

**GENERAL AGREEMENT
ON TARIFFS AND TRADE**

RESTRICTED
GPA/IC/M/1
10 August 1994

(94-1665)

Interim Committee on Government Procurement

MINUTES OF THE MEETING HELD ON 29 JUNE 1994

Chairman: Mr. Harald Ernst (Switzerland)

1. The following agenda was adopted:
 - A. Election of officers;
 - B. Observers to the Interim Committee;
 - C. Further negotiations among Signatories on the expansion of coverage prior to the entry into force of the Agreement;
 - D. Modifications of Appendix I to the Agreement prior to its entry into force;
 - E. Adoption of a decision on accession negotiations prior to the entry into force of the Agreement;
 - F. Adoption of a decision to administer rectifications of a purely formal nature to Appendices I to IV prior to the entry into force of the Agreement;
 - G. Completion of Appendices II, III and IV to the Agreement;
 - H. Progress in national ratification procedures;
 - I. Publication of the Agreement;
 - J. Circulation of Interim Committee documents;
 - K. Statistical reporting;
 - L. Information technology;
 - M. Recommendations for procedural decisions by the Committee on Government Procurement;
 - N. Establishment of a Practical Guide to the new Agreement;
 - O. Requirements stemming from the inclusion of the Agreement in Annex 4 of the WTO Agreement;
 - P. Other business.

2. It was agreed that the applications for accession from the Kingdom of the Netherlands with respect to Aruba and from Chinese Taipei would be taken up under point E and observership for these two Governments under point B.

A. ELECTION OF OFFICERS

3. The Interim Committee elected Mr. Harald Ernst (Switzerland) as its Chairman and Mr. Peter Young (United Kingdom) as its Vice-Chairman.

B. OBSERVERS TO THE INTERIM COMMITTEE

4. The Interim Committee decided as follows:

Observer status may be granted to any government which notifies the Interim Committee of its interest to acquaint itself with the new Agreement on Government Procurement and its activities with a view to considering possible accession to the Agreement. The Interim Committee would take a decision on each request. Requests for observership from international organizations would be considered on a case-by-case basis.

5. In the light of the interest expressed by the Governments of the Kingdom of the Netherlands with respect to Aruba and of Chinese Taipei in applying for accession, the Interim Committee agreed to grant these two Governments observer status.

C. FURTHER NEGOTIATIONS AMONG SIGNATORIES ON THE EXPANSION OF COVERAGE PRIOR TO THE ENTRY INTO FORCE OF THE AGREEMENT

D. MODIFICATIONS OF APPENDIX I TO THE AGREEMENT PRIOR TO ITS ENTRY INTO FORCE

6. The Chairman suggested that the Interim Committee take these two items together. He said that the Interim Committee may wish to keep under review negotiations among Signatories on the expansion of coverage prior to the entry into force of the Agreement. In this regard, he recalled that the representatives of the European Communities and the United States had informed Signatories, during the course of the Marrakesh Meeting, of the outcome of negotiations between them which they would for the most part wish to incorporate in the new Agreement. It had also been said at that time that discussions might take place with regard to the application of these results vis-à-vis certain other Signatories. He drew the attention of delegations to a recent communication from the delegations of the European Communities and the United States together with a corrigendum dated 27 June 1994.

7. The representative of the European Communities noted that the agreement which had been reached in Marrakesh in April of this year between the nominated negotiators of his delegation and those of the United States had only reached a certain stage in the internal decision-making processes within the European Communities. He said that the communication from his delegation and that of the United States which had been informally distributed to Members of the Interim Committee on 15 June had been distributed for information purposes only, since the agreement was still far from having reached its final statutory procedures. He cautioned that the communication should not be treated in any official manner in this Committee.

8. The representative of the United States underlined the historic significance of the agreement reached in Marrakesh between his delegation and the European Communities and observed that his delegation stood ready to continue work with individual governments during this interim period to seek expansion of their coverage as well. He reiterated his delegation's objective that, by the entry into force of this Agreement, near uniform coverage among all the Signatories should be achieved.

