden has accepted that the Parties concerned give comparable and effective access for Swedish undertakings to the relevant markets;

- to service providers of Parties which do not include service contracts for the relevant entities in Annexes 1 to 3 and the relevant service category under Annexes 4 and 5 in their own coverage.

2. The provisions of Article XX shall not apply to suppliers and service providers of:

- Israel, Japan, Korea and Switzerland in contesting the award of contracts by entities covered by paragraph 2 of Annex 2, until such time as Sweden accepts that they have completed coverage of sub-central entities;
- Japan, Korea and the USA in contesting the award of contracts to a supplier or service provider of Parties other than those mentioned, which are small or medium-sized enterprises under the relevant provisions in Sweden, until such time as Sweden accepts that they no longer operate discriminatory measures in favour of certain domestic small and minority businesses;
- Japan, Israel and Korea in contesting the award of contracts by Swedish entities, whose value is less than the threshold applied for the same category of contracts awarded by these Parties.

3. Until such time as Sweden has accepted that the Parties concerned provide access for Swedish suppliers and service providers to their own markets, Sweden will not extend the benefits of this Agreement to suppliers and service providers of:

- Canada, as regards procurement of FSC 36, 70 and 74 (special industry machinery; general purpose automatic data processing equipment, software, supplies and support equipment

(except 7010 ADPE configurations); office machines, visible record equipment and ADP equipment);

- Canada as regards procurement of FSC 58 (communications, protection and coherent radiation equipment) and the USA as regards air traffic control equipment;
- Korea and Israel as regards procurement by entities listed in Annex 3, paragraph 1, as regards procurement of HS Nos 8504, 8535, 8537 and 8544 (electrical transformers, plugs, switches and insulated cables) and for Israel, HS Nos 8501, 8536 and 902830;
- the USA and Canada as regards contracts for good or service components of contracts which, although awarded by an entity covered by this Agreement, are not themselves subject to this Agreement.

4. The Agreement shall not apply to contracts awarded under:

- an international agreement and intended for the joint implementation or exploitation of a project by the Signatory states;
- an international agreement relating to the stationing of troops;
- the particular procedure of an international organization.

5. The Agreement shall not apply to procurement of agricultural products made in furtherance of agricultural support programmes and human feeding programmes.

6. Contracts awarded by entities in Annexes 1 and 2 in connection with activities in the fields of drinking water, energy, transport or telecommunications, are not included.

7.1 With regard to Annex 3, this Agreement shall not apply to the following:

- contracts which the contracting entities under paragraph 5 of Annex 3 award for the purchase of water;
- contracts which the contracting entities under paragraph 1 of Annex 3 award for the supply of energy or of fuels for the production of energy;
- contracts which the contracting entities award for purposes other than the pursuit of their activities as described in this Annex or for the pursuit of such activities in a non-EEA country;
- contracting entities exercising activities in the bus transportation sector where other entities are free to offer the same services in the same geographical area and under substantially the same conditions;
- contracts awarded for purposes of re-sale or hire to third parties, provided that the contracting entity enjoys no special or exclusive right to sell or hire the subject of such contracts and other entities are free to sell or hire it under the same conditions as the contracting entity.

7.2 With regard to Annex 3, this Agreement shall not apply to the following:

- service contracts which a contracting entity awards to an affiliated undertaking;
- service contracts which are awarded by a joint venture formed by a number of contracting entities for the purpose of carrying out a relevant activity within the meaning of paragraphs 1-5 of Annex 3 to one of those contracting entities or to an undertaking which is affiliated with one of these contracting entities,

provided that at least 80 per cent of the average turnover of that undertaking with respect to services arising within the EEA for the preceding three years derives from the provision of such services to undertakings with which it is affiliated. Where more than one undertaking affiliated with the contracting entity provides the same service or similar services, the total turnover deriving from the provision of services by those undertakings shall be taken into account.

7.3 The supply of drinking water and electricity to networks which provide a service to the public by a contracting entity other than a public authority shall not be considered as a relevant activity within the meaning of paragraphs 1 and 5 in Annex 3 where:

- the production of drinking water or electricity by the entity concerned takes place because its consumption is necessary for carrying out an activity other than that referred to in paragraphs 1 and 5 of Annex 3, and
- supply to the public network depends only on the entity's own consumption and has not exceeded 30 per cent of the entity's total production of drinking water or energy, having regard to the average for the preceding three years, including the current year.

8. With regard to Annex 4, this Agreement shall not apply to the following:

- contracts for the acquisition or rental, by whatever financial means, of land, existing buildings, or other immovable property or concerning rights thereon;
- contracts for the acquisition, development, production or co-production of programme material by broadcasters and contracts for broadcasting time;
- contracts awarded to an entity which is itself a contracting authority within the meaning of the Public Procurement Act: "Lag om offentlig upphandling" (1992:1528) on the basis of an exclusive right which it enjoys pursuant to a published law, regulation or administrative provision;
- contracts of employment.

9. The thresholds specified in the Annexes will be applied so as to conform with the public procurement thresholds in the EEA agreement.

10. This Agreement does not apply to procurement subject to secrecy or other particular restrictions with regard to the safety of the realm.

11. When a specific procurement may impair important national policy objectives the Swedish Government may consider it necessary in singular procurement cases to deviate from the principle of national treatment in the Agreement. A decision to this effect will be taken at the Swedish cabinet level.

12. Procurement by defence entities (marked with an * in Annex 1) covers products falling under the following CCCN chapters:

CCCN Chapter	Except:
25-26	
27	ex 27.10 special engine fuels
28	ex 28.09 explosives
	ex 28.13 explosives
	ex 28.14 tear gas
	ex 28.28 explosives
	ex 28.32 explosives
	ex 28.39 explosives
	ex 28.50 toxic products
	ex 28.51 toxic products
	ex 28.54 explosives
29	ex 29.03 explosives
	ex 29.04 explosives
	ex 29.07 explosives
	ex 29.08 explosives
	ex 29.11 explosives
	ex 29.12 explosives
	ex 29.13 toxic products
	ex 29.14 toxic products
	ex 29.15 toxic products
	ex 29.21 toxic products
	ex 29.22 toxic products
	ex 29.23 toxic products
	ex 29.26 explosives
	ex 29.27 toxic products
	ex 29.29 explosives
30-49	
65-81	
82	ex 82.05 tools
	ex 82.07 tools, parts
83	
84	ex 84.06 engines
	ex 84.08 other engines
	ex 84.45 machinery
	ex 84.53 ADP-machines
85	ex 85.13 telecommunication equipment
	ex 85.15 transmission apparatus
86	ex 86.02 armoured locomotives, electric
	86.03 other armoured locomotives

	86.05	armoured wagons
	86.06	repair wagons
	86.07	wagons
87	87.08	tanks and armoured vehicles
	ex 87.01	tractors
	ex 87.02	military vehicles
	ex 87.03	breakdown lorries
	ex 87.09	motor cycles
	ex 87.14	trailers
89	ex 89.01	warships
90	ex 90.05	binoculars
	ex 90.13	miscellaneous instruments, lasers
	ex 90.14	telemeters
	ex 90.28	electric and electronic measurements instruments
91-92		
94	ex 94.01	aerodynamic seats
95-98		