

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

L/5942

20 December 1985

Limited Distribution

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## COMMITTEE ON GOVERNMENT PROCUREMENT

Meeting of 12 December 1985

### Note by the Chairman

1. The Committee met on 12 December 1985.
2. In the Article IX:6(b) negotiations the Committee:
  - (a) took note of the report of the Informal Working Group, (see Annex 1);
  - (b) invited the Informal Working Group to carry on informal work on all aspects of the negotiations and to report to the Committee at the June 1986 meeting;
  - (c) agreed on the following time-table of meetings:
    - Week of 24 February 1986:

Meetings of the Informal Working Group and of the Committee. Delegations were invited to submit to the secretariat by 1 February 1986 their ideas and preferred approaches in the areas of broadening of the Agreement and service contracts. Work on improvements would continue.
    - Week of 28 April 1986:

Meeting of the Informal Working Group on all aspects.
    - Week of 23 June 1986:

Meetings of the Informal Working Group and of the Committee to take stock of the situation as a whole with a view to concluding the negotiations by mid-1986.
3. The Committee postponed the review of 1984 statistics to the next meeting.
4. Some questions were raised concerning national implementation and administration of the Agreement. The fifth annual review of the implementation and operation of the Agreement was carried out and the secretariat was requested to prepare a revised review document.
5. The Committee heard brief statements concerning the follow-up on the VAT Panel report and agreed to revert to this matter at the next meeting.
6. Considering that Portugal and Spain would become member States of the EEC as from 1 January 1986, the Committee noted that agreed lists of

entities for these countries were not included in Annex I of the Agreement and decided that the latter should be considered to apply as between each Party and each of the two countries only when such Party had agreed to the lists to be included in Annex I.

7. The Committee adopted the report by the Working Party on Computer Procurement (to be reproduced as GPR/30).

8. The Chairman invited Parties who had not yet done so to nominate Panel candidates for 1986 and to establish 1986 thresholds in national currencies.

Annex I

Report by the Informal Working Group

"The Informal Working Group has met on 30 April-3 May, 6-7 June, 17-18 June, 23-24 September, 6-7 November and 9-10 December 1985.

The Group considers that it has made considerable progress, in pursuance of its mandate, in the drafting of texts and the narrowing down of differences on a number of issues. This it has done without prejudice to the position of any delegation in the overall Article IX:6(b) negotiations.

As a result, the suggestions made for improvements of the Agreement can be placed in two categories, as follows:

A. A number of drafting proposals are clearly understood by every delegation and fully discussed by the Group which therefore presents these texts to the Committee for its consideration. The understanding is that delegations are free to revert to technical points concerning such items, if necessary. These proposals relate to: the threshold value; estimated value/actual value; recurring contracts; rules of origin; languages; technical specifications; variety of qualification procedures; information prior to notice of proposed purchase; prior notice concerning recurring purchases; timing in qualification procedures; separate publication; delivery times; publication delays; offset procurement and technology transfer; information to unsuccessful tenderers; global statistics; statistics under Article VI:9(b); statistics on the use of single tendering; statistics on the use of derogations; reports on the use of derogations; statistical information more generally and vice-chairman.

B. The other category consists of proposals on which the Group considers that further work should be done. These relate to: leasing; treatment of options clauses; definition of single tendering; information on the use of single tendering; qualification conditions; bid times; time-limits in recurring purchases; publishing information on winning bids; conciliation; criteria used to evaluate offers and award contracts and the possible elimination of specific derogations.

The Group suggests that, for the sake of transparency, the secretariat be requested to circulate a further revision of the "Consolidated List of Suggestions Made for Improvements of the Agreement", containing the texts in the two categories as they now stand."