

GENERAL AGREEMENT ON TARIFFS AND TRADE

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Sub-Group "Government Procurement"

AGREEMENT ON GOVERNMENT PROCUREMENT

Revision

Following the meeting of the Sub-Group on 6 April 1979, a further revision of document MTN/NTM/W/211 - "Agreement on Government Procurement" - is hereby circulated to participants in the Multilateral Trade Negotiations.

* For technical reasons and to permit the earliest circulation of this document, Rev.1 should be read as Rev.2 on the following pages.

AGREEMENT ON GOVERNMENT PROCUREMENT

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PREAMBLE

Parties to this Agreement,

Considering that Ministers agreed in the Tokyo Declaration of 14 September 1973 that comprehensive Multilateral Trade Negotiations in the framework of GATT should aim, inter alia, to reduce or eliminate non-tariff measures or, where this is not appropriate, their trade restricting or distorting effects, and to bring such measures under more effective international discipline;

Considering that Ministers also agreed that negotiations should aim to secure additional benefits for the international trade of developing countries, and recognized the importance of the application of differential measures in ways which will provide special and more favourable treatment for them where this is feasible and appropriate;

Recognizing that in order to achieve their economic and social objectives to implement programmes and policies of economic development aimed at raising the standard of living of their people, taking into account their balance-of-payments position, developing countries may need to adopt agreed differential measures;

Considering that Ministers in the Tokyo Declaration recognized that the particular situation and problems of the least developed among the developing countries shall be given special attention and stressed the need to ensure that these countries receive special treatment in the context of any general or specific measures taken in favour of the developing countries during the negotiations;

Recognizing the need to establish an agreed international framework of rights and obligations with respect to laws, regulations, procedures and practices regarding government procurement with a view to achieving greater liberalization and expansion of world trade and improving the international framework for the conduct of world trade;

Recognizing that laws, regulations, procedures and practices regarding government procurement should not be prepared, adopted or applied to foreign or domestic products and to foreign or domestic suppliers so as to afford protection to domestic products or suppliers and should not discriminate among foreign products or suppliers;

Recognizing that it is desirable to provide transparency of laws, regulations, procedures and practices regarding government procurement;

Recognizing the need to establish international notification, consultation, surveillance and dispute settlement procedures with a view to ensuring a fair, prompt and effective enforcement of the international provisions on government procurement and to maintain the balance of rights and obligations at the highest possible level;

Hereby agree as follows:

PART I

Scope and Coverage

1. This Agreement applies to:

(a) any law, regulation, procedure and practice regarding the procurement of products by the entities¹ subject to this Agreement. This includes services incidental to the supply of products if the value of these incidental services does not exceed that of the products themselves, but not service contracts per se;

(b) any procurement contract of a value of SDR 150,000 or more.² No procurement requirement shall be divided with the intent of reducing the value of the resulting contracts below SDR 150,000. If an individual requirement for the procurement of a product of the same type results in the award of more than one contract or in contracts being awarded in separate parts, the value of these recurring contracts in the twelve months subsequent to the initial contract shall be the basis for the application of this Agreement;

(c) procurement by the entities under the direct or substantial control of parties to this Agreement and other designated entities with respect to their procurement procedures and practices. Until the review and further negotiations referred to in the Final Provisions, the coverage of this Agreement is specified by the lists of entities, and to the extent that rectifications, modifications or amendments may have been made, their successor entities, in Annex I.

2. Parties shall inform their entities not covered by this Agreement and the regional and local governments and authorities within their territories of the objectives, principles and rules of this Agreement, in particular the rules on national treatment and non-discrimination, and draw their attention to the overall benefits of liberalization of government procurement.

¹Throughout this Agreement, the word entities is understood to include agencies.

²For contracts below the threshold, the parties to this Agreement shall consider, in accordance with paragraph 6 of Part IX, the application in whole or in part of this Agreement. In particular, they shall review the procurement practices and procedures utilized and the application of non-discrimination and transparency for such contracts in connexion with the possible inclusion of contracts below the threshold in the Agreement.

PART II

National Treatment and Non-Discrimination

1. With respect to all laws, regulations, procedures and practices regarding government procurement covered by this Agreement, parties to this Agreement shall provide immediately and unconditionally to the products and suppliers of other parties offering products originating within the customs territories (including free zones) of the parties to this Agreement treatment no less favourable than:
 - (a) that accorded to domestic products and suppliers; and
 - (b) that accorded to products and suppliers of any other party.
2. The provisions of paragraph 1 shall not apply to customs duties and charges of any kind imposed on or in connexion with importation, the method of levying such duties and charges, and other import regulations and formalities.
3. Parties to this Agreement shall not apply rules of origin to products imported for purposes of government procurement covered by this Agreement from other parties to this Agreement, which are different from the rules of origin applied in the normal course of trade and at the time of importation to imports of the same products from the same parties to this Agreement.

PART III

Special and Differential Treatment for Developing Countries

Objectives

1. Parties to this Agreement shall, in the implementation and administration of this Agreement, through the provisions set out in this Part, duly take into account the development, financial and trade needs of developing countries, in particular the least-developed countries, in their need to:

(a) safeguard their balance-of-payments position and ensure a level of reserves adequate for the implementation of programmes of economic development;

(b) promote the establishment or development of domestic industries including the development of small-scale and cottage industries in rural or backward areas; and economic development of other sectors of the economy;

(c) support industrial units so long as they are wholly or substantially dependent on government procurement;

(d) encourage their economic development through regional or global arrangements among developing countries presented to the CONTRACTING PARTIES to GATT and not disapproved by them.

2. Consistently with the provisions of this Agreement, parties to it shall, in the preparation and application of laws, regulations and procedures affecting government procurement, facilitate increased imports from developing countries, bearing in mind the special problems of the least-developed countries and of those at low stages of economic development.

Coverage

3. With a view to ensuring that developing countries are able to adhere to this Agreement on terms consistent with their development, financial and trade needs, the objectives listed in paragraph 1 above shall be duly taken into account in the course of the negotiations with respect to the lists of entities of developing countries to be covered by the provisions of this Agreement. Developed countries, in the preparation of their lists of entities to be covered by the provisions of the Agreement shall endeavour to include entities purchasing products of export interest to developing countries.

Agreed exclusions

4. Developing countries may negotiate with other participants in the negotiation of this Agreement mutually acceptable exclusions from the rules on national treatment with respect to certain entities or products that are included in their lists of entities having regard to the particular circumstances of each case. In such negotiations, the considerations mentioned in paragraph 1(a)-(c) above shall be duly taken into account. Developing countries participating in regional or global arrangements among developing countries referred to in paragraph 1(d) above, may also negotiate exclusions to their lists, having regard to the particular circumstances of each case, taking into account, inter alia, the provisions on government procurement provided for in the regional or global arrangements concerned and taking into account, in particular, products which may be subject to common industrial development programmes.

5. After entry into force of this Agreement, developing countries parties to this Agreement may modify their lists of entities in accordance with the provisions for modification of such lists contained in paragraph 5 of Part IX of this Agreement, having regard to their development, financial and trade needs, or may request the Committee to grant exclusions from the rules on national treatment for certain entities or products that are included in their lists of entities, having regard to the particular circumstances of each case and taking duly into account the provisions of paragraph 1(a)-(c) above. Developing countries parties to this Agreement may also request, after entry into force of the Agreement, the Committee to grant exclusions for certain entities or products that are included in their lists in the light of their participation in regional or global arrangements among developing countries, having regard to the particular circumstances of each case and taking duly into account the provisions of paragraph 1(d) above. Each request to the Committee by a developing country party relating to modification of a list shall be accompanied by documentation relevant to the request or by such information as may be necessary for consideration of the matter.

6. Paragraphs 4 and 5 above shall apply mutatis mutandis to developing countries acceding to this Agreement after its entry into force.

7. Such agreed exclusions as mentioned in paragraphs 4, 5 and 6 above shall be subject to review in accordance with the provisions of paragraph 13 of this Part.

Technical assistance for developing country parties

8. Developed country parties to this Agreement shall, upon request, provide all technical assistance which they may deem appropriate to developing country parties in resolving their problems in the field of government procurement.

9. This assistance which shall be provided on the basis of non-discrimination among developing country parties shall relate, inter alia, to:

- the solution of particular technical problems relating to the award of a specific contract;
- any other problem which the party making the request and another party agree to deal with in the context of this assistance.

Information centres

10. Developed country parties to this Agreement shall establish, individually or jointly, information centres to respond to reasonable requests from developing country parties for information relating to, inter alia, laws, regulations, procedures and practices regarding government procurement, notices about proposed purchases which have been published, addresses of the entities covered by this Agreement, and the nature and volume of products purchased or to be purchased, including available information about future tenders. The Committee may also set up an information centre.

Special treatment for least-developed countries

11. Having regard to paragraph 6 of the Tokyo Declaration, special treatment shall be granted to least-developed countries parties to this Agreement and to the suppliers in those countries with respect to products originating in those countries, in the context of any general or specific measures in favour of the developing countries parties to this Agreement. Parties may also grant the benefits of this Agreement to suppliers in least-developed countries which are not parties, with respect to products originating in those countries.

12. Developed country parties shall, upon request, provide assistance which they may deem appropriate to potential tenderers in the least-developed countries in submitting their tenders, selecting the products which are likely to be of interest to entities of developed countries as well as to suppliers in the least-developed countries and likewise assist them to comply with technical regulations and standards relating to products which are the subject of the proposed purchase.

Review

13. The Committee shall review annually the operation and effectiveness of this Part and after each three years of its operation on the basis of reports to be submitted by the parties to this Agreement shall carry out a

major review in order to evaluate its effects. As part of the three-yearly reviews and with a view to achieving the maximum implementation of the provisions of this Agreement, including in particular Part II, and having regard to the development, financial and trade situation of the developing countries concerned, the Committee shall examine whether exclusions provided for in accordance with the provisions of paragraphs 4 to 6 of this Part shall be modified or extended.

14. In the course of further rounds of negotiations in accordance with the provisions of Part IX, paragraph 6, developing countries parties to this Agreement shall give consideration to the possibility of enlarging their lists of entities having regard to their economic, financial and trade situation.

PART IV

Technical Specifications

- (a) Technical specifications laying down the characteristics of the products to be purchased such as quality, performance, safety and dimensions, testing and test methods, symbols, terminology, packaging, marking and labelling, and conformity certification requirements prescribed by procurement entities, shall not be prepared, adopted or applied with a view to creating obstacles to international trade nor have the effect of creating unnecessary obstacles to international trade.
- (b) Any technical specification prescribed by procurement entities shall, where appropriate:
 - (i) be in terms of performance rather than design; and
 - (ii) be based on international standards, national technical regulations, or recognized national standards.
- (c) There shall be no requirement or reference to a particular trade mark or name, patent, design or type, specific origin or producer, unless there is no sufficiently precise or intelligible way of describing the procurement requirements and provided that words such as "or equivalent" are included in the tenders.

PART V

Tendering Procedures

1. Parties to this Agreement shall ensure that the tendering procedures of their entities are consistent with the provisions below. Open tendering procedures for the purposes of this Agreement are those procedures under which all interested suppliers may submit a tender. Selective tendering procedures, for the purposes of this Agreement are those procedures under which, consistent with paragraph 7 and other relevant provisions of this Part, those suppliers invited to do so by the entity may submit a tender. Single tendering for the purposes of this Agreement, is a procedure where the entity contacts suppliers individually, only under the conditions specified in paragraph 15 below.

