

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

L/5877

9 October 1985

Limited Distribution

COMMITTEE ON GOVERNMENT PROCUREMENT

Meeting of 26 September 1985

Note by the Chairman

1. The Committee met on 26 September 1985.
2. In the Article IX:6(b) negotiations:
 - (i) the Chairman gave an oral status report following a further meeting of the Informal Working Group on 23-24 September 1985. The Committee noted that one improvement proposal concerning "information prior to the notice of proposed purchase" had been removed from the category of controversial proposals to the category containing proposals generally acceptable except for one Party. A textual proposal concerning complaints by suppliers, tabled at the June 1985 meeting, was briefly commented upon by two Parties;
 - (ii) it was noted that three Parties had presented entity request lists. Two Parties reiterated the importance they attached to this area of the negotiations. One Party hoped to be in a position to contribute within some months, although not necessarily in the form of requests;
 - (iii) the Committee noted the pilot studies on service contracts, so far presented by delegations, as well as the "Initial Analysis by the Secretariat of Submissions Made in the Area of Service Contracts" (GPR/W/72). A number of comments and suggestions were made as to how the Committee might proceed further in this area. The Committee agreed to revert to these questions at the next meeting;
 - (iv) a number of suggestions were made concerning the time-table of further work leading up to the completion of the negotiations. Different views were expressed on the closeness of linkages between various aspects of the negotiations. The Committee agreed that the Chairman should consult delegations on a schedule of meetings for 1986 and a date was set aside for a first meeting in that year (see paragraph 11 below).
3. As usual, the Committee examined general and specific questions relating to national implementation and administration of the Agreement. A number of questions were taken up and information provided. It was noted that compensatory adjustment proposed in terms of Article IX:5(b) by three Parties (GPR/19/Add.1, GPR/26/Add.2 and GPR/29) had come into force since

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the last meeting and that so had also an Article IX:5(a) rectification (GPR/28). A previous reservation to an Article IX:5(a) rectification was withdrawn following a revised notification (GPR/22/Rev.1).

4. The Committee had before it a draft of the 1985 report to the CONTRACTING PARTIES. It agreed to request the secretariat, in consultations with delegations, to incorporate modifications made and up-date the draft to include recent developments before circulation of the final text.

5. The Chairman recalled that the terms of reference of the Working Party on Computer Procurement had been established (see GATT/AIR/2203) and that its initial meeting would be held on 27 September 1985. The Committee agreed that the terms of reference in no way prejudiced the position of any delegation in the Article IX:6(b) negotiations, be it with respect to questions concerning improvements, broadening or service contracts.

6. The Committee took note of statements by two Parties concerning follow-up on the VAT Panel Report. Referring to the solution proposed at the June 1985 meeting (ref. L/5822, paragraph 6), one Party continued to reserve its position pending a written explanation of its rationale. Only a solution which was fully equivalent in economic effect to a solution consistent with the Panel's findings would be acceptable. The other Party in question offered to provide a justification in writing as soon as possible and pointed out that, if a modification of the proposed solution was sought, this would require further consultations.

7. The enlargement of the European Communities seen in the context of the Agreement on Government Procurement was taken up by one Party. The Committee took note of explanations given concerning compatibility of the legislation concerned with the Agreement.

8. A number of delegations informed the Committee that their 1984 statistics were expected to be tabled shortly.

9. The procurement of strategic materials for national defence stockpiles in one Party was reverted to and a status report given by the Party concerned.

10. The Committee noted that for the time being no follow-up was required on the matters which had been the subject of its special meeting on 2 May 1985.

11. The Committee will meet on 12-13 December 1985 and in the week of 3 February 1986.