9. The Chairman noted that the Interim Committee would need to get back to this matter when the European Communities and the United States would be in a position to make a formal notification under the procedures adopted by the Informal Working Group at its meeting in January on "Modifications of the Annexes to Appendix I to the Agreement before its Entry into Force". In the meantime, he invited delegations to consult with each other bilaterally and plurilaterally with a view to preparing the use of those procedures.

10. The representative of Canada recalled that the Canadian Schedule offered to cover entities in all ten Provinces on the basis of commitments to be received from Provincial Governments, with a final listing to be provided within eighteen months after the conclusion of the new Agreement on Government Procurement. The Provincial and Federal Governments were currently engaged in intensive negotiations to reduce and eliminate internal trade barriers among the Provinces. The proposed internal trade agreement was broadly based and was seeking to remove barriers among Provinces in a range of areas including government procurement. Negotiations were at the final stages of conclusion at Ministerial level. While the internal trade agreement would be likely to continue to further liberalize internal trade over time, his delegation hoped to be in a position in the early autumn to engage each of the Provinces in substantive discussions concerning sub-central coverage under the Government Procurement Agreement. He expressed the hope that, at the next meeting of this Committee, he would be in a position to provide further details on these discussions.

11. The Interim Committee took note of the statements made.

E. ADOPTION OF A DECISION ON ACCESSION NEGOTIATIONS PRIOR TO THE ENTRY INTO FORCE OF THE AGREEMENT

12. The Chairman recalled that according to the Decision Establishing the Interim Committee, one of its tasks was to adopt, and perform functions required by, procedures enabling negotiations to take place on accession to the Agreement prior to its entry into force, taking into account those adopted in similar circumstances at the end of the Tokyo Round as well as the Uruguay Round Decision on Accession to the Agreement on Government Procurement. The Secretariat had circulated a draft decision, taking into account these two Decisions as well as relevant parts of the Ministerial Decision taken at Marrakesh on the Acceptance of and Accession to the Agreement Establishing the World Trade Organization. He stressed that this draft decision would enable accession negotiations to take place prior to the entry into force of the Agreement. The actual accession would only take place after the entry into force of the Agreement, pursuant to Article XXIV:2.

13. Referring to paragraph 5 of the draft, the representative of the United States wondered, given that the objective pursued by the draft decision was to complete the accession process prior to the entry into force of the new Agreement, whether the Interim Committee should not be given authority to take the final decision on an application, rather than the Committee under the new Agreement. In response, the representative of the Secretariat said that this part of the draft had been based on a similar approach adopted in the Decision on the Acceptance of and Accession to the Agreement Establishing the World Trade Organization: that Decision also enabled negotiations to take place on accession to the WTO prior to its entry into force, but stipulated that the final decision would be taken by the Ministerial Conference of the WTO. The Preparatory Committee would submit a report on its examination of

the application for accession, which might include a protocol of accession, for approval by the Ministerial Conference. In addition, he noted that Article XXIV:2 required the Parties to the Agreement to take the decision on the terms of accession. Parties to the new Agreement would not exist until the Agreement came into force. The representative of the European Communities pointed out that the Interim Committee could prepare the whole process of accession negotiations up to the point of actual approval. He acknowledged that approval required a Committee decision but that that could be done immediately upon entry into force of the Agreement in January 1996.

14. The Interim Committee took note of the statements made and adopted the Decision on Accession Negotiations to the Agreement on Government Procurement (1994) Prior to its Entry into Force (Annex 1).

Application for accession by Chinese Taipei

15. The Chairman referred to the communication from Chinese Taipei, dated 24 June 1994, in which it expressed its interest in acceding to the newly-concluded Agreement on Government Procurement.

