

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

GPR/4/Add.3
20 March 1981

Special Distribution

Committee on Government Procurement

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INFORMATION ON IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT

Addendum

Note Received from the Delegation of Canada

In accordance with the decision of the Committee on Government Procurement at its first meeting on 15 January 1981, that each Party would describe the main elements of its legislation in a note, and in response to the checklist subsequently issued for this purpose in GPR/4, the delegation of Canada has submitted the note which is reproduced hereunder.

The Department of Supply and Services acts as the central supply agency for federal departments and agencies for the acquisition of goods and related services. The operations of the Department are governed by the Financial Administration Act under the Supply and Services Act and procurement is undertaken within the framework of the Government Contract Regulations. All of these are public documents readily available in Canada through normal retail channels and copies have been provided to the GATT Secretariat for review by other parties.

In order to implement the provisions of the Agreement on Government Procurement, the above Acts and Regulations have been reviewed to confirm that they are consistent with the provisions of the Agreement and do not require revision. It was not necessary to incorporate the text of the Agreement itself into domestic legislation but a separate set of "Procedures for Implementing the Agreement on Government Procurement" has been prepared and was published in the Canada Gazette Part I on January 24, 1981. These new procedures set out the requirements of the Agreement, including those of Article V, and contain specific requirements with respect to national treatment and non-discrimination among bidders for covered contracts.

The threshold value for Canada in 1981 is Canadian \$228,000 as calculated by averaging the daily Canadian dollar/SDR exchange rate over the period 1 October 1979 - 30 September 1980. All goods contracts for listed agencies which have an estimated value of \$228,000 or more are being published in the Canada Gazette Part I.

Bids are invited under this Agreement for all such published contracts from firms included on the permanent qualified suppliers lists maintained by the Department of Supply and Services. Information relating to selective tendering procedures, the procurement method normally used by the Department of Supply and Services, was published in the Canada Gazette Part I on January 17, 1981 as required in Article V:6. The first notice of proposed purchase was published in the Canada Gazette Part I on February 7, 1981.

As noted in earlier information provided by Canada, the information centre foreseen in Article III and the contact point for suppliers will be:

Office of the Executive Secretary
Department of Supply and Services
Place du Portage, Phase III, 14A1
11 Laurier Street
Hull, Québec
Canada K1A 0S5.

Contact points relating to specific requirements will be identified in each notice of proposed purchase as well as the tender documentation. This will also be the initial point for review of complaints by suppliers. Governments wishing to consult with the Government of Canada should do so via normal diplomatic channels by contacting:

Commercial and Commodity Policy Division
Department of External Affairs
Ottawa, Ontario
Canada K1A 0G2.

Requests from developing country parties for technical assistance may be received at either of the contact points noted above. Such requests will be considered on an individual basis by Canada. The question of extending the benefits of the Agreement, including technical assistance, to least-developed countries is now being considered.

With respect to Article I:2, the Government of Canada consulted extensively with the provincial governments throughout the MTN and continues to do so. Meetings of this nature take place on a regular basis and provincial representatives were provided with full information concerning the Agreement, including its obligations and benefits, as recently as December 1980. Information has also been published in the December 1980 issue of "Canada Commerce", a publication of the Department of Industry, Trade and Commerce. With respect to federal government entities not covered by the Agreement, an informational circular is under preparation which will be provided to all covered and non-covered entities.