

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Multilateral Trade Negotiations
Group "Non-Tariff Measures"
Sub-Group "Government Procurement"

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To assist the Sub-Group in its work, the following draft has been put together by the delegation of Canada.

PART V

Information

1. Any law, regulation, judicial decision, administrative ruling of general application, and any procedure including standard contract clauses, regarding government procurement covered by this Agreement shall be published promptly by the signatories in the appropriate publications listed in Annex ... and in such a manner as to enable other signatories and suppliers to become acquainted with them. Signatories shall be prepared, upon request, to explain to any signatory their government procurement procedures. Entities shall be prepared, upon request, to explain to any supplier from other signatories their procurement practices and procedures.
2. The entities shall, upon request by any supplier, promptly provide him with information concerning the reasons why his request to become a qualified supplier was rejected.
3. Information that a contract has been awarded shall be made known promptly to the unsuccessful tenderers by the entity concerned.
4. Entities shall publish, no less frequently than weekly, in the publication listed in Annex ... a report on all contracts, covered by the provisions of the Agreement, issued during the reporting period. Such a report shall contain the following information:
 - (a) The product purchased identified according to a recognized trade or other appropriate classification.
 - (b) Entity file reference number.

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- (c) Procurement procedure employed (open, selective, single tender).
- (d) Reference to notice of proposed purchase.
- (e) Date contract awarded.
- (f) Name and address of company awarded contract.
- (g) Value of the contract.

5. Entities shall, upon request by any supplier, promptly provide him with information concerning why he was not invited to tender, or in the case of unsuccessful tenderers, why his tender was not selected. Such information shall include the characteristics and the relative advantages of the tender selected, the extent of competition on a particular award including the nationality of the tenderers, and in the case of single tenders an indication of the conditions of paragraph 15 Part IV which prevailed.

6. Signatory governments shall, upon request, provide promptly to signatory governments of unsuccessful tenderers, complete information on the contract in question.

7. Signatories shall collect and provide on an annual basis statistics on their purchases. Such reports shall contain the information and follow the format outlined in Annex ... (Such statistics could include inter alia: total value of contracts, broken down by products purchased and country of origin.)