

ANNEX F

DECISION OF THE COMMITTEE ON GOVERNMENT PROCUREMENT ON A WORK PROGRAMME ON EXCLUSIONS AND RESTRICTIONS IN PARTIES' ANNEXES*

Decision of 30 March 2012

The Committee on Government Procurement,

Noting that Article XXII:8(a) of the Agreement on Government Procurement (Agreement) provides that the Parties shall adopt and periodically review a work programme, including a work programme on exclusions and restrictions in Parties' Annexes;

Recognizing that Parties have included exclusions and restrictions in their respective Annexes to Appendix I of the Agreement (exclusions and restrictions);

Recognizing the importance of transparent measures regarding government procurement; and

Considering the importance of progressively reducing and eliminating exclusions and restrictions in future negotiations provided for in Article XXII:7 of the Agreement;

Hereby adopts the following work programme with respect to exclusions and restrictions in Parties' Annexes:

1. **Initiation of Work Programme on Exclusions and Restrictions:** At the first meeting of the Committee after the entry into force of the Protocol of Amendment to the Existing (1994) Agreement, the Committee shall initiate a Work Programme on Exclusions and Restrictions in Parties' Annexes with the objectives of:

- (a) enhancing transparency with respect to the scope and effect of exclusions and restrictions specified in Parties' Annexes to Appendix I to the Agreement; and
- (b) providing information relating to exclusions and restrictions to facilitate negotiations provided for in Article XXII:7 of the Agreement.

2. **Transparency Programme:** Each Party shall submit to the Committee, no later than six months following the initiation of the Work Programme, a list of:

- (a) country specific exclusions it maintains in its Annexes to Appendix I to the Agreement; and
- (b) any other exclusion or restriction specified in its Annexes to Appendix I to the Agreement that falls within the scope of Article II:2(e) of the Agreement, except for exclusions or restrictions under review in the Work Programme on SMEs or where a Party has a commitment to phase out an exclusion or restriction in an Annex to Appendix I to the Agreement.

* Annex F to Appendix 2 of the Decision on the Outcomes of the Negotiations Under Article XXIV:7 of the Agreement on Government Procurement, adopted on 30 March 2012 (GPA/113, pp. 445-446).

3. **Compilation of Submissions:** The Secretariat shall prepare a compilation of the submissions and circulate the submissions and the compilation to the Parties. The Secretariat shall include a list of Parties with outstanding submissions.

4. **Requests for Additional Information:** Any Party may periodically request additional information concerning any exclusion or restriction within the scope of paragraph 2(a) and (b), including measures that fall within the scope of any exclusion or restriction, their legal framework, implementation policies and practices and the value of the procurement subject to such measures. A Party receiving such a request shall promptly provide the requested information.

5. **Compilation of Additional Information:** The Secretariat shall prepare a compilation of the additional information in respect of any Party and shall circulate it to the Parties.

6. **Review by the Committee:** At the annual meeting provided for in Article XXI:3(a) of the Agreement, the Committee shall review the information submitted by Parties with the view to determining whether it provides:

- (a) the fullest possible degree of transparency with respect to the exclusions and restrictions specified in Parties' Annexes to Appendix I to the Agreement; and
- (b) satisfactory information to facilitate the negotiations provided for in Article XXII:7 of the Agreement.

7. **New Party Acceding to the Agreement:** A new Party that accedes to the Agreement shall submit to the Committee the list in paragraph 2 within six months of its accession.