16. The representative of Chinese Taipei stated that on 24 June his Government had transmitted a communication to the Director-General expressing its interest in acceding to the newly-concluded Agreement on Government Procurement. It had also indicated that it was ready to enter into negotiations with Signatories to the Agreement on the terms for its accession. His Government was currently in the process of negotiating accession to the GATT 1947 and eventually to the WTO. His Government's intention was to complete those negotiations before the end of this year. Therefore, his Government's application to join the newly-signed Agreement on Government Procurement at this early stage once again demonstrated its strong commitment to the multilateral trading system and its determination to accept the rules and the principles of the GATT and the WTO. His Government hoped that the terms of its accession to the Agreement on Government Procurement would be commensurate with the stage of development of Chinese Taipei, especially in the area of government procurement.

17. The Interim Committee invited the delegation of Chinese Taipei to submit relevant information including an offer by way of appropriate Appendices containing lists of entities and services which would be covered by the Agreement, as well as lists of relevant publications, pursuant to paragraph 2 of the Decision on Accession Negotiations to the Agreement on Government Procurement (1994) Prior to its Entry into Force, and agreed to revert to this matter when the information requested would be available.

18. The representative of the United States voiced his Government's pleasure in receiving Chinese Taipei's application for accession and offered his Government's assistance to the authorities of Chinese Taipei in preparing the information requested and to act as a sounding board in determining which areas would be appropriate for coverage.

Application for accession of the Kingdom of the Netherlands with respect to Aruba

19. The Chairman referred to the discussions that had taken place under the Committee to the 1988 Agreement, notably the communication from the Kingdom of the Netherlands with respect to Aruba contained in document GPR/W/122/Rev.1, dated March 4 1993, and its replies of 26 May 1994 to questions submitted by Hong Kong.

20. The representative of the Kingdom of the Netherlands with respect to Aruba recalled that her delegation had expressed the desire to accede both to the Agreement presently in force and to the newly-

signed Agreement. She observed that the documents referred to by the Chairman were self-explanatory in this respect.

21. The Interim Committee invited the delegation of the Kingdom of the Netherlands with respect to Aruba to submit relevant information including an offer by way of appropriate Appendices containing lists of entities and services which would be covered by the Agreement, as well as lists of relevant publications, pursuant to paragraph 2 of the Decision on Accession Negotiations to the Agreement on Government Procurement (1994) Prior to its Entry into Force, and agreed to revert to this matter when the information requested would be available.

F. ADOPTION OF A DECISION TO ADMINISTER RECTIFICATIONS OF A PURELY FORMAL NATURE TO APPENDICES I TO IV PRIOR TO THE ENTRY INTO FORCE OF THE AGREEMENT

22. The Chairman recalled that, according to the Decision Establishing the Interim Committee, one of its tasks was to adopt, and perform functions required by, procedures to administer rectifications of a purely formal nature to Appendices I to IV prior to entry into force of the Agreement. The Secretariat had circulated a draft decision on 14 June.

23. The Interim Committee adopted the Decision on Administration of Rectifications of a Purely Formal Nature to Appendices I to IV of the Agreement on Government Procurement (1994) Prior to its Entry into Force (Annex 2). Following suggestions from the representatives of the United States and of the European Communities, the Interim Committee invited the Secretariat to prepare, for circulation prior to the next meeting, a draft of a decision on the administration of other modifications to the Appendices of the types envisaged in Article XXIV:6 of the Agreement prior to its entry into force. It was understood that this Decision would employ to the extent possible the mechanisms of Article XXIV:6. The point was made by the representative of the United States that Signatories' rights under Article XXIV:6 should not be compromised. The representative of Japan expressed his concern that no such decision should facilitate any contraction of the agreed coverage.

G. COMPLETION OF APPENDICES II, III AND IV TO THE AGREEMENT

24. The Chairman recalled that at the Informal Working Group's March meeting, the Group had taken note of Canada's intention to communicate to the Secretariat as soon as possible a list of publications which it would use for entities at the sub-federal level. The representative of Canada noted that he had no comments at this stage to add to those in his previous intervention regarding the ongoing discussions with the Provinces in his country. At the next meeting he would perhaps be in a position to provide further information.