Qualification of suppliers

2. Entities, in the process of qualifying suppliers, shall not discriminate among foreign suppliers or between domestic and foreign suppliers. Qualification procedures shall be consistent with the following:

(a) any conditions for participation in tendering procedures shall be published in adequate time to enable interested suppliers to initiate and, to the extent that it is compatible with efficient operation of the procurement process, complete the qualification procedures;

(b) any conditions for participation required from suppliers, including financial guarantees, technical qualifications, information necessary for establishing the financial, commercial and technical capacity of suppliers, as well as the verification of qualifications, shall be no less favourable to foreign suppliers than to domestic suppliers and shall not discriminate among foreign suppliers;

(c) the process of, and the time required for, qualifying suppliers shall not be used in order to keep foreign suppliers off a suppliers' list or from being considered for a particular proposed purchase. Entities shall recognize as qualified suppliers such domestic or foreign suppliers who meet the conditions for participation in a particular proposed purchase. Suppliers requesting to participate in a particular proposed purchase who may not yet be qualified shall also be considered, provided there is sufficient time to complete the qualification procedure;

(d) entities maintaining permanent lists of qualified suppliers shall ensure that all qualified suppliers so requesting are included in the lists within a reasonably short time;

(e) any supplier having requested to become a qualified supplier shall be advised by the entities concerned of the decision in this regard. Qualified suppliers included on permanent lists by entities shall also be notified of the termination of any such lists or of their removal from them;

(f) nothing in sub-paragraphs (a) to (e) above shall preclude the exclusion of any supplier on grounds such as bankruptcy or false declarations, provided that such an action is consistent with the national treatment and non-discrimination provisions of this Agreement.

Notice of proposed purchase and tender documentation

3. Entities shall publish a notice of each proposed purchase in the appropriate publication listed in Annex II. Such notice shall constitute an invitation to participate in either open or selective tendering procedures.

4. Each notice of proposed purchase shall contain the following information:

(a) the nature and quantity of the products to be supplied, or envisaged to be purchased in the case of contracts of a recurring nature; (b) whether the procedure is open or selective; (c) any delivery date; (d) the address and final date for submitting an application to be invited to tender or for qualifying for the suppliers' lists, or for receiving tenders, as well as the language or languages in which they must be submitted; (e) the address of the entity awarding the contract and providing any information necessary for obtaining specifications and other documents; (f) any economic and technical requirements, financial guarantees and information required from suppliers; (g) the amount and terms of payment of any sum payable for the tender documentation.

The entity shall publish in one of the official languages of the GATT a summary of the notice of proposed purchase containing at least the following:

- (i) subject matter of the contract;
- (ii) time-limits set for the submission of tenders; and
- (iii) addresses from which documents relating to the contracts may be requested.

5. To ensure optimum effective international competition under selective tendering procedures, entities shall, for each proposed purchase, invite tenders from the maximum number of domestic and foreign suppliers, consistent with efficient operation of the procurement system. They shall select the suppliers to participate in the procedure in a fair and non-discriminatory manner.

6. (a) In the case of selective tendering procedures, entities maintaining permanent lists of qualified suppliers shall publish annually in one of the publications listed in Annex III, a notice of the following:

- (i) the enumeration of the lists maintained, including their headings, in relation to the products or categories of products to be purchased through the lists;
- (ii) the conditions to be filled by potential suppliers in view of their inscription on those lists and the methods according to which each of those conditions be verified by the entity concerned;
- (iii) the period of validity of the lists, and the formalities for their renewal.

(b) Entities maintaining permanent lists of qualified suppliers may select suppliers to be invited to tender from among those listed. Any selection shall allow for equitable opportunities for suppliers on the lists.

(c) If, after publication of the notice under paragraph 3 above, a supplier not yet qualified requests to participate in a particular tender, the entity shall promptly start the procedure of qualification.

7. Suppliers requesting to participate in a particular proposed purchase shall be permitted to submit a tender and be considered provided, in the case of those not yet qualified, there is sufficient time to complete the qualification procedure under paragraphs 2-6 of this Part. The number of additional suppliers permitted to participate shall be limited only by the efficient operation of the procurement system.

8. If after publication of a notice to purchase but before the time set for opening or receipt of tenders as specified in the notices or the tender documentation, it becomes necessary to amend or re-issue the notice, the amendment or the re-issued notice shall be given the same circulation as the

original documents upon which the amendment is based. Any significant information given to one supplier with respect to a particular proposed purchase shall be given simultaneously to all other suppliers concerned in adequate time to permit the suppliers to consider such information and to respond to it.

9. (a) Any prescribed time-limit shall be adequate to allow foreign as well as domestic suppliers to prepare and submit tenders before the closing of the tendering procedures. In determining any such time-limit, entities shall, consistent with their own reasonable needs, take into account such factors as the complexity of the proposed purchase, the extent of sub-contracting anticipated, and the normal time for transmitting tenders by mail from foreign as well as domestic points.
- (b) Consistent with the entity's own reasonable needs, any delivery date shall take into account the normal time required for the transport of goods from the different points of supply.
10. (a) In open procedures, the period for the receipt of tenders shall in no case be less than thirty days from the date of publication referred to in paragraph 3 of this Part.
- (b) In selective procedures not involving the use of a permanent list of qualified suppliers, the period for submitting an application to be invited to tender shall in no case be less than thirty days from the date of the publication referred to in paragraph 3; the period for receipt of tenders shall in no case be less than thirty days from the date of issuance of the invitation to tender.
- (c) In selective procedures involving the use of a permanent list of qualified suppliers, the period for receipt of tenders shall in no case be less than thirty days from the date of the initial issuance of invitations to tender. If the date of initial issuance of invitations to tender does not coincide with the date of the publication referred to in paragraph 3, there shall in no case be less than thirty days between those two dates.
- (d) The periods referred to in (a), (b) and (c) above may be reduced either where a state of urgency duly substantiated by the entity renders impracticable the periods in question or in the case of the second or subsequent publications dealing with contracts of a recurring nature within the meaning of paragraph 4 of this Part.
11. If, in tendering procedures, an entity allows tenders to be submitted in several languages, one of those languages shall be one of the official languages of the GATT.

12. Tender documentation provided to suppliers shall contain all information necessary to permit them to submit responsive tenders, including the following:

- (a) the address of the entity to which tenders should be sent;
- (b) the address where requests for supplementary information should be sent;
- (c) the language or languages in which tenders and tendering documents must be submitted;
- (d) the closing date and time for receipt of tenders and the length of time during which any tender should be open for acceptance;
- (e) the persons authorized to be present at the opening of tenders and the date, time and place of this opening;
- (f) any economic and technical requirement, financial guarantees and information or documents required from suppliers;
- (g) a complete description of the products required or of any requirements including technical specifications, conformity certification to be fulfilled by the products, necessary plans, drawings and instructional materials;
- (h) the criteria for awarding the contract, including any factors other than price that are to be considered in the evaluation of tenders and the cost elements to be included in evaluating tender prices, such as transport, insurance and inspection costs, and in the case of foreign products, customs duties and other import charges, taxes and currency of payment;
- (i) the terms of payment;
- (j) any other terms or conditions.

13. (a) In open procedures, entities shall forward the tender documentation at the request of any supplier participating in the procedure, and shall reply promptly to any reasonable request for explanations relating thereto.
- (b) In selective procedures, entities shall forward the tender documentation at the request of any supplier requesting to participate and shall reply promptly to any reasonable request for explanations relating thereto.

- (c) Entities shall reply promptly to any reasonable request for relevant information submitted by a supplier participating in the tendering procedure, on condition that such information does not give that supplier an advantage over its competitors in the procedure for the award of the contract.

Submission, receipt and opening of tenders and awarding of contracts

14. The submission, receipt and opening of tenders and awarding of contracts shall be consistent with the following:

- (a) tenders shall normally be submitted in writing directly or by mail. If tenders by telex, telegram or telecopy are permitted, the tender made thereby must include all the information necessary for the evaluation of the tender, in particular the definitive price proposed by the tenderer and a statement that the tenderer agrees to all the terms, conditions and provisions of the invitation to tender. The tender must be confirmed promptly by letter or by the despatch of a signed copy of the telex, telegram or telecopy. Tenders presented by telephone shall not be permitted. The content of the telex, telegram or telecopy shall prevail where there is a difference or conflict between that content and any documentation received after the time-limit; requests to participate in selective tendering procedures may be submitted by telex, telegram or telecopy;
- (b) the opportunities that may be given to tenderers to correct unintentional errors between the opening of tenders and the awarding of the contract shall not be permitted to give rise to any discriminatory practice;
- (c) a supplier shall not be penalized if a tender is received in the office designated in the tender documents after the time specified because of delay due solely to mishandling on the part of the entity. Tenders may also be considered in other exceptional circumstances if the procedures of the entity concerned so provide;
- (d) all tenders solicited under open and selective procedures by entities shall be received and opened under procedures and conditions guaranteeing the regularity of the openings as well as the availability of information from the openings. The receipt and opening of tenders shall also be consistent with the national treatment and non-discrimination provisions of this Agreement. To this effect, and in connexion with open procedures, entities

shall establish provisions for the opening of tenders in the presence of either tenderers or their representatives, or an appropriate and impartial witness not connected with the procurement process. A report on the opening of the tenders shall be drawn up in writing. This report shall remain with the entities concerned at the disposal of the government authorities responsible for the entity in order that it may be used if required under the procedures of Parts VI and VII of this Agreement;

- (e) to be considered for award, a tender must, at the time of opening, conform to the essential requirements of the notices or tender documentation and be from suppliers which comply with the conditions for participation. If an entity has received a tender abnormally lower than other tenders submitted, it may enquire with the tenderer to ensure that it can comply with the conditions of participation and be capable of fulfilling the terms of the contract;
- (f) unless in the public interest an entity decided not to issue the contract, the entity shall make the award to the tenderer who has been determined to be fully capable of undertaking the contract and whose tender, whether for domestic or foreign products, is either the lowest tender or the tender which in terms of the specific evaluation criteria set forth in the notices or tender documentation is determined to be the most advantageous;
- (g) if it appears from evaluation that no one tender is obviously the most advantageous in terms of the specific evaluation criteria set forth in the notices or tender documentation, the entity shall, in any subsequent negotiations, give equal consideration and treatment to all tenders within the competitive range;
- (h) entities should normally refrain from awarding contracts on the condition that the supplier provide offset procurement opportunities or similar conditions. In the limited number of cases where such requisites are part of a contract, parties to this Agreement concerned shall limit the offset to a reasonable proportion within the contract value and shall not favour suppliers from one party over suppliers from any other party. Licensing of technology should not normally be used as a condition of award but instances where it is required should be as infrequent as possible and suppliers from one party shall not be favoured over suppliers from any other party.

Use of single tendering

15. The provisions of paragraphs 1-14 above governing open and selective tendering procedures need not apply in the following conditions, provided that single tendering is not used with a view to avoiding maximum possible competition or in a manner which would constitute a means of discrimination among foreign suppliers or protection to domestic producers:

- (a) in the absence of tenders in response to an open or selective tender, or when the tenders submitted have been either collusive or do not conform to the essential requirements in the tender, or from suppliers who do not comply with the conditions for participation provided for in accordance with this Agreement, on condition, however, that the requirements of the initial tender are not substantially modified in the contract as awarded;
- (b) when, for works of art or for reasons connected with protection of exclusive rights, such as patents or copyrights, the products can be supplied only by a particular supplier and no reasonable alternative or substitute exists;
- (c) insofar as is strictly necessary when, for reasons of extreme urgency brought about by events unforeseeable by the entity, the products could not be obtained in time by means of open or selective tendering procedures;
- (d) for additional deliveries by the original supplier which are intended either as parts replacement for existing supplies or installations, or as the extension of existing supplies or installations where a change of supplier would compel the entity to purchase equipment not meeting requirements of interchangeability with already existing equipment;
- (e) when an entity purchases prototypes or a first product which are developed at its request in the course of, and for, a particular contract for research, experiment, study or original development. When such contracts have been fulfilled, subsequent purchases of products shall be subject to paragraphs 1-14 of this Part.¹

16. Entities shall prepare a report in writing on each contract awarded under the provisions of paragraph 15 of this Part. Each report shall contain the name of the purchasing entity, value and kind of goods purchased, country of origin, and a statement of the conditions in paragraph 15 of this Part which prevailed. This report shall remain with the entities concerned at the disposal of the government authorities responsible for the entity in order that it may be used if required under the procedures of Parts VI and VII of this Agreement.

