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**Informal Working Group on Negotiations  
on Government Procurement**

NEGOTIATIONS ON GOVERNMENT PROCUREMENT

Offer

Revision

Attached is a copy of the revised offer<sup>1</sup> from Norway in the negotiations on the improvement, expansion and broadening of the Agreement on Government Procurement, which was earlier circulated to you informally on 25 October 1993.

This redistribution is limited to the participants in the Informal Working Group on Negotiations.

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**Groupe de travail informel des négociations  
sur les marchés publics**

NEGOCIATIONS SUR LES MARCHES PUBLICS

Offre

Révision

On trouvera ci-joint copie de l'offre<sup>1</sup> révisée que la Norvège a faite dans le cadre des négociations sur l'amélioration, l'extension et l'élargissement de l'Accord relatif aux marchés publics et qui a été distribuée à titre informel le 25 octobre 1993.

Cette nouvelle distribution est destinée exclusivement aux participants au Groupe de travail informel des négociations.

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**Grupo de Trabajo Informal de las Negociaciones  
sobre Compras del Sector Público**

NEGOCIACIONES SOBRE COMPRAS DEL SECTOR PÚBLICO

Oferta

Revisión

Adjunta figura la oferta<sup>1</sup> revisada presentada por Noruega en las negociaciones sobre la mejora, expansión y ampliación del Acuerdo sobre Compras del Sector Público, que se distribuyó informalmente el 25 de octubre de 1993.

Esta redistribución se limita a los participantes en el Grupo de Trabajo Informal de las Negociaciones.

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<sup>1</sup>English only/Anglais seulement/Inglés solamente.

**NORWAY'S OFFER IN THE NEGOTIATIONS OF THE GATT CODE  
ON GOVERNMENT PROCUREMENT**

Norway reserves the right to modify or withdraw its offer depending on the outcome of the negotiations, including response of the other parties. Entities listed are offered on the basis of reciprocity.

## ANNEX 1

### CENTRAL GOVERNMENT ENTITIES UNDERTAKING PROCUREMENT IN ACCORDANCE WITH THE PROVISIONS OF THIS AGREEMENT

**Name of Country:** **NORWAY**

**Supplies:**

**Threshold:** SDR 130.000

**List of Entities:** Norway offers full coverage of central government entities, including any local sub-divisions, provided that they do not have an industrial or commercial character.

**Services:** (other than the construction services specified in annex 5)

**Threshold:** 130.000 SDR

**List of Entities:** Same as for supply contracts

Specification of services covered in annex 4

**Works:**

**Threshold:** SDR 4.500.000

**List of Entities:** Same as for supply contracts

Specification of construction services covered in annex 5

**AN ENTITY LIST IS PROVIDED BELOW, BUT IS NOT EXCLUSIVE:**

**Statsministerens kontor**

**Office of the Prime Minister**

**Administrasjonsdepartementet:**

**Ministry of Government Administration:**

**Fylkesmannskontorene:**

**County Governor Offices:**

Fylkesmannen i Østfold  
Fylkesmannen i Oslo og Akershus  
Fylkesmannen i Hedmark  
Fylkesmannen i Oppland  
Fylkesmannen i Buskerud  
Fylkesmannen i Vestfold  
Fylkesmannen i Telemark  
Fylkesmannen i Aust-Agder  
Fylkesmannen i Vest-Agder  
Fylkesmannen i Rogaland  
Fylkesmannen i Hordaland  
Fylkesmannen i Sogn og Fjordane  
Fylkesmannen i Møre og Romsdal  
Fylkesmannen i Sør-Trøndelag  
Fylkesmannen i Nord-Trøndelag

Fylkesmannen i Nordland  
Fylkesmannen i Troms  
Fylkesmannen i Finnmark

Prisdirektoratet  
Statens Forvaltningstjeneste  
Statens Informasjonstjeneste  
Statskonsult

**Barne - og familiedepartementet:**

Barneombudet  
Forbrukerombudet  
Forbrukerrådet  
Likestillingsombudet  
Likestillingsrådet  
Statens Adopsjonskontor  
Statens Institutt for Forbruksforskning

**Finans- og tolldepartementet:**

Kredittilsynet  
  
Skattedirektoratet  
Oljeskattekontoret  
Toll- og avgiftsdirektoratet

**Fiskeridepartementet:**

Fiskeridirektoratet  
Havforskningsinstituttet  
Kystdirektoratet

**Forsvarsdepartementet\*:**

Forsvarets Forskningsinstitutt\*  
  
Forsvarets Overkommando\*  
Hærens Forsyningskommando\*  
Luftforsvarets Forsyningskommando\*  
Sjøforsvarets Forsyningskommando\*  
Forsvarets Sanitet\*