25. The Chairman also recalled that, at that same meeting, the Group had taken note of the intention of the delegation of the United States to provide a comprehensive list of journals used for publication of notices of intended procurements at sub-federal level in Appendix II. The Group had agreed that, in the event that this could not be done before Marrakesh, the matter could be taken up by the Interim Committee. The representative of the United States explained that his Government was currently in a process of implementing the Agreement at the sub-central level. He expected to go to the States with a comprehensive analysis of what they must do, as well as seeking information from them individually. He was not in a position at this stage to offer any comprehensive list of publications. He said that his delegation had agreed to present such information on the understanding that it was under no obligation to do so. The United States' obligations with respect to the publication of notices of intended procurement and post-award notices, including at the sub-central level, would be met by

the Commerce Business Daily. The entry in Appendix II for the United States made it clear that State publications would not be alternatives to publication in the Commerce Business Daily but complements.

26. The Interim Committee took note of the statements made

H. PROGRESS IN NATIONAL RATIFICATION PROCEDURES

27. No comments were made under this agenda item.

I. PUBLICATION OF THE AGREEMENT

28. The Chairman noted that the Treaty Copy of the Agreement, both the text and the Appendices, as signed in Marrakesh, would be published by the GATT Legal Services in the normal GATT Treaty series very shortly. It would be on sale to the public. In addition, the Informal Working Group at its meeting of 10 March 1994 had agreed that complete English, French and Spanish versions of the Agreement would be published. These publications would also be on sale to the general public and additional to the formal treaty copy publication. Given that significant changes to the Schedules of certain countries may take place in the near future, he suggested that publication of the English, French and Spanish versions be postponed until such time as these changes could be incorporated, preferably before the end of this year. It would then be explained in the introduction to these versions that the contents reflected both the Treaty Copy and subsequent modifications.

29. The representative of the European Communities cautioned against publishing the Agreement only at such time as all changes to the Schedules would be known, since there probably always would be possible changes in the pipeline. It would be more effective to publish the Agreement as soon as possible at a time when there was an interest in this Agreement. He suggested that one way of dealing with continuing changes in the Schedules would be the publication of a loose-leaf version of the Schedules. The representative of the Secretariat clarified that the Treaty Copy, consisting both of the text and the Appendices, would be published very shortly - the text and Appendices II, III and IV in all three official GATT languages and Appendix I in the authentic language of its submission only. There would also be a publication of the text only. As regards the suggestion of a loose-leaf publication, he suggested that this might better be taken up under agenda item N, dealing with the Practical Guide, which was a loose-leaf document.

30. The representative of the United States observed that the United States Printing Office had already published the Agreement on Government Procurement as part of a publication containing all of the Uruguay Round Agreements, for sale to the public.

31. The Interim Committee took note of the statements made.

J. CIRCULATION OF INTERIM COMMITTEE DOCUMENTS

32. The Interim Committee agreed that formal documents would be circulated to members of the Interim Committee and to observers and would be available, on request, to members of the WTO Preparatory Committee and subsequently to members of the WTO itself. In certain cases the circulation of sensitive documents would be determined on an *ad hoc* basis.

K. STATISTICAL REPORTING

33. The Chairman suggested that the Interim Committee have a first discussion on guidelines for meeting the statistical reporting requirements of Article XIX:5, in particular in respect of the adoption of uniform classification systems and methods to be used for providing statistics on the country of origin of products and services. He recalled that, in regard to the question of uniform classification systems, the Committee under the Agreement presently in force had adopted a nomenclature (GPR/M/1, Annex III). This nomenclature had not, however, been uniformly employed and discussions had taken place under that Committee with a view to establishing a common classification system. The question of a classification system for statistical reporting on procurement of services had not of course been considered so far. There seemed therefore to be at least two issues. The first was the adoption of uniform classification systems for goods and services. In this connection, he recalled that, as regards goods, document GPR/W/105, dated 11 February 1991, containing an analytical compilation by the Secretariat of proposals made to that date, served as a useful starting point for discussion. The second issue was methods to be used for providing statistics on the country of origin of products and services, as called for under the provisions of Article XIX:5 of the new Agreement. In this respect he drew attention to a working document circulated on the request of the European Communities in March of last year (GPR/W/125).