¹Original development of a first product may include limited production in order to incorporate the results of field testing and to demonstrate that the product is suitable for production in quantity to acceptable quality standards. It does not extend to quantity production to establish commercial viability or to recover research and development costs.

PART VI

Information and Review

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 parties to this Agreement in the appropriate publications listed in Annex IV and in such a manner as to enable other parties and suppliers to become acquainted with them. Parties to this Agreement shall be prepared, upon request, to explain to any other party their government procurement procedures. Entities shall be prepared, upon request, to explain to any supplier from a country which is a party to this Agreement their procurement practices and procedures.
2. Entities shall, upon request by any supplier, promptly provide pertinent information concerning the reasons why that supplier's application to qualify for the suppliers' list was rejected, or why that supplier was not invited or admitted to tender.
3. Entities shall promptly, and in no case later than seven working days from the date of the award of a contract, inform the unsuccessful tenderers by written communication or publication that a contract has been awarded.
4. Upon request by an unsuccessful tenderer, the purchasing entity shall promptly provide that tenderer with pertinent information concerning the reasons why the tender was not selected, including information on the characteristics and the relative advantages of the tender selected, as well as the name of the winning tenderer.
5. Entities shall establish a contact point to provide additional information to any unsuccessful tenderer dissatisfied with the explanation for rejection of his tender or who may have further questions about the award of the contract. There shall also be procedures for the hearing and reviewing of complaints arising in connexion with any phase of the procurement process, so as to ensure that, to the greatest extent possible, disputes under this Agreement will be equitably and expeditiously resolved between the suppliers and the entities concerned.
6. The government of the unsuccessful tenderer, which is a party to this Agreement, may seek, without prejudice to the provisions under Part VII, such additional information on the contract award as may be necessary to ensure that the purchase was made fairly and impartially. To this end, the purchasing government shall provide information on both the characteristics

and relative advantages of the winning tender and the contract price. Normally this latter information may be disclosed by the government of the unsuccessful tenderer provided it exercises this right with discretion. In cases where release of this information would prejudice competition in future tenders this information shall not be disclosed except after consultation with and agreement of the party which gave the information to the government of the unsuccessful tenderer.

7. Available information concerning individual contract awards shall be provided, upon a request, to any other party.

8. Confidential information provided to any party to this Agreement which would impede law enforcement or otherwise be contrary to the public interest or would prejudice the legitimate commercial interest of particular enterprises, public or private, or might prejudice fair competition between suppliers, shall not be revealed without formal authorization from the party providing the information.

9. Parties to this Agreement shall collect and provide to the Committee on an annual basis statistics on their purchases. Such reports shall contain the following information with respect to contracts awarded by all procurement entities covered under the Agreement:

- (a) global statistics on estimated value of contracts awarded, both above and below the threshold value;
- (b) statistics on number and total value of contracts awarded above the threshold value, broken down by entities, categories of products and either nationality of the winning tenderer or country of origin of the product, according to a recognized trade or other appropriate classification system;
- (c) statistics on the total number and value of contracts awarded under each of the cases of Part V, paragraph 15.

PART VII

Enforcement of Obligations

Institutions

1. There shall be established under this Agreement a Committee on Government Procurement (referred to in this Agreement as "the Committee") composed of representatives from each of the parties to this Agreement. This Committee shall elect its own Chairman and shall meet as necessary but not less than once a year for the purpose of affording parties the opportunity to consult on any matters relating to the operation of the Agreement or the furtherance of its objectives, and to carry out such other responsibilities as may be assigned to it by the parties.
2. The Committee may establish ad hoc panels in the manner and for the purposes set out in paragraph 8 of this Part and working parties or other subsidiary bodies which shall carry out such functions as may be given to them by the Committee.

Consultations

3. Each party shall afford sympathetic consideration to, and shall afford adequate opportunity for consultations regarding, representations made by another party with respect to any matter affecting the operation of this Agreement.
4. If any party considers that any benefit accruing to it, directly or indirectly, under this Agreement is being nullified or impaired, or that the achievement of any objective of the Agreement is being impeded by another party or parties, it may, with a view to reaching a mutually satisfactory resolution of the matter, request in writing consultations with the party or parties in question. Each party shall afford sympathetic consideration to any request from another party for consultations. The parties concerned shall initiate requested consultations promptly.
5. Parties engaged in consultations on a particular matter affecting the operation of the Agreement shall provide information concerning the matter subject to the provisions of Part VI, paragraph 8, and attempt to conclude such consultations within a reasonably short period of time.

Resolution of disputes

6. If no mutually satisfactory solution has been reached as a result of consultations under paragraph 4 between the parties concerned, the Committee shall meet at the request of any party to the dispute within thirty days of

receipt of such a request to investigate the matter, with a view to facilitating a mutually satisfactory solution.

7. If no mutually satisfactory solution has been reached after detailed examination by the Committee under paragraph 6 within three months, the Committee shall, at the request of any party to the dispute establish a panel to:

- (a) examine the matter;
- (b) consult regularly with the parties to the dispute and give full opportunity for them to develop a mutually satisfactory solution;
- (c) make a statement concerning the facts of the matter as they relate to application of this Agreement and make such findings as will assist the Committee in making recommendations or giving rulings on the matter.

8. In order to facilitate the constitution of panels, the Chairman of the Committee shall maintain an informal indicative list of governmental officials experienced in the field of trade relations. This list may also include persons other than governmental officials. In this connexion, each party to this Agreement shall be invited to indicate at the beginning of every year to the Chairman of the Committee the name(s) of the one or two persons whom the parties to this Agreement would be willing to make available for such work. When a panel is established under paragraph 7, the Chairman, within seven days, shall propose to the parties to the dispute the composition of the panel consisting of three or five members and preferably government officials. The parties directly concerned shall react within seven working days to nominations of panel members by the Chairman and shall not oppose nominations except for compelling reasons.

Citizens of countries whose governments are parties to a dispute shall not be eligible for membership of the panel concerned with that dispute. Panel members shall serve in their individual capacities and not as governmental representatives nor as representatives of any organization. Governments or organizations shall therefore not give them instructions with regard to matters before a panel.

9. Each panel shall develop its own procedures. All parties, having a substantial interest in the matter and having notified this to the Committee, shall have an opportunity to be heard. Each panel may consult with and seek information from any source it deems appropriate. Before a panel seeks such information from a source within the jurisdiction of a party it shall inform the government of that party. Any party to this Agreement shall respond promptly and fully to any request by a panel for such information as the panel considers necessary and appropriate. Confidential

information provided to the panel shall not be revealed without formal authorization from the government or person providing the information. Where such information is requested from the panel but release of such information by the panel is not authorized, a non-confidential summary of the information, authorized by the government or person providing the information, will be provided.

Where a mutually satisfactory solution to a dispute cannot be found or where the dispute relates to an interpretation of the Agreement, the panel should first submit the descriptive part of its report to the parties concerned, and should subsequently submit to the parties to the dispute its conclusions, or an outline thereof, a reasonable period of time before they are circulated to the Committee. Where an interpretation of the Agreement is not involved and where a bilateral settlement of the matter has been found, the report of the panel may be confined to a brief description of the case and to reporting that a solution had been reached.

10. The time required by panels will vary with the particular case. Panels should aim to deliver their findings, and where appropriate, recommendations, to the Committee without undue delay, taking into account the obligation of the Committee to ensure prompt settlement in cases of urgency, normally within a period of four months from the date the panel was established.

Enforcement

11. After the examination is complete or after the report of a panel, working party or other subsidiary body is presented to the Committee, the Committee shall give the matter prompt consideration. With respect to these reports, the Committee shall take appropriate action normally within thirty days of receipt of the report unless extended by the Committee, including:

- (a) a statement concerning the facts of the matter;
- (b) recommendations to one or more parties to the Agreement; and/or
- (c) any other ruling which it deems appropriate.

Any recommendations by the Committee shall aim at the positive resolution of the matter on the basis of the operative provisions of this Agreement and its objectives set out in the Preamble.

12. If a party to which recommendations are addressed considers itself unable to implement them, it should promptly furnish reasons in writing to the Committee. In that event, the Committee shall consider what further action may be appropriate.

13. The Committee shall keep under surveillance any matter on which it has made recommendations or given rulings.

Balance of rights and obligations

14. If the Committee's recommendations are not accepted by a party, or parties, to the dispute, and if the Committee considers that the circumstances are serious enough to justify such action, it may authorize a party or parties to this Agreement to suspend in whole or in part, and for such time as may be necessary, the application of this Agreement to any other party or parties, as is determined to be appropriate in the circumstances.

PART VIII

Exceptions to the Agreement

1. Nothing in this Agreement shall be construed to prevent any party to this Agreement from taking any action or not disclosing any information which it considers necessary for the protection of its essential security interests relating to the procurement of arms, ammunition or war materials, or to procurement indispensable for national security or for national defence purposes.
2. Subject to the requirement that such measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail or a disguised restriction on international trade, nothing in this Agreement shall be construed to prevent any party from imposing or enforcing measures necessary to protect public morals, order or safety, human, animal or plant life or health, intellectual property, or relating to the products of handicapped persons, of philanthropic institutions or of prison labour.

PART IX

Final Provisions

1. Acceptance and accession

- (a) This Agreement shall be open for acceptance by signature or otherwise, by governments contracting parties to the GATT and by the European Economic Community whose agreed lists of entities are contained in Annex I.
- (b) Any government contracting party to the GATT not a party to this Agreement may accede to it on terms to be agreed between that government and the parties to this Agreement. Accession shall take place by the deposit with the Director-General to the CONTRACTING PARTIES to the GATT of an instrument of accession which states the terms so agreed.
- (c) This Agreement shall be open to accession by any other government on terms, related to the effective application of rights and obligations under this Agreement, to be agreed between that government and the parties to this Agreement, by the deposit with the Director-General to the CONTRACTING PARTIES to the GATT of an instrument of accession which states the terms so agreed.
- (d) Contracting parties may accept this Agreement in respect of those territories for which they have international responsibility, provided that the GATT is being applied in respect of such territories in accordance with the provisions of Article XXVI:5(a) or (b) of the General Agreement; and in terms of such acceptance each such territory shall be treated as though it were a party to this Agreement.

2. Reservations

Reservations may not be entered in respect of any of the provisions of this Agreement.

3. Entry into force

This Agreement shall enter into force on 1 January 1981 for the governments¹ which have accepted or acceded to it by that date. For each other government, it shall enter into force on the thirtieth day following the date of its acceptance or accession to this Agreement.

¹For the purpose of this Agreement, the term "government" is deemed to include the competent authorities of the European Economic Community.