**Justis- og politidepartementet**

Brønnøysundregisterene  
Datatilsynet

The Price Directorate  
Government Administration Services  
Norwegian Central Information Service  
Directorate of Public Management

**Ministry of Children and Family affairs:**

Commissioner for Children  
Consumer Ombudsman  
Consumer Council  
Equal Status Ombud  
Equal Status Council  
Government Adoption Office  
National Institute for Consumer Research

**Ministry of Finance:**

The Banking, Insurance and Securities  
Commision of Norway  
Directorate of Taxes  
Petroleum Tax Office  
Directorate of Customs and Excise

**Ministry of Fisheries:**

Directorate of Fisheries  
Institute of Marine Research  
Coast Directorate

**Ministry of Defence:**

Norwegian Defence Research  
Establishment  
Headquarters Defence Command Norway  
Army Material Command  
Airforce Material Command  
Navy Material Command  
Norwegian Defence Medical Service

**Ministry of Justice (and the Police)**

The Brønnøysund Register Centre  
The Data Inspectorate

Direktoratet for sivilt beredskap

Riksadvokaten

Statsadvokatembetene:

-Eidsivating

-Vestfold og Telemark

-Agder

-Rogaland

-Hordaland

-Møre og Romsdal, Sogn og Fjordane

-Trondheim

-Nordland

-Troms og Finnmark

Politiet

The Directorate for Civil Defence and  
Emergency Planning

Director General of public prosecutions

Office of the Public Prosecutor in:

Police Services

**Kirke,- utdannings- og  
forskningsdepartementet**

**Ministry of Education, Research and  
Church Affairs**

Det norske meteorologiske institutt

Kirkerådet

Lærerutdanningsrådet

Mellomkirkelig råd

Norwegian Meteorological Institute

National Council of the Church of Norway

Teacher Training Council

Church of Norway Council on Foreign  
Relations

Norsk Utenrikspolitisk Institutt

Norwegian Institute of International Affairs

Norsk Voksenpedagogisk

Norwegian Institute of Adult Education

Forskningsinstitutt

Riksbibliotekstjenesten

National Office for Research and Special  
Libraries

Samisk Utdanningsråd

Sami Education Council

**Kommunal- og arbeids-  
departementet**

**Ministry of Local Government and  
Labour**

Arbeidsdirektoratet

Directorate of Labour

Arbeidsforskningsinstituttet

Work Research Institute

Arbeidstilsynet

Directorate of Labour Inspection

Direktoratet for Brann og

Directorate for Fire and Explosion  
Prevention

Eksplosjonsvern

Produktregisteret

The Product Register

Statens Bygningstekniske Etat

National Office of Building Technology  
and Administration

Utlendingsdirektoratet

Directorate of Immigration

**Kulturdepartementet**

Norsk Filminstitutt

Norsk Kulturråd

Norsk Språkråd

Riksarkivet

Statsarkivene i :

- Oslo
- Hamar
- Kongsberg
- Kristiansand
- Stavanger
- Bergen
- Trondheim
- Tromsø

Rikskonsertene

Statens Bibliotektilsyn  
School

Statens Filmkontroll

Statens Filmsentral

**Landbruksdepartementet**

Norsk Institutt for

Skogforskning

Reindriftsadministrasjonen

Statens forskningsstasjoner i Landbruk

Statens Naturskadefond

Statens Næringsmiddeltilsyn

Statens Tilsynsinstitusjoner for  
Landbruket

Veterinærinstituttet

**Miljøverndepartementet**

Direktoratet for Naturforvaltning

Norsk Polarinstitutt

Riksantikvaren

Statens Forurensningstilsyn

Statens Kartverk

**Nærings-og energidepartementet**

Direktoratet for Måleteknikk

**Ministry of Cultural Affairs**

National Film Board

Norwegian Cultural Council

Norwegian Language Council

National Archives of Norway

National Archives in:

Norwegian State Foundation for National  
Promotion of Music

Norwegian Directorate of Public and  
Libraries

National Board of Film Censors

National Film Board

**Ministry of Agriculture**

Norwegian Forest Research Institute

Directorate for Reindeer Husbandry

Norwegian State Agricultural Research  
Stations

National Fund for Natural Disaster  
Assistance

The Norwegian Food Control Authority

National Agricultural Inspection Services

National Veterinary Institute

**Ministry of the Environment**

Directorate of Nature Management

Norwegian Polar Research Institute

Directorate for Cultural Heritage

State Pollution Control Authority

Norwegian Mapping Authority

**Ministry of Industry and Energy**

Directorate of National Service of Legal  
Metrology

Norges Geologiske Undersøkelse  
Norges Vassdrags- og Energiverk

Oljedirektoratet  
Statens Veiledningskontor for oppfinnere

Styret for det industrielle rettsvern

### **Samferdselsdepartementet**

Postdirektoratet  
Vegdirektoratet

### **Sosialdepartementet**

Statens Institutt for Folkehelse  
Helsedirektoratet  
Rikshospitalet  
Rikstrygdeverket  
Rusmiddeldirektoratet