34. The representative of the European Communities stated that his delegation viewed statistical reporting as one of the most important elements for enforcing the Agreement, both internally and externally. A workable consensus on the two issues raised was critical to the comparability and transparency of statistics and therefore to the credibility of conclusions to be drawn from the monitoring of procurement covered by the Agreement. He recalled that document GPR/W/105 basically offered three alternatives for a classification system: the Central Product Classification (CPC), the Harmonized System (HS) and the twenty-six product categories as used under the Agreement presently in force. The document concluded that none of these three systems was capable of giving a global answer to the concerns expressed by delegations outlined in the note. He recalled that, in summary, the five concerns related to the functionality of the systems, details required, inclusion of services, comparability and transparency, and a minimum administrative burden. However, the final thrust of the document seemed to be that the CPC under the circumstances was the best candidate. His delegation was of the view that this merited serious consideration. Since this document had been written in 1991, the European Communities had developed a new classification system, covering goods, construction and services, which was called "The Classification of Products by Activity". The classification system of the European Communities was used in the entire European Economic Area, thus giving it a wide scope of application. It could be an additional, fourth, candidate for consideration. He offered a copy to the Secretariat for circulation to the Members of the Interim Committee for information. He urged that work be started on the consideration of classification systems at an early stage. He observed that it would be useful to reexamine the five areas of concerns previously identified in the Secretariat's note of February 1991 to see whether they were still relevant and whether there were new areas of concern. On the second point, country of origin, he recalled that his delegation was one of the few Parties which reported statistics on the basis of the nationality of the winning supplier, rather than on the basis of the country of origin. He acknowledged that the concept of country of origin of a product, let alone of a service, was very difficult to define. There were a number of questions for consideration. For instance, was it possible to arrive at a definition of origin which was meaningful to all those involved in the procurement process and in particular to those who at the end of the day were required to supply statistical data? He referred to the note by his delegation of last year, contained in document GPR/W/125, to which the Chairman had already made reference and suggested that this might be a useful source for a discussion on the issue of origin. In order to do some meaningful work in the area of statistical reporting, both on the issue of classification systems and of origin, he proposed the establishment of a sub-group composed of experts in the field of statistical reporting and procurement to prepare and work out certain proposals and to report to the Interim Committee.

35. The representative of the United States supported the idea of establishing a sub-group in the area of statistical reporting, composed of experts. He observed that with the implementation of the newly-signed Agreement it was likely that additional problems would arise in the area of determining classification systems. He referred for instance to the States, which did not necessarily use a uniform classification system. He warned that one should start working on this issue without too many preconceptions. For example, he was not absolutely convinced that there was a need for one single classification system. The point was to be able to deliver statistics that were meaningful to the other participants. In his country, in many respects, that was done through a NAFTA system based, with some modifications, on a system developed in the United States. Some preliminary work had been done in his country to compare its classification system, in particular with respect to services, with the CPC and some difficulties had arisen in developing a concordance. It was not helpful to translate statistics through a bad concordance when trying to determine exactly what a country was procuring. The issue of country of origin was clearly another big problem. It was more imperative to have one system in this area since those statistics were seen by the various domestic constituents as an indication of whose markets were open and whose were not. Different systems to determine origin could lead to confusion and statistics could thus be used in the wrong way.

36. The representative of Canada recalled that for some time now there had been a concern on how to ensure that the statistics reported by the Parties to the Agreement were as complete and accurate as possible. This allowed a greater degree of transparency of the Agreement, helped ensure that all participants complied with their obligations under the Agreement and provided some yardstick to measure the degree of market access. His delegation supported the idea of a working group composed of experts. The issue raised by the delegation of the United States needed to be examined more fully. A workable statistical reporting system helped ensure that balanced coverage under the Agreement could be achieved. Although his delegation was not in favour of a proliferation of working parties, this was one area where it was critical that some specific expertise be brought to bear.