4. National legislation

- (a) Each government accepting or acceding to this Agreement shall ensure, not later than the date of entry into force of this Agreement for it, the conformity of its laws, regulations and administrative procedures, and the rules, procedures and practices applied by the entities contained in its list annexed hereto, with the provisions of this Agreement.
- (b) Each party to this Agreement shall inform the Committee of any changes in its laws and regulations relevant to this Agreement and in the administration of such laws and regulations.

5. Rectifications or modifications

- (a) Rectifications of a purely formal nature and minor amendments relating to Annexes I-IV to this Agreement shall be notified to the Committee and shall become effective provided there is no objection within thirty days to such rectifications or amendments.
- (b) Any modifications to lists of entities other than those referred to in sub-paragraph (a) may be made only in exceptional circumstances. In such cases, a party proposing to modify its list of entities shall notify the Chairman of the Committee who shall promptly convene a meeting of the Committee. The parties to this Agreement shall consider the proposed modification and consequent compensatory adjustments, with a view to maintaining a comparable level of mutually agreed coverage provided in the Agreement prior to such modification. In the event of agreement not being reached on any modification taken or proposed, the matter may be pursued in accordance with the provisions contained in Part VII of this Agreement, taking into account the need to maintain the balance of rights and obligations at the highest possible level.

6. Review and negotiations

- (a) The Committee shall review annually the implementation and operation of this Agreement taking into account the objectives thereof. The Committee shall annually inform the CONTRACTING PARTIES to the GATT of developments during the periods covered by such reviews.
- (b) Not later than the end of the third year from the entry into force of this Agreement and periodically thereafter, the parties thereto shall undertake further negotiations, with a view to broadening and improving the Agreement on the basis of mutual reciprocity

having regard to the provisions of Part III relating to developing countries. In this connexion, the Committee shall, at an early stage, explore the possibilities of expanding the coverage of the Agreement to include service contracts.

7. Amendments

The parties may amend this Agreement having regard, inter alia, to the experience gained in its implementation. Such an amendment, once the parties have concurred in accordance with the procedures established by the Committee, shall not come into force for any party until it has been accepted by such party.

8. Withdrawal

Any party may withdraw from this Agreement. The withdrawal shall take effect upon the expiration of sixty days from the day on which written notice of withdrawal is received by the Director-General to the CONTRACTING PARTIES to the GATT. Any party to this Agreement may upon such notification request an immediate meeting of the Committee.

9. Non-application of this Agreement between particular parties

This Agreement shall not apply as between any two parties to this Agreement if either of the parties, at the time either accepts or accedes to this Agreement, does not consent to such application.

10. Annexes

The annexes to this Agreement constitute an integral part thereof.

11. Secretariat

This Agreement shall be serviced by the GATT secretariat.

12. Deposit

This Agreement shall be deposited with the Director-General to the CONTRACTING PARTIES to the GATT, who shall promptly furnish to each party to this Agreement and each contracting party to the GATT a certified copy thereof and of each rectification or modification thereto pursuant to paragraph 5, each amendment thereto pursuant to paragraph 7, and a notification of each acceptance thereof or accession thereto pursuant to paragraph 1, or each withdrawal therefrom pursuant to paragraph 8, of this Part.

13. Registration

This Agreement shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

Done at Geneva this day of
nineteen hundred and seventy-nine in a single copy, in the English, French
and Spanish languages, each text being authentic.

NOTES

Part I, paragraph 1

Having regard to general policy considerations relating to tied aid, including the objective of developing countries with respect to the untying of such aid, this Agreement does not apply to procurement made in furtherance of tied aid to developing countries so long as it is practised by parties to this Agreement.

Part V, paragraph 14(h)

Having regard to the general policy considerations of developing countries in relation to Government Procurement, it is noted that under the provisions of Paragraph 14(h) of Part V, developing countries may require incorporation of domestic content, offset procurement, or transfer of technology as criteria for award of contracts. It is noted that suppliers from one party shall not be favoured over suppliers from any other party.

ANNEX I

LISTS OF ENTITIES REFERRED TO IN PART I, PARAGRAPH 1(C)¹

¹For technical reasons, some adjustments to the lists which follow may be needed.

AUSTRIA

- I. Federal Chancellery
Austrian Central Statistical Office
- II. Federal Ministry of Foreign Affairs
Procurement Office
- III. Federal Ministry of the Interior
Procurement Office
- IV. Federal Ministry of Justice
Procurement Office
- V. Federal Ministry of Social Affairs
Procurement Office
- VI. Federal Ministry of Health and Environment
Procurement Office

EUROPEAN ECONOMIC COMMUNITY

PART I

Notes:

1. This Agreement does not apply to procurement by entities otherwise falling under this Agreement made on behalf of and under the specific procedure of an international organization.
2. This Agreement shall not apply to procurement by entities falling under this Agreement of agricultural products made in furtherance of agricultural support programmes and human feeding programmes.

BELGIUM

1. List of Belgian Permanent-Departments

1. Services du Premier Ministre
2. Ministère des Affaires Economiques
3. Ministère des Affaires Etrangères, Commerce Extérieur et Coopération au Développement
4. Ministère de l'Agriculture
5. Ministère des Classes Moyennes
6. Ministère des Communications
7. Ministère de la Défense Nationale^{1/}
8. Ministère de l'Education Nationale et de la Culture
9. Ministère de l'Emploi et du Travail
10. Ministère des Finances
11. Ministère de l'Intérieur
12. Ministère de la Justice
13. Ministère de la Prévoyance Sociale
14. Ministère de la Santé Publique et de l'Environnement
15. Ministère des Travaux Publics, dont
 - Fonds de Routes
 - Régie de Bâtiments
16. Régie des Postes^{2/}

^{1/} Non-warlike materials contained in Part II of this list

^{2/} Postal Business only.

2. List of actual Ministries, purchasing through entities listed under n° 1

Premier Ministre

Vice-Premier Ministre et Ministre de la Fonction publique

Vice-Premier Ministre et Ministre de la Défense nationale^{1/}

Ministre de la Justice

Ministre des Affaires étrangères

Ministre des Affaires économiques

Ministre de la Prévoyance sociale et Secrétaire d'Etat aux Affaires sociales, adjoint au Ministre des Affaires wallonnes

Ministre des Communications

Ministre de l'Education nationale (Néerlandaise)

Ministre de l'Agriculture et des Classes Moyennes

Ministre de la Culture néerlandaise et Ministre des Affaires flamandes

Ministre de l'Education nationale (Française)

Ministre de la Santé publique et de l'Environnement

Ministre des Finances

Ministre du Commerce extérieur

Ministre de la Coopération au Développement

Ministre des Postes, Télégraphes et Téléphones et Ministre des Affaires bruxelloises^{2/}

Ministre des Pensions

Ministre de l'Emploi et du Travail

Ministre de l'Intérieur

Ministre de la Politique scientifique

Ministre de la Culture française

Ministre des Travaux publics et Ministre des Affaires wallonnes

Secrétaire d'Etat à l'Economie régionale, adjoint au Ministre des Affaires wallonnes

Secrétaire d'Etat au Budget, adjoint au Premier Ministre, et Secrétaire d'Etat à l'Economie régionale, adjoint au Ministre des Affaires flamandes

Secrétaire d'Etat à la Réforme des Institutions, adjoint au Premier Ministre

Secrétaire d'Etat à la Culture française, adjoint au Ministre de la Culture française

Secrétaire d'Etat aux Affaires économiques, adjoint au Ministre des Affaires économiques, et

Secrétaire d'Etat aux Affaires sociales, adjoint au Ministre des Affaires flamandes

^{1/} Non-warlike materials contained in Part II of this list

^{2/} Postal Business only

Secrétaire d'Etat à la Réforme des Institutions, adjoint au
Vice-Premier Ministre

Secrétaire d'Etat à la Culture néerlandaise adjoint au
Ministre de la Culture néerlandaise, et
Secrétaire d'Etat aux Affaires sociales, adjoint au Ministre
des Affaires bruxelloises.

3. Other entities under direct control of central government

La Régie des Services Frigorifiques de l'Etat Belge

Le Fonds des bâtiments scolaires

La Société nationale du Logement

La Société nationale terrienne

L'Office national de sécurité sociale

L'Institut national d'assurances sociales pour travailleurs indépendants

L'Institut national d'assurance maladie-invalidité

La Caisse nationale des pensions de retraite et de survie

L'Office national des pensions pour travailleurs salariés

La Caisse auxiliaire d'assurance maladie-invalidité

Le Fonds des maladies professionnelles

La Caisse nationale de crédit professionnel

La Caisse générale d'Epargne et de Retraite

L'Office national des débouchés agricoles et horticoles

L'Office national du lait et de ses dérivés

L'Office national de l'emploi

Le Fonds de construction hospitalière et médico-sociale

DENMARK

Danish Government Procurement Entities

1. Prime Minister's Office
2. Ministry of Labour 4 directorates and institutions
3. Ministry of Foreign Affairs 2 departments
4. Ministry of Housing 1 directorate
5. Ministry of Finance Directorate for Government Procurement
(3 departments) with Government Printing Office
3 other institutions
6. Ministry of Taxes and Duties 5 directorates and institutions
(2 departments)
7. Ministry of Fisheries 4 institutions
8. Ministry of Trade, Industry and Shipping
 - Research Establishment Risoe
 - 20 directorates and institutions
9. Ministry of the Interior
 - State Serum Institute
 - Danish National Civil Defence Directorate
 - 3 other directorates and institutions
10. Ministry of Justice
 - Office of the Chief of Danish Police
 - 3 other directorates and institutions
11. Ministry of Religious Affairs
12. Ministry of Agriculture - 19 directorates and institutions
13. Ministry of Environment - 5 directorates
14. Ministry of Greenland
 - Royal Greenland Trade Department
 - Greenland Technical Organization
 - 2 other institutions
15. Ministry of Cultural Affairs - 2 directorates and several state owned museums and higher educational institutions
16. Ministry of Social Affairs - 5 directorates
17. Ministry of Education
 - University Hospital of Copenhagen
 - 6 directorates
 - 11 universities and other higher educational institutions
18. Ministry of Economic Affairs - State harbours and State airports
(3 departments) - 4 directorates and several institutions

19. Ministry of Public Works¹
20. Ministry of Defence²

¹With the exception of Danish State Railways.. Postal Business only.

²Non-warlike materials contained in Part II of this list.

FRANCE

List of entities

1) Main purchasing entities

A. General Budget

Premier Ministre

Ministre délégué auprès du Premier Ministre, chargé de la condition féminine

Ministre de la justice

Ministre de la santé et de la famille

Ministre de l'intérieur

Ministre des affaires étrangères

Ministre de la défense^{1/}

Ministre du travail et de la participation

Ministre de la coopération

Ministre de l'économie

Ministre du budget

Ministre de l'environnement et du cadre de vie

Ministre de l'éducation

Ministre des universités

Ministre de l'agriculture

Ministre de l'industrie

Ministre des transports

Ministre du commerce et de l'artisanat

Ministre du commerce extérieur

Ministre de la jeunesse, des sports et des loisirs

Ministre de la culture et de la communication

Secrétaire d'Etat aux postes et télécommunications^{2/}

Secrétaire d'Etat aux anciens combattants

Secrétaire d'Etat auprès du Premier Ministre

Secrétaire d'Etat auprès du Premier Ministre (Relations avec le Parlement)

Secrétaire d'Etat auprès du Premier Ministre (Recherche)

Secrétaire d'Etat auprès du Garde des sceaux, Ministre de la justice

Secrétaire d'Etat auprès du Ministre de la santé et de la famille

Secrétaire d'Etat auprès du Ministre de l'intérieur (Départements et territoires d'outre-mer)

Secrétaire d'Etat auprès du Ministre de l'intérieur (Collectivités locales)

^{1/} Non-warlike materials contained in Part II of this list

^{2/} Postal business only.