Statens Helseundersøkelser  
Statens Institutt for alkohol- og  
narkotikaforskning  
Statens Legemiddelkontroll  
Statens Strålevern  
Statens Tobakkskaderåd

### **Utenriksdepartementet**

Direktoratet for utviklingshjelp  
Norimpod

Sjøfartsdirektoratet

### **Stortinget**

Stortingets ombudsmann for  
forvaltningen - Sivilombudsmannen  
Riksrevisjonen

### **Høyesterett**

Geological Survey of Norway  
Norwegian Water Resources and Energy  
Administration  
Norwegian Petroleum Directorate  
Norwegian Government Consultative  
Office for Inventors  
Norwegian Patent Office

### **Ministry of Transport and Communication**

Directorate of Postal Services  
Directorate of Public Roads

### **Ministry of Health and Social Affairs**

National Institute of Public Health  
Directorate of Health  
National Hospital  
National Insurance Administration  
Directorate for the Prevention of Alcohol  
and Drug Problems  
National Health Screening Service  
National Institute for Alcohol and Drug  
Research  
Norwegian Medicines Control Authority  
Norwegian Radiation Protection Authority  
National Council on Smoking and Health

### **Ministry of Foreign Affairs**

Directorate for Development Cooperation  
Norwegian Import Promotion Office for  
Products from Developing Countries  
Norwegian Maritime Directorate

### **The Storting**

Stortingets ombudsman for public  
administration  
Office of the Auditor General

### **Supreme Court**

\*: Procurement by defence entities covers procurement of certain products only,  
specified in the General Notes.

**Note to annex 1:**

The coverage under this annex shall not apply to contracts awarded by contracting authorities in connection with activities in the fields of drinking water, energy, transport or telecommunications.



## ANNEX 2

### SUB-CENTRAL GOVERNMENT ENTITIES UNDERTAKING PROCUREMENT IN ACCORDANCE WITH THE PROVISIONS OF THIS AGREEMENT

Name of country: NORWAY

#### **I. Supplies:**

Threshold: 180.000 SDR

List of entities:

1. Contracting authorities of the regional or local public authorities: Norway offers to include all counties (19) and municipalities (439).

2. Bodies governed by public law, or associations formed by one or more such authorities or bodies governed by public law. A body is considered to be governed by public law when it :

- is established for the specific purpose of meeting needs in the general interest, not being of a commercial or industrial nature, and
- has legal personality, and
- is financed for the most part by the State, or regional or local authorities, or other bodies governed by public law, or is subject to management supervision by those bodies, or has an administrative, managerial or supervisory board more than half of whose members are appointed by the State, regional or local authorities, or other bodies governed by public law.

Norway offers to include all entities corresponding to the abovementioned description.

#### **II. Services:** (other than the construction services specified in annex 5)

Threshold: 180.000 SDR

List of entities: Same as for supply contracts.

Specification of services covered in annex 4

#### **III. Works:**

Threshold: 4.500.000 SDR

List of entities: Same as for supply contracts.

Specification of covered construction services covered in annex 5.

A LIST OF BODIES GOVERNED BY PUBLIC LAW IS PROVIDED BELOW, BUT IS NOT EXCLUSIVE:

Norsk Rikskringkastning  
Norges Bank  
Statistisk Sentralbyrå

The Norwegian Broadcasting Corporation  
Norges Bank  
Statistics Norway

Norges Forskningsråd  
Statens Pensjonskasse  
Garanti-instituttet for Eksportkreditt

Research Council of Norway  
Norwegian Public Service Pension Fund  
Norwegian Guarantee Institute for Export  
Credit

Categories:

- Statsbanker (State Banks):

Statens Landbruksbank  
Statens Fiskarbank  
Statens Nærings- og  
Distriktsutviklingsfond  
Den norske stats Husbank  
Norges Kommunalbank  
Statens Lånekasse for  
aviser  
Statens Lånekasse for  
Utdanning

State Bank of Agriculture  
National Fishery Bank of Norway  
Norwegian Industrial and Regional  
Development Fund  
The Norwegian State Housing Bank  
The Norwegian Municipalities Bank  
State Loan Fund for Newspapers

State Educational Loan Fund

- Universiteter og Høyskoler etter lov av 16. juni 1989 nr. 77 (Universities and Colleges)

- Publicly owned and operated museums

**Note to annex 2:**

The coverage under this annex shall not apply to contracts awarded by contracting authorities in connection with activities in the fields of drinking water, energy, transport or telecommunications.