37. In the light of the discussion, the Chairman proposed to establish a working group on statistical reporting with the following terms of reference: to propose to the Interim Committee guidelines for meeting the statistical reporting requirements of Article XIX:5, in particular in respect of the adoption of uniform classification systems and methods to be used for providing statistics on the country of origin of products and services. The working group would be open to all interested members of the Interim Committee and would report to the Interim Committee. He proposed that he would nominate a chairman after consultation with delegations. He suggested that the working group could first meet on the occasion of the next meeting of the Interim Committee. The Interim Committee so agreed.

L. INFORMATION TECHNOLOGY

38. The Chairman invited the Members of the Interim Committee to consider what preparatory steps would be useful for the implementation of the future responsibilities of the Committee on Government Procurement in regard to the provisions of Article XXIV:8 on information technology.

39. The representative of the European Communities recalled that paragraph 8 of Article XXIV stipulated that the Agreement on Government Procurement should not constitute an unnecessary obstacle to technical progress. It was of equal importance that the development of information technology should not create barriers to transparent and efficient procurement. A number of issues needed to be addressed. For instance, the issue of standards was of critical importance. Since each government was developing its own system of electronic tendering, potential suppliers would be faced with varying standards of information technology. Would this impair their ability to tender internationally? He urged delegations to start discussions on these matters as soon as possible, before the entry into force of the Agreement. Discussions could start with an exchange of information on the various national systems. Whether

this would subsequently lead to the need for a separate working group was something that could be considered at a later stage.

40. The representative of the United States agreed with the delegation of the European Communities that this was an important issue. Exchange of information could be a useful first step. In that context he suggested the establishment of a survey for circulation to Members of this Committee. The representative of the European Communities supported the idea of a survey. He suggested that the Secretariat prepare a note requesting Members to describe the developments they were currently engaged in in the area of information technology, setting out the current state of play, future plans and directions. On the basis of this information, useful discussions could be envisaged in the first place in the Interim Committee.

41. The Interim Committee took note of the statements made and invited the Secretariat to prepare, in consultation with interested delegations, a common format for the presentation of information. The format would be made available to delegations as soon as possible, with a view to a discussion at the next meeting of the Interim Committee on the basis of information provided by delegations.

M. RECOMMENDATIONS FOR PROCEDURAL DECISIONS BY THE COMMITTEE ON GOVERNMENT PROCUREMENT

42. The Chairman noted that one of the tasks assigned to the Interim Committee was to prepare the first meeting of the Committee on Government Procurement (1996) including draft decisions on procedural matters required under the Agreement. Such decisions might need to relate to the following matters:

- participation of observers under the new Agreement;
- accession of new Parties;
- modalities for notifying threshold figures in national currencies;
- circulation of documents;
- derestriction of documents; and
- notification of national implementing legislation.

A compilation of the texts of the decisions on these matters adopted by the Committee of the Agreement presently in force had been circulated on 6 June 1994. Given that the new Agreement on Government Procurement would not enter into force until 1 January 1996, the Interim Committee might wish to postpone detailed consideration of these matters until next year, by which time it would also have the benefit of recommendations developed by the Preparatory Committee for the WTO on similar questions.

N. ESTABLISHMENT OF A PRACTICAL GUIDE TO THE NEW AGREEMENT

43. The Chairman recalled that the Secretariat had prepared and published in loose-leaf form a Practical Guide to the Agreement presently in force. He suggested that the Interim Committee consider whether a practical guide should be prepared in respect of the new Agreement and, if so, what changes in structure and presentation might be desirable.

44. The representative of the United States stressed the importance his delegation attached to the preparation and keeping up-to-date of a practical guide. It was a translation of the Agreement for the

benefit of suppliers; since the Agreement was negotiated for the benefit of suppliers, a guide for them on how to use the Agreement was a fundamental necessity. He suggested that delegations give some thought as to how the present Practical Guide might be changed to accommodate the developments in the new Agreement and revert to this matter at a later stage.

45. The representative of the European Communities agreed that a practical guide was a necessity, in that it made the Agreement more accessible to suppliers. He invited the Secretariat to come forward with ideas on the structure and presentation of such a guide. He observed that, in addition to a practical guide, publication and distribution on a wide scale of the actual text of the Agreement was useful as well. As an additional point he cautioned that it would be necessary to make it clear in the guide that certain Parties might not in practice employ the full flexibility that the Agreement allowed.

46. The Chairman concluded from the discussion that there was agreement in principle to the production of a practical guide. The Interim Committee took note of the statements made and agreed to revert to this matter at a later stage, more in particular as regards the question of the structure and presentation of the practical guide.

O. REQUIREMENTS STEMMING FROM THE INCLUSION OF THE AGREEMENT IN ANNEX 4 OF THE WTO AGREEMENT

47. The Chairman noted that the Understanding on Rules and Procedures Governing the Settlement of Disputes stipulated that the Dispute Settlement Body (DSB) should be notified of any special or additional rules or procedures on dispute settlement in the plurilateral trade agreements. He invited the Interim Committee to revert to this matter once the DSB was in existence. The Interim Committee so agreed.

Date of the next meeting

48. The Chairman suggested that the next meeting would be held sometime in the autumn.

Annex 1

ACCESSION NEGOTIATIONS TO THE AGREEMENT ON GOVERNMENT
PROCUREMENT (1994) PRIOR TO ITS ENTRY INTO FORCE

Decision of 29 June 1994

1. Any government interested in acceding to the Agreement on Government Procurement (1994) according to paragraph 2 of Article XXIV and wishing to initiate the process of accession prior to the entry into force of that Agreement may request the Interim Committee to propose for approval by the Parties to the Agreement on Government Procurement (1994) the terms of its accession to that Agreement.
2. To this effect, a government interested in accession shall communicate its interest to the Interim Committee and shall submit relevant information including an offer by way of appropriate Appendices containing lists of entities and services which would be covered by the Agreement, as well as lists of relevant publications, having regard to the provisions of the Agreement.
3. The government interested in accession would hold consultations with the Members of the Interim Committee on the terms for its accession to the Agreement.
4. With a view to facilitating accession, the Interim Committee on Government Procurement would establish a working party if the applicant government, or any Member of the Interim Committee, so requests. The working party should examine: (i) the coverage offer made by the applicant government; and (ii) relevant information pertaining to export opportunities in the market of the Signatories, taking into account the existing and potential export capabilities of the applicant government and export opportunities for the Signatories in the market of the applicant government.
5. The Interim Committee on Government Procurement shall submit to the Committee on Government Procurement (1996) a report on its examination of the request. The report may include an instrument of accession including Appendices containing lists of entities and services which would be covered by the Agreement as well as lists of relevant publications of the applicant government, for approval by the Committee on Government Procurement (1996).

Annex 2

ADMINISTRATION OF RECTIFICATIONS OF A PURELY FORMAL NATURE TO
APPENDICES I TO IV OF THE AGREEMENT ON GOVERNMENT PROCUREMENT (1994)
PRIOR TO ITS ENTRY INTO FORCE

Decision of 29 June 1994

1. Rectifications of a purely formal nature to Appendices I to IV of the Agreement on Government Procurement (1994) prior to its entry into force shall be notified to the Interim Committee on Government Procurement and shall become effective provided there is no objection within thirty days to such rectifications.
2. Until the entry into force of the Agreement Establishing the World Trade Organization, rectifications shall be deposited with the Director-General to the CONTRACTING PARTIES to the GATT 1947, who shall promptly furnish to each Party a certified true copy of it. Upon entry into force of the Agreement Establishing the World Trade Organization, rectifications shall be deposited with the Director-General of that Agreement who shall promptly furnish to each Party a certified true copy of it.