Secrétaire d'Etat auprès du Ministre des affaires étrangères

Secrétaire d'Etat auprès du Ministre du travail et de la participation
(Formation professionnelle)

Secrétaire d'Etat auprès du Ministre du travail et de la participation
(Travailleurs manuels et immigrés)

Secrétaire d'Etat auprès du Ministre du travail et de la participation
(Emploi féminin)

Secrétaire d'Etat auprès du Ministre de l'environnement et du cadre de vie
(Logement)

Secrétaire d'Etat auprès du Ministre de l'environnement et du cadre de vie
(Environnement)

Secrétaire d'Etat auprès du Ministre de l'éducation

Secrétaire d'Etat auprès du Ministre de l'agriculture

Secrétaire d'Etat auprès du Ministre de l'industrie (Petite et moyenne industrie)

B. Budget annexe

Imprimerie Nationale

C. Comptes spéciaux du trésor

On peut notamment signaler:

- Fonds forestier national
- soutien financier de l'industrie cinématographique
- fonds spécial d'investissement routier
- fonds national d'aménagement foncier et d'urbanisme
- Union des groupements d'achats publics (UGAP)

2) Etablissements publics nationaux à caractère administratif

- Agence Nationale pour l'Emploi
- Institut national de la propriété industrielle
- Commission des opérations de Bourse
- Agence nationale pour l'amélioration de l'habitat
- Etablissement public du Centre Beaubourg
- Centre national de la cinématographie
- Office national des Anciens combattants et victimes de guerre
- Agence nationale pour l'indemnisation des français rapatriés d'outre-mer
- Office national d'immigration
- Fonds d'action sociale pour les travailleurs migrants
- Caisse d'aide à l'équipement des collectivités locales
- Caisse nationale des autoroutes
- Caisse des prêts aux organismes d'HLM
- Centre national des lettres
- Caisse nationale des monuments historiques et des sites

(3) Other entities

Académie de France à Rome

Académie de Marine

Académie des Sciences d'Outre-mer

Agence Centrale des Organismes de Sécurité Sociale (A.C.O.S.S.)

Agences Financières de Bassins

Agence Nationale pour l'Amélioration des Conditions de Travail (A.N.A.C.T.)

Agence Nationale pour l'Amélioration de l'Habitat (A.N.A.H.)

Agence Nationale pour l'Emploi (A.N.P.E.)

Agence Nationale pour l'Indemnisation des Français d'Outre-Mer (A.N.I.F.O.M.)

Assemblée Permanente des Chambres d'Agriculture (A.P.C.A.)

Bibliothèque Nationale

Bibliothèque Nationale et Universitaire de Strasbourg

Bureau d'Etudes des Postes et Télécommunications d'Outre-Mer (B.E.P.T.O.M.)

Caisse d'Aide à l'Équipement des Collectivités Locales (C.A.E.C.)

Caisse Autonome de la Reconstruction

Caisse des Dépôts et Consignations

Caisse Nationale des Allocations Familiales (C.N.A.F.)

Caisse Nationale des Autoroutes (C.N.A.)

Caisse Nationale d'Assurance Maladie des Travailleurs Salariés (C.N.A.M.)

Caisse Nationale d'Assurance Vieillesse des Travailleurs Salariés (C.N.A.V.T.S.)

Caisse Nationale Militaire de Sécurité Sociale (C.N.M.S.S.)

Caisse Nationale des Monuments Historiques et des Sites

Caisse Nationale des Télécommunications¹

Caisse de Prêts aux Organismes H.L.M.

Casa de Velasquez

Centre d'Enseignement Zootechnique de Rambouillet

Centre d'Etudes du Milieu et de Pédagogie Appliquées du Ministère de
l'Agriculture

Centre d'Etudes Supérieures de Sécurité Sociale

Centres de Formation Professionnelle Agricole

¹Postal business only.

Centre National d'Art et de Culture Georges Pompidou
Centre National de la Cinématographie Française
Centre National d'Etudes et de Formation pour l'Enfance Inadaptée
Centre National d'Etudes et d'Expérimentation du Machinisme Agricole
Centre National d'Etudes et de Formation pour l'Adaptation Scolaire et
l'Education Spécialisée (C.N.E.F.A.S.E.S.)
Centre National de Formation et de Perfectionnement des Professeurs
d'Enseignement Ménager et Ménager Agricole
Centre National des Lettres
Centre National de Documentation Pédagogique
Centre National des Oeuvres Universitaires et Scolaires (C.N.O.U.S.)
Centre National d'Ophtalmologie des Quinze-Vingts
Centre National de Préparation au Professorat de Travaux Manuels Educatifs
et d'Enseignement Ménager
Centre National de la Promotion Rurale de Marmilhat
Centre National de la Recherche Scientifique (C.N.R.S.)
Centres Pédagogiques Régionaux
Centre Régional d'Education Populaire
Centres Régionaux d'Education Physique et Sportive (C.R.E.P.S.)
Centres Régionaux des Oeuvres Universitaires (C.R.O.U.S.)
Centres Régionaux de la Propriété Forestière
Centre de Sécurité Sociale des Travailleurs Migrants
Centres Universitaires
Chancelleries des Universités
Collèges
Collèges Agricoles
Commission des Opérations de Bourse
Conseil Supérieur de la Pêche
Conservatoire de l'Espace Littoral et des Rivages Lacustres
Conservatoire National des Arts et Métiers
Conservatoire National Supérieur de Musique

Conservatoire National Supérieur d'Art Dramatique
Domaine de Pompadour
Ecole Centrale - Lyon
Ecole Centrale des Arts et Manufactures
Ecole Française d'Archéologie d'Athènes
Ecole Française d'Extrême-Orient
Ecole Française de Rome
Ecole des Hautes Etudes en Sciences Sociales
Ecole Nationale d'Administration
Ecole Nationale de l'Aviation Civile (E.N.A.C.)
Ecole Nationale des Chartes
Ecole Nationale d'Equitation
Ecole Nationale Féminine d'Agronomie de Marmalhat (Put-de-Dôme)
Ecole Nationale Féminine d'Agronomie de Toulouse (Htd-Garonne)
Ecole Nationale du Génie Rural et des eaux et forêts (E.N.G.R.E.F.)
Ecoles Nationales de l'Industrie Laitière
Ecoles Nationales d'Ingénieurs
Ecole Nationale d'Ingénieurs des Industries des Techniques Agricoles
et Alimentaires
Ecoles Nationales d'Ingénieurs des Travaux Agricoles
Ecole Nationale des Ingénieurs des Travaux Ruraux et Techniques
Sanitaires
Ecole Nationale des Ingénieurs des Travaux des Eaux et Forêts
(E.N.I.T.E.F.)
Ecole Nationale de la Magistrature
Ecoles Nationales de la Marine Marchande
Ecole Nationale de la Santé Publique (E.N.S.P.)
Ecole Nationale de ski et d'alpinisme
Ecole Nationale Supérieure Agronomique - Montpellier
Ecole Nationale Supérieure Agronomique - Rennes
Ecole Nationale Supérieure des Arts Décoratifs
Ecole Nationale Supérieure des Arts et Industries - Strasbourg

Ecole Nationale Supérieure des Arts et Industries Textiles - Roubaix
Ecole Nationale Supérieure d'Arts et Métiers
Ecole Nationale Supérieure des Beaux-Arts
Ecole Nationale Supérieure des Bibliothécaires
Ecole Nationale Supérieure de Céramique Industrielle - Sèvres
Ecole Nationale Supérieure de l'Electronique et de ses Applications
(E.N.S.E.A.)
Ecole Nationale Supérieure d'Horticulture
Ecole Nationale Supérieure des Industries Agricoles Alimentaires
Ecole Nationale Supérieure du Paysage
Ecole Nationale Supérieure des Sciences Agronomiques Appliquées
(E.N.S.S.A.A.)
Ecoles Nationales Vétérinaires
Ecoles Nationales de Perfectionnement
Ecoles Nationales de Premier Degré
Ecole Nationale de Voirie
Ecoles Normales d'Instituteurs et d'Institutrices
Ecoles Normales Nationales d'Apprentissage
Ecoles Normales Supérieures
Ecole Polytechnique
Ecole de Sylviculture - Croigny (Aube)
Ecole Technique Professionnelle Agricole et Forestière de Meymac (Corrèze)
Ecole de Viticulture et d'Ocnologie de La Tour Blanche (Gironde)
Ecole de Viticulture - Avize (Marne)
Etablissement National de Convalescentes du Vésinet (E.N.C.V.)
Etablissement National de Convalescents de Saint-Maurice
Etablissement National des Invalides de la Marine (E.N.I.M.)
Etablissement National de Koenigs Warter
Fondation Carnégie
Fondation Singer-Polignac
Fonds d'Action Sociale pour les Travailleurs Migrants
Hôpital Hospice National Dufresne-Sommeiller
Institut d'Elevage et de Médecine Vétérinaires des Pays Tropicaux
(I.E.M.V.P.T.)

Institut Français d'Archéologie Orientale du Caire
Institut Géographique National
Institut Industriel du Nord
Institut International d'Administration Publique (I.I.A.P.)
Institut National Agronomique de Paris-Grignon
Institut National des Appellations d'Origine des Vins et Eaux-de-vie
(I.N.A.O.V.E.V.)
Institut National d'Astronomie et de Géophysique (I.N.A.G.)
Institut National de la Consommation (I.N.C.)
Institut National d'Education Populaire (I.N.E.P.)
Institut National d'Etudes Démographiques (I.N.E.D.)
Institut National des Jeunes Aveugles - Paris
Institut National des Jeunes Sourdes - Bordeaux
Institut National des Jeunes Sourds - Chambéry
Institut National des Jeunes Sourds - Metz
Institut National des Jeunes Sourds - Paris
Institut National de Physique Nucléaire et de Physique des Particules
(I.N2.P3)
Institut National de Promotion Supérieure Agricole
Institut National de la Propriété Industrielle
Institut National de la Recherche Agronomique (I.N.R.A.)
Institut National de Recherche Pédagogique (I.N.R.P.)
Institut National de la Santé et de la Recherche Médicale (I.N.S.E.R.M.)
Institut National des Sports
Instituts Nationaux Polytechniques
Instituts Nationaux des Sciences Appliquées
Institut National Supérieur de Chimie Industrielle de Rouen
Institut de Recherches d'Informatique et d'Automatique (I.R.I.A.)
Institut de Recherche des Transports (I.R.T.)
Instituts Régionaux d'Administration
Institut Scientifique et Technique des Pêches Maritimes (I.S.T.P.M.)
Institut Supérieur des Matériaux et de la Construction Mécanique de
Saint-Ouen
Lycées Agricoles
Lycées Classiques et Modernes

Lycées d'Enseignement Professionnel
Lycées Techniques
Musée de l'Armée
Musée Gustave Moreau
Musée de la Marine
Musée National J.J. Henner
Musée National de la Légion d'Honneur
Musée Postal
Muséum National d'Histoire Naturelle
Musée Auguste Rodin
Observatoire de Paris
Office de Coopération et d'Accueil Universitaire
Office Français de Protection des Réfugiés et Rapatriés
Office National des Anciens Combattants
Office National de la Chasse
Office National d'Information sur les Enseignements et les Professions (O.N.I.S.E.P.)
Office National d'Immigration (O.N.I.)
Office de la Recherche Scientifique et Technique d'Outre-Mer (O.R.S.T.O.M.)
Office Universitaire et Culturel Français pour l'Algérie
Palais de la Découverte
Parcs Nationaux
Réunion des Musées Nationaux
Service National des Examens du Permis de Conduire
Syndicat des Transports Parisiens
Thermes Nationaux - Aix-les-Bains
Universités

FEDERAL REPUBLIC OF GERMANY

I. List of Central Purchasing Entities

1. Ministry of Foreign Affairs
2. Ministry of Labour and Social Affairs
3. Ministry of Education and Science
4. Ministry of Food, Agriculture and Forests
5. Ministry of Finance
6. Ministry of Research and Technology
7. Ministry of Internal Relations
8. Ministry of Interior
9. Ministry of Youth, Family and Health
10. Ministry of Justice
11. Ministry of Planning, Public Works and Urban Affairs
12. Ministry of Posts and Telecommunications¹
13. Ministry of Economic Affairs
14. Ministry of Economic Co-operation
15. Ministry of Defence²

¹ Postal Buisness only.

² Non-warlike materials contained in Part II of this list.

NOTE

According to existing national obligations the entities, contained in this list, shall in conformity with special procedures award contracts in certain regions which, as consequence of the division of Germany, are confronted with economic disadvantages.

The same applies to the awarding of contracts to remove the difficulties of certain groups caused by the last war.

FEDERAL REPUBLIC OF GERMANY

(1) List of Central Purchasing Entities

1. Auswärtiges Amt
2. Bundesministerium für Arbeit und Sozialordnung
3. Bundesministerium für Bildung und Wissenschaft
4. Bundesministerium für Ernährung, Landwirtschaft und Forsten
5. Bundesministerium der Finanzen
6. Bundesministerium für Forschung und Technologie
7. Bundesministerium für innerdeutsche Beziehungen
8. Bundesministerium des Innern (nur ziviles Material)
9. Bundesministerium für Jugend, Familie und Gesundheit
10. Bundesministerium der Justiz
11. Bundesministerium für Raumordnung, Bauwesen und Städtebau
12. Bundesministerium für das Post- und Fernmeldewesen (1)
13. Bundesministerium für Wirtschaft
14. Bundesministerium für wirtschaftliche Zusammenarbeit
15. Bundesministerium der Verteidigung (2)

(1) Nur Postwesen.

(2) non-warlike materials contained in Part II of this list.

Note

According to existing national obligations the entities, contained in this list, shall in conformity with special procedures award contracts in certain regions which, as consequence of the division of Germany, are confronted with economic disadvantages.

The same applies to the awarding of contracts to remove the difficulties of certain groups caused by the last war.

IRELAND

1. Main purchasing entities

- (a) Office of Public Works
- (b) Stationery Office

2. Other departments

President's Establishment
Office of the Houses of the Oireachtas (Parliament)
Department of the Taoiseach (Prime Minister)
Central Statistics Office
Department of Finance
Office of the Comptroller and Auditor General
Office of the Revenue Commissioners
State Laboratory
Office of the Attorney General
Office of the Director of Public Prosecutions
Valuation Office
Ordnance Survey
Department of the Public Service
Civil Service Commission
Department of Economic Planning and Development
Department of Justice
Land Registry
Charitable Donations and Bequests Office
Department of the Environment
Department of Education
National Gallery of Ireland
Department of the Gaeltacht (Irish speaking areas)
Department of Agriculture
Department of Fisheries and Forestry
Department of Labour
Department of Industry, Commerce and Energy
Department of Tourism and Transport
Department of Foreign Affairs
Department of Social Welfare
Department of Health
Department of Defence¹
Department of Posts and Telegraphs²

¹Non-warlike materials contained in Part II of this list.

²Postal Business only.

ITALY

Purchasing entities

1. Treasury¹
2. Finance²
3. Justice
4. External Affairs
5. Public Instruction
6. Interior
7. Public Works
8. Agriculture and Forest
9. Industry, Trade and Craftworks
10. Employment and Social Affairs
11. Health
12. Cultural Affairs
13. Defence³
14. Postal Services⁴

Note: This Agreement shall not prevent the implementation of provisions contained in Italian Law No. 835 of 6 October 1950 (Official Gazette No. 245 of 24 October 1950 of the Italian Republic) and in modifications thereto in force on the date on which this Agreement is adopted.

¹Acting as centralized purchasing entity for most of other Ministries or entities.

²Except for purchases by the monopoly administration for tobacco and salt.

³Non-warlike materials contained in Part II of this list.

⁴Postal Business only

LUXEMBOURG

"Liste des entités acheteuses centrales susceptibles de relever du champ d'application de l'instrument"

1. Ministère d'Etat: Service Central des imprimés et des fournitures de l'Etat;
2. Ministère de l'Agriculture: Administration des Services Techniques de l'Agriculture;
3. Ministère de l'Education Nationale: Ecoles de l'enseignement secondaire, de l'enseignement moyen, de l'enseignement professionnel;
4. Ministère de la Famille et de la Solidarité sociale: Maisons de retra.
5. Ministère de la Force publique: Armée^{1/} - Gendarmerie - Police;
6. Ministère de la Justice: Etablissements pénitentiaires;
7. Ministère de la Santé Publique: Mondorf-Etat, Hôpital neuropsychiatrique;
8. Ministère des Travaux publics: Bâtiments publics - Ponts et Chaussées;
9. Ministère des Finances: Postes et Télécommunications^{2/}
10. Ministère des Transports et de l'Energie: Centrales électriques de la Haute et Basse Sarre;
11. Ministère de l'Environnement: Commissariat général à la Protection des Eaux.

^{1/} Non-warlike materials contained in Part II of this list

^{2/} Postal Business only.

NETHERLANDS

Lists of entities

A.

1. Ministry of General Affairs
2. Ministry of Foreign Affairs
3. Ministry of Justice
4. Ministry of Home Affairs
5. Ministry of Defence (1)
6. Ministry of Finance
7. Ministry of Economic Affairs
8. Ministry of Education and Science
9. Ministry of Housing and Town and Country Planning
10. Ministry of Transport and Waterways, including
 - (a) Department of Civil Aviation
 - (b) Postal, telephone and telegraph services (2)
11. Ministry of Agriculture and Fisheries
12. Ministry of Social Affairs
13. Ministry of Culture, Recreation and Social Welfare
14. Ministry of Public Health and Environment
15. Ministry of Development Co-operation
16. Ministry of Science Policy
17. Cabinet of Netherlands Antilles Affairs
18. Higher Colleges of State.

B. Central procurement offices and the amount of their purchases

Entities listed above in A generally make their own specific purchases; other general purchases are effected through the entities listed below:

1. The Netherlands Government Purchasing Office
2. Directorate of Water Control
3. Quarter Master General's Office (1)
4. Air Material Directorate (1)

- (1) Non-warlike materials contained in Part II of this list.
- (2) Postal Business only,

5. Procurement Division of the Royal Netherlands Navy (1)
6. State Printing and Publishing Office
7. Postal, Services⁽²⁾
8. Governmental Motorvehicle Department
9. Governmental Centre for Office Mechanization and Automation
10. Governmental Forestry Directorate
11. Directorate for IJsselmeer Polders

(1) Non-warlike materials contained in Part II of this list.

(2) Postal Business only.

NETHERLANDS

Lists of entities

A Ministeries en centrale overheidsorganen.

1. Ministerie van Algemene Zaken
2. Ministerie van Buitenlandse Zaken
3. Ministerie van Justitie
4. Ministerie van Binnenlandse Zaken
5. Ministerie van Defensie (1)
6. Ministerie van Financiën
7. Ministerie van Economische Zaken
8. Ministerie van Onderwijs en Wetenschappen
9. Ministerie van Volkshuisvesting en Ruimtelijke Ordening
10. Ministerie van Verkeer & Waterstaat (2)

11. Ministerie van Landbouw en Visserij
12. Ministerie van Sociale Zaken
13. Ministerie van Cultuur, Recreatie en Maatschappelijk Werk
14. Ministeries van Volksgezondheid en Milieuhygiëne
15. Ministerie van Ontwikkelingssamenwerking
16. Ministerie van Wetenschapsbeleid
17. Kabinet van de Nederlandse Antillen
18. Hoge Colleges van Staat

B Boven genoemde organen kopen in het algemeen specifieke artikelen zelfstandig in ; voor de aanschaffing van artikelen voor algemeen gebruik, maken zij gebruik van een of meer van de navolgende centrale aanschaffingsdiensten.

1. Rijksinkoopbureau
2. Directoraal-Generaal voor de Waterstaat
3. Dienst van de Kwartiermeester-Generaal (1)
4. Directie (Materieel Koninklijke Luchtmacht (1)

(1) non-warlike materials contained in Part II of this list

(2) Postal Business only.

5. Hoofdafdeling Materieel Koninklijke Marine (1)
6. Staatsdrukkerij - en - uitgeverijbedrijf
7. Centrale Afdeling Inkoop en Materieel controle van het Staatsbedrijf der P.T.T.⁽²⁾
8. Rijksautomobielcentrale
9. Rijkskantoormachinecentrale
10. Staatsbosbeheer
11. Rijksdienst IJsselmeerpolders.

(1) Non-warlike materials contained in Part II of this list.

(2) Postal Business only.

UNITED KINGDOMList of entities

Board of Inland Revenue
British Museum
British Museum (Natural History)
Cabinet Office
Central Office of Information
Charity Commission
Civil Service Department
 Ancient Monuments (Scotland) Commission
 Ancient Monuments (Wales) Commission
 Boundary Commission for England and Wales
 Boundary Commission for Northern Ireland
 Central Computer Agency
 Chessington Computer Centre
 Civil Service Catering Organisation
 Civil Service College
 Civil Service Commission
 Civil Service Pay Research Unit
 Historical Manuscripts Commission
 Historical Monuments (England) Commission
 Medical Advisory Service
 Museums and Galleries Standing Commission
 Office of the Parliamentary Counsel
 Review Board for Government Contracts
 Royal Commission on Criminal Procedure
 Royal Commission on Environmental Pollution
 Royal Commission on Gambling
 Royal Commission on Legal Services (England, Wales and Northern Ireland)
 Royal Commission on Legal Services (Scotland)
 Royal Fine Art Commission (England)
 Royal Fine Art Commission (Scotland)
Crown Estate Office (Vote-borne services only)
Crown Office, Scotland
Customs and Excise Department

Department for National Savings

Department of Agriculture and Fisheries for Scotland

Artificial Insemination Service

Crofters Commission

Red Deer Commission

Royal Botanic Garden, Edinburgh etc.

Department of Education and Science

University Grants Committee

Department of Employment

Duchess of Gloucester House

Employment Appeal Tribunal

Industrial Tribunals

Office of Manpower Economics

Royal Commission on the Distribution of Income and Wealth

Department of Energy

Department of Health and Social Security

Attendance Allowance Board

Central Council for Education and Training in Social Work

Council for the Education and Training of Health Visitors

Dental Estimates Board

Joint Board of Clinical Nursing Studies

Medical and Dental Referee Service

Medical Boards and Examining Medical Officers (War Pensions)

National Health Service

National Health Service Authorities

National Insurance Commissioners

Occupational Pensions Board

Prescription Pricing Authority

Public Health Laboratory Service Board

Supplementary Benefits Appeal Tribunals

Supplementary Benefits Commission

Department of Industry

Computer-Aided Design Centre

Laboratory of the Government Chemist

National Engineering Laboratory

National Maritime Institute

National Physical Laboratory

Warren Spring Laboratory

Department of Prices and Consumer Protection

- Domestic Coal Consumers' Council
- Electricity Consultative Councils for England and Wales
- Gas Consumers' Councils
- Metrication Board
- Monopolies and Mergers Commission

Department of the Environment

- British Urban Development Services Unit
- Building Research Establishment
- Commons Commissioners - (except payment of rates)
- Countryside Commission
- Directorate of Estate Management Overseas
- Fire Research Station/Boreham Wood
- Hydraulics Research Station
- Local Valuation Panels
- Location of Offices Bureau
- Property Services Agency
- Rent Control Tribunals and Rent Assessment Panels and Committees

Department of the Government Actuary

Department of the Registers of Scotland

Department of Trade

- Coastguard Services
- British Export Marketing Centre, Tokyo
- Market Entry Guarantee Scheme
- Patent Office

Department of Transport

- Road Construction Units and Sub-Units
- Transport and Road Research Laboratory
- Transport Tribunal - (except payment of rates)
- Transport Users Consultative Committees - (except payment of rates)

Director of Public Prosecutions

Exchequer and Audit Department

Exchequer Office Scotland

Export Credits Guarantee Department

Foreign and Commonwealth Office

- Government Communications Headquarters
- Middle East Centre for Arab Studies
- Wiston House Conference and European Discussion Centre

Home Office

Gaming Board for Great Britain

Immigration Appeals Tribunal

Inspectors of Constabulary

Parole Board and Local Review Committees

House of Commons

House of Lords

Imperial War Museum

Intervention Board for Agricultural Produce

Legal Aid Funds

Lord Chancellor's Department

Council on Tribunals

County Courts

Courts Martial Appeal Court

Crown Courts

Judge Advocate General and Judge Advocate of the Fleet

Lands Tribunal

Law Commission

Pensions Appeal Tribunals

Supreme Court

Ministry of Agriculture Fisheries and Food

Advisory Services

Agricultural Development and Advisory Service

Agricultural Dwelling House Advisory Committees

Agricultural Land Tribunals

Agricultural Wages Board and Committees

Artificial Insemination Research Centres

Central Council for Agricultural and Horticultural Co-operation

Plant Pathology Laboratory

Plant Variety Rights Office

Royal Botanic Gardens, Kew

Ministry of Defence (1)

Procurement Executive

Meteorological Office

Ministry of Overseas Development

Centre for Overseas Pest Research

Directorate of Overseas Surveys

Land Resources Division

Tropical Products Institute

(1) Non-warlike materials contained in Part II of this list

National Debt Office and Pensions Commutation Board
National Gallery
National Galleries of Scotland
National Library of Scotland
National Maritime Museum
National Museum of Antiquities of Scotland
National Portrait Gallery
Northern Ireland Government Departments and Public Authorities
 Department of the Civil Service
 Department of Agriculture
 Department of Commerce
 Department of Education
 Department of the Environment
 Department of Finance
 Department of Health and Social Security
 Department of Manpower Services
 Northern Ireland Police Authority
Northern Ireland Office
 Coroners Courts
 County Courts
 Crown Solicitor's Office
 Department of the Director of Public Prosecutions
 Enforcement of Judgements Office
 Forensic Science Service
 Magistrates Courts
 Pensions Appeal Tribunals
 Probation Service
 Registration of Electors and Conduct of Elections
 State Pathologist Service
 Supreme Court of Judicature and Court of Criminal Appeal of
 Northern Ireland
Office of Fair Trading
Office of Population Censuses and Surveys
 National Health Service Central Register
Office of the Parliamentary Commissioner for Administration and
 Health Service Commissioners

Paymaster General's Office
The Post Office¹
Privy Council Office
Public Record Office
Public Trustee Office
Public Works Loan Commission
Queen's and Lord Treasurer's Remembrancer
 Crown Office
 Department of Procurators Fiscal
 Lord Advocate's Department
 Lands Tribunal
Registrar General's Office, Scotland
 National Health Service Central Register
Registry of Friendly Societies
Royal Commission, etc. (see references under Civil Service Department)
 Commission on the Constitution
 Royal Commission on the National Health Service
 Royal Commission on Gambling
Royal Hospital, Chelsea
Royal Mint
Royal Scottish Museum
Science Museum
Scottish Courts Administration
 Court of Session
 Court of Justiciary
 Accountant of Court's Office
 Sheriff Courts
 Scottish Land Court
 Scottish Law Commission
 Pensions Appeal Tribunals
Scottish Development Department
 Local Government Reorganisation Commissions etc.
 Rent Assessment Panel and Committees, etc.
Scottish Economic Planning Department
 Scottish Electricity Consultative Councils
Scottish Education Department
 Royal Scottish Museum

¹Postal Business only.

Scottish Home and Health Department

Common Services Agency

Council for the Education and Training of Health Visitors

Fire Service Training School

Inspectors of Constabulary

Local Health Councils

Mental Welfare Commission for Scotland

National Health Service

National Health Service authorities

Parole Board for Scotland and Local Review Committees

Planning Council

Scottish Antibody Production Unit

Scottish Crime Squad

Scottish Criminal Record Office

Scottish Council for Post-Graduate Medical Education and Training

Scottish Police College

Scottish Land Court

Scottish Office

Scottish Record Office

Stationery Office

Tate Gallery

Treasury

Exchequer Office, Scotland

National Economic Development Council

Rating of Government Property Department

Treasury Solicitor's Department

Department of the Director of Public Prosecutions

Law Officers' Department

Department of the Procurator-General and Treasury Solicitor

Victoria and Albert Museum

Wallace Collection

Welsh Office

Central Council for Education and Training in Social Work

Commons Commissioners

Council for the Education and Training of Health Visitors

Dental Estimates Board

Local Government Boundary Commission

Local Valuation Panels and Courts

National Health Service

National Health Service authorities

Public Health Laboratory Service Board

Rent Control Tribunals and Rent Assessment Panels and Committees

PARTIE IILISTE DES MATERIELS ACHETES PAR LES MINISTERES DE LA DEFENSE ET
SOUMIS AU CODE "ACHATS GOUVERNEMENTAUX"

Chapitre 25: Sel; soufre; terres et pierres; plâtres, chaux et ciments

Chapitre 26: Minerais métallurgiques, scories et cendres

Chapitre 27: Combustibles minéraux, huiles minérales et produits de leur distillation; matières bitumineuses; cires minérales

à l'exception de:

ex 27.10 carburants spéciaux

Chapitre 28: Produits chimiques inorganiques; composés inorganiques ou organiques de métaux précieux, d'éléments radio-actifs, de métaux des terres rares et d'isotopes

à l'exception de:

ex 28.09 explosifs
ex 28.13 explosifs
ex 28.14 gaz lacrymogènes
ex 28.28 explosifs
ex 28.32 explosifs
ex 28.39 explosifs
ex 28.50 produits toxicologiques
ex 28.51 produits toxicologiques
ex 28.54 explosifs

Chapitre 29: Produits chimiques organiques

à l'exception de:

ex 29.03 explosifs
ex 29.04 explosifs
ex 29.07 explosifs
ex 29.08 explosifs
ex 29.11 explosifs
ex 29.12 explosifs
ex 29.13 produits toxicologiques
ex 29.14 produits toxicologiques
ex 29.15 produits toxicologiques
ex 29.21 produits toxicologiques
ex 29.22 produits toxicologiques
ex 29.23 produits toxicologiques
ex 29.26 explosifs
ex 29.27 produits toxicologiques
ex 29.29 explosifs

Chapitre 30: Produits pharmaceutiques

Chapitre 31: Engrais

Chapitre 32: Extraits tannants et tinctoriaux; tanins et leurs dérivés; matières colorantes, couleurs, peintures, vernis et teintures; mastics; encres.

Chapitre 33: Huiles essentielles et résinoïdes; produits de parfumerie ou de toilette et cosmétiques

Chapitre 34: Savons, produits organiques tensio-actifs, préparations pour lessives, préparations lubrifiantes, cires artificielles, cires préparées, produits d'entretien, bougies et articles similaires, pâtes à modeler et "cires pour l'art dentaire".

Chapitre 35: Matières albuminoïdes; colles; enzymes

Chapitre 37: Produits photographiques et cinématographiques

Chapitre 38: Produits divers des industries chimiques

à l'exclusion de:
ex 38.19: produits toxicologiques

Chapitre 39: Matières plastiques artificielles, éthers et esters de la cellulose, résines artificielles et ouvrages en ces matières

à l'exception de:
ex 39.03: explosifs

Chapitre 40: Caoutchouc naturel ou synthétique, factice pour caoutchouc et ouvrages en caoutchouc

à l'exception de:
ex 40.11: pneus à l'épreuve des balles

Chapitre 41: Peaux et cuirs

Chapitre 42: Ouvrages en cuir; articles de bourrellerie et de sellerie; articles de voyage, sacs à main et contenants similaires; ouvrages en boyaux

Chapitre 43: Pelleteries et fourrures; pelleteries factices

Chapitre 44: Bois, charbon de bois et ouvrages en bois

Chapitre 45: Liège et ouvrages en liège

Chapitre 46: Ouvrages de sparterie et de vannerie

Chapitre 47: Matières servant à la fabrication du papier

Chapitre 48: Papiers et cartons; ouvrages en pâte de cellulose, en papier et en carton

Chapitre 49: Articles de librairie et produits des arts graphiques

Chapitre 65: Coiffures et parties de coiffures

Chapitre 66: Parapluies, parasols, cannes, fouets, cravaches et leurs parties

Chapitre 67: Plumes et duvet apprêtés et articles en plumes ou en duvet;
fleurs artificielles; ouvrages en cheveux

Chapitre 68: Ouvrages en pierres, plâtre, ciment, amiante, mica et
matières analogues

Chapitre 69: Produits céramiques

Chapitre 70: Verre et ouvrages en verre

Chapitre 71: Perles fines, pierres gemmes et similaires, métaux précieux,
plaqués ou doublés de métaux précieux et ouvrages en ces
matières; bijouterie de fantaisie

Chapitre 73: Fonte, fer et acier

Chapitre 74: Cuivre

Chapitre 75: Nickel

Chapitre 76: Aluminium

Chapitre 77: Magnésium, béryllium (glucinium)

Chapitre 78: Plomb

Chapitre 79: Zinc

Chapitre 80: Etain

Chapitre 81: Autres métaux communs

Chapitre 82: Outillage; articles de coutellerie et couverts de table,
en métaux communs

à l'exception de:

ex 82.05 : outillage

ex 82.07 : pièces d'outillage

Chapitre 83: Ouvrages divers en métaux communs

Chapitre 84: Chaudières, machines, appareils et engins mécaniques

à l'exception de:

ex 84.06 : moteurs

ex 84.08 : autres propulseurs

ex 84.45 : machines

ex 84.53 : machines automatiques de traitement de l'information

ex 84.55 : pièces du 84.53

ex 84.59 : réacteurs nucléaires

Chapitre 85: Machines et appareils électriques et objets servant à des usages électrotechniques

à l'exception de:

ex 85.13 : télécommunications
ex 85.15 : appareils de transmission

Chapitre 86: Véhicules et matériel pour voies ferrées; appareils de signalisation non électriques pour voies de communication

à l'exception de:

ex 86.02 : locomotives blindées
ex 86.03 : autres locoblindés
ex 86.05 : wagons blindés
ex 86.06 : wagons ateliers
ex 86.07 : wagons

Chapitre 87: Voitures automobiles, tracteurs, cycles et autres véhicules terrestres

à l'exception de:

87.08 : chars et automobiles blindés
ex 87.01 : tracteurs
ex 87.02 : véhicules militaires
ex 87.03 : voitures de dépannage
ex 87.09 : motocycles
ex 87.14 : remorques

Chapitre 89: Navigation maritime et fluviale

à l'exception de:

89.01A : bateaux de guerre

Chapitre 90: Instruments et appareils d'optique, de photographie et de cinématographie, de mesure, de vérification, de précision; instruments et appareils médico-chirurgicaux;

à l'exception de:

ex 90.05 : jumelles
ex 90.13 : instruments divers, lasers
ex 90.14 : télémètres
ex 90.28 : instruments de mesure électriques ou électroniques
ex 90.11 : microscopes
ex 90.17 : instruments médicaux
ex 90.18 : appareils de mécanothérapie
ex 90.19 : appareils d'orthopédie
ex 90.20 : appareils rayon X

Chapitre 91: Horlogerie

Chapitre 92: Instruments de musique; appareils d'enregistrement ou de reproduction du son; appareils d'enregistrement ou de reproduction des images et du son en télévision; parties et accessoires de ces instruments et appareils

Chapitre 94: Meubles; mobilier médico-chirurgical; articles de literie et similaires

à l'exception de:

ex 94.01A: sièges aérodynes

Chapitre 95: Matières à tailler et à mouler, à l'état travaillé (y compris les ouvrages)

Chapitre 96: Ouvrages de broserie et pinceaux, balais, houppes et articles de tamiserie

Chapitre 98: Ouvrages divers

FINLAND

1. Agricultural Research Centre
2. Board of Navigation
3. Finnish Meteorological Institute
4. Government Printing Centre
5. Ministry of Justice
6. Mint of Finland
7. National Board of Aviation
8. National Board of Forestry
9. National Board of Water Resources
10. National Board of Vocational Education
11. State Fuel Centre
12. State Margarine Factory
13. State Nourishment Centre
14. State Purchasing Centre
15. Technical Research Centre
16. General Headquarters*

Note 1

The listed entities include regional and local subdivisions.

Note 2

When a specific procurement decision may impair important national policy objectives the Finnish Government may consider it necessary in singular procurement cases to deviate from the principle of national treatment in the Agreement. A decision to this effect will be taken at the Finnish cabinet level.

Note 3

Procurement by defence entities (marked with *) covers the following products:

Motor vehicles

- delivery cars
- light trucks
- motorcycles
- buses
- ambulances

Spare parts

Foodstuffs

- coffee, tea
- rice
- frozen fish
- dried fruits
- spices

Machines

- office machines
- laundry machines

Miscellaneous

HONG KONG

Entity

Hong Kong Government Supplies Department.

INDIA

S. No.	Purchasing entity	Categories of goods
1.	Oil and Natural Gas Commission	Offshore oil well drilling and allied equipment
2.	All India Radio)	Radio and TV broadcasting and allied equipment
3.	Doordarshan)	
4.	Ministry of Railways	Parts of railway and tramway locomotives and rolling stock

- I. This Agreement is limited to the categories of goods stated in Column 3.
- II. Purchases on behalf of All India Radio and Doordarshan are made by the Director-General of Supplies and Disposal.
- III. Rail parts are at present being imported against credit from International Development Agency (IDA) and the procedures prescribed for IDA credit are followed.
- IV. This Agreement does not extend to purchases in the context of bilateral arrangements that provide for balanced trade through a clearing account system.

JAMAICA

Jamaica Building Materials
(division of the Jamaican State Trading Company)

JAPAN

Entities covered by the Accounts Law including all their sub-divisions, local offices and affiliates, as listed below.^{1,2}

House of Representatives
House of Councillors
Supreme Court of Justice
Board of Audit
Cabinet
Prime Minister's Office
Fair Trade Commission
National Public Safety Commission (National Police Agency)
Environmental Disputes Co-ordination Commission
Imperial Household Agency
Administrative Management Agency
Hokkaido Development Agency
Defence Agency³
Economic Planning Agency
Science and Technology Agency
Environment Agency
Okinawa Development Agency
National Land Agency
Ministry of Justice
Ministry of Foreign Affairs
Ministry of Finance
Ministry of Education
Ministry of Health and Welfare
Ministry of Agriculture, Forestry and Fisheries
Ministry of International Trade and Industry
Ministry of Transport
Ministry of Posts and Telecommunications
Ministry of Labour
Ministry of Construction
Ministry of Home Affairs
Japanese National Railways⁴
Japan Tobacco and Salt Public Corporation
Nippon Telegraph and Telephone Public Corporation⁵

Notes

¹Products for resale or for the use in the production of goods for sale are not included.

²Where it is provided under the laws and regulations existing at the time of the entry into force of this Agreement for Japan, entities contained in this list may award contracts to specific co-operatives or associations thereof in accordance with the special procedures.

³Procurement by the Defence Agency cover the following items:

<u>FSC</u>	<u>Description</u>
22	Railway equipment
24	Tractors
32	Woodworking machinery and equipment
34	Metalworking machinery
35	Service and trade equipment
36	Special industry machinery
37	Agricultural machinery and equipment
38	Construction, mining, excavating and highway maintenance equipment
39	Materials handling equipment
40	Rope, cable, chain and fittings
41	Refrigeration, air conditioning, and air-circulating equipment
43	Pumps and compressors
45	Plumbing, heating and sanitation equipment
46	Water purification and sewage treatment equipment
47	Pipe, tubing, hose and fitting
48	Valves
51	Hand tools
52	Measuring tools
55	Lumber, millwork, plywood and veneer
61	Electric wire, and power and distribution equipment
62	Lighting fixtures and lamps
65	Medical, dental, and veterinary equipment and supplies
6630	Chemical analysis instruments
6635	Physical properties testing equipment

<u>FSC</u>	<u>Description</u>
6640	Laboratory equipment and supplies
6645	Time-measuring instruments
6650	Optical instruments
6655	Geophysical and astronomical instruments
6660	Meteorological instruments and apparatus
6670	Scales and balances
6675	Drafting, surveying and mapping instruments
6680	Liquid and gas flow, liquid level, and mechanical motion measuring instruments
6685	Pressure, temperature, and humidity measuring and controlling instruments
6695	Combination and miscellaneous instruments
67	Photographic equipment
68	Chemicals and chemical products
71	Furniture
72	Household and commercial furnishings and appliances
73	Food preparation and serving equipment
74	Office machines and visible record equipment
75	Office supplies and devices
76	Books, maps and other publications
77	Musical instruments, phonographs and home-type radios
79	Cleaning equipment and supplies
80	Brushes, paints, sealers and adhesives
8110	Drums and cans
8115	Boxes, cartons and crates
8125	Bottles and jars
8130	Reels and spools
8135	Packaging and packing bulk materials
85	Toiletries
87	Agricultural supplies
93	Non-metallic fabricated materials
94	Non-metallic crude materials
99	Miscellaneous

⁴Materials connected with operational safety of transportation are not included.

⁵Public telecommunications equipment is not included.

NIGERIA

1. Nigeria National Supplies Company:

For purchases of the following products:¹

- (a) Power generating equipment
- (b) Telecommunications equipment
- (c) Railway and structural parts and equipment
- (d) Public clearing equipment
- (e) Contractors plant
- (f) Drilling equipment for water, oil and geological surveys
- (g) Scientific instruments for survey
- (h) Aircraft and equipment
- (i) Fire fighting vehicles and equipment
- (j) Petrol industrial engines.

¹Subject to confirmation and modification.

NORWAY

1. National Road Services
2. Central Government Purchasing Office
3. Postal Services Administration
4. State Hospital
5. University of Oslo
6. Police Services
7. Norwegian Broadcasting Corporation
8. University of Trondheim
9. University of Bergen
10. Coastal Directorate
11. University of Tromsø
12. State Pollution Control Authority
13. National Civil Aviation Administration
14. Ministry of Defence*
15. Norwegian Defence Medical Service*
16. Airforce Material Command*
17. Army Material Command*
18. Navy Material Command*
19. Combined Defence Material Command*

Note 1

The listed entities include regional and local subdivisions

Note 2

When a specific procurement decision may impair important national policy objectives the Norwegian Government may consider it necessary in singular procurement cases to deviate from the principle of national treatment in the Agreement. A decision to this effect will be taken at the Norwegian cabinet level.

Note 3

Procurement by defence entities (marked with *) covers the following products:

Replenishment material

- office machines and equipment, furniture, material for education, sport, welfare and other non-technical material

Running supplies

- technical consumption material
- medical and dental supplies and dressings
- kitchen and mess inventory
- stationary and office supply
- publications
- musical instruments

Fuels

- fuels, lubricants and other oil products

Motor vehicles

- passenger cars and transport vehicles
- ambulances
- fire engines
- aircraft service vehicles
- special purpose vehicles

Other technical equipment

- pilot equipment
- parachute equipment
- rescue equipment
- photo equipment
- pyro-technical equipment
- emergency electricity aggregate
- base, workshop, hangar and store equipment
- chemical/radiological equipment
- abc-safety protection equipment, workshops and stores

Medical and dental instruments

Catering equipment

- permanent operational equipment for kitchens, canteens, conference rooms, catering workshops and stores

SUISSE

- 1) Division centrale fédérale du matériel
- 2) Bibliothèque centrale fédérale
- 3) Direction des constructions fédérales
- 4) Ecole polytechnique fédérale de Zurich
- 5) Ecole polytechnique fédérale de Lausanne
- 6) Institut fédéral de recherches en matière de réacteurs
- 7) Institut fédéral de recherches forestières
- 8) Institut pour l'étude de la neige et des avalanches
- 9) Institut suisse de recherches nucléaires
- 10) Institut suisse de météorologie
- 11) Institut pour l'aménagement, l'épuration et la protection de l'eau
- 12) Service fédéral de l'hygiène publique
- 13) Bibliothèque nationale
- 14) Office fédéral de la protection civile¹
- 15) Administration fédérale des douanes²
- 16) Régie fédérale des alcools
- 17) Monnaie fédérale
- 18) Bureau fédéral des mesures
- 19) Division de l'agriculture
- 20) Office fédéral de l'air
- 21) Office fédéral de l'économie hydraulique
- 22) Division commerciale du groupement de l'armement¹
- 23) Département de la poste

Si une décision particulière concernant un marché peut compromettre la réalisation d'importants objectifs de politique nationale, le gouvernement suisse pourra juger nécessaire de dévier, dans le cas de marchés déterminés, au principe du traitement national inscrit dans l'Accord. Une décision à cet effet sera prise à l'échelon du gouvernement suisse.

Note 1

pour les produits, voir liste de matériel civil de la défense et de la protection civile.

Note 2

pour le corps des gardes frontière et les douaniers, voir liste de matériel civil de la défense et de la protection civile.

LISTE DES MATERIELS CIVILS DE LA DEFENSE ET DE LA PROTECTION CIVILE
SOUIS AU CODE "ACHATS GOUVERNEMENTAUX"

Chapitre 25: Sel; soufre; terres et pierres; plâtres; chaux et ciments

Chapitre 26: Minerais métallurgiques, scories et cendres

Chapitre 27: Combustibles minéraux, huiles minérales et produits de leur distillation; matières bitumineuses; cires minérales

Chapitre 28: Produits chimiques inorganiques; composés inorganiques ou organiques de métaux précieux, d'éléments radioactifs, de métaux des terres rares et d'isotopes.

à l'exception de:

ex 28.09 : explosifs
ex 28.13 : explosifs
ex 28.14 : gaz lacrymogènes
ex 28.28 : explosifs
ex 28.32 : explosifs
ex 28.39 : explosifs
ex 28.50 : produits toxicologiques
ex 28.51 : produits toxicologiques
ex 28.54 : explosifs

Chapitre 29: Produits chimiques organiques

à l'exception de:

ex 29.03 : explosifs
ex 