**ALL OTHER ENTITIES THAT PROCURE IN ACCORDANCE WITH THE PROVISIONS OF THE AGREEMENT:**

### I. Supplies:

<b>Thresholds:</b>	Entites in the sectors of:	
	- telecommunications	SDR 535.000
	- electricity, transport, water	SDR 355.000

**Thresholds: SDR 4.500.000**

### List of Entities:

1. - The telecommunications sector:

- Televerket Norwegian Telecom

Government urban transport and maritime port entities, airports and railways:

Norway offers to include Norges Statsbaner (NSB) and land transport entities operating pursuant to Lov inneholdende særskilte bestemmelser angående anlegg av jernveie til almindelig benyttelse (LOV 1848-08-12) or Lov om inneholdende bestemmelser angående jernveie til almindelig afbenyttelse (LOV 1854-09-07) or Lov om tillegg til jernbaneloven af 12te august 1848 og 23de april 1898 or Lov om samferdsel (LOV 1976-04 63) or Lov om anlegg av taugbaner og løipestrenger (LOV 1912-06-14 1), inter alia;

## 2.2. Airports:

Luftfartsverket National Civil Aviation Administration

2.3. Maritime Ports:

Entities operating pursuant to Havneloven (LOV 1984-06-08 51)

-3. In the water sector:

Entities producing or distributing water pursuant to Forskrift om Drikkevann og Vannforsyning (FOR 1951 - 09-28)

4. In the energy sector:

Norway will submit an offer in this sector, but will have to revert to details as to entities covered.

**NOTES TO ANNEX 3**

Notwithstanding the above, this Agreement shall not apply to the following:

1. Contracts which the procuring entities under heading 3 award for the purchase of water.
2. Contracts which the procuring entities under heading 4 award for the supply of energy or of fuels for the production of energy.
3. Contracts which the procuring entities award for purposes other than the pursuit of their activities as described in this Annex.
4. Procuring 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.
5. Procuring entities exercising an activity intended exclusively to enable them to provide one or more telecommunications services where other entities are free to offer the same services in the same geographical area and under substantially the same conditions.
6. Contracts awarded for purposes of re-sale or hire to third parties, in the goods and works sector, provided that other entities are free to sell or hire under the same conditions as the procuring entity.

## ANNEX 4

### SERVICES

Name of country: NORWAY

#### LIST OF SERVICES INCLUDED\*:

<u>Subject</u>	<u>CPC Reference N</u>
Maintenance and repair services	6112, 6122, 633, 886
Land transport services, including armoured car services, and courier services, except transport of mail	712 (except 712235), 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**
Financial services	ex 81
(a) Insurance services	812,814
(b) Banking and investment services ***	
Computer and related services	84
Accounting, auditing and bookkeeping 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 consulting services; technical testing and analysis services	867
Advertising services	871
Building cleaning services and property management services	874,82201, 82202

<u>Subject</u>	<u>CPC Reference N</u>
Publishing and printing services on a fee or contract basis	88442
Sewage and refuse disposal; sanitation and similar services	94

- \* except for services which entities have to procure from another entity pursuant to an exclusive right established by a published law, regulation or administrative provision.
- \*\* except voice telephony, telex, radiotelephony, paging and satellite services
- \*\*\* except contracts for financing services in connection with the issue, sale, purchase, or transfer of securities or other financial instruments, and central bank services
- \*\*\*\* except arbitrations and conciliation services

## ANNEX 5

### CONSTRUCTION SERVICES

#### Specification of construction services covered:

I: Definition:

A construction service 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 (CPC).

II: List of Division 51, CPC:  
All services of Division 51

III: Name of Country: NORWAY  
Threshold: 4.500.000 SDRs

### **GENERAL NOTES:**

The Norwegian offers are based on the following conditions:

1. Reciprocity and balance with regard to rights and obligations.
2. Effective bid challenge mechanisms should be implemented in the Code.
3. All present exceptions to the Code should be subject to negotiation. All Signatories should have the same, if any, exceptions to the Code.
4. Pending conclusion of the negotiation on exceptions, Norway maintains its present exception: When a specific procurement decision may impair important national policy objectives, the Norwegian 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 Norwegian Cabinet level.
5. Norway reserves its position with regard to the application of this Agreement to Svalbard, Jan Mayen Island and Antarctic possessions.

### **DEFENCE ENTITIES:**

Procurement by defence entities (annex 1) covers the following: Norway will submit a list of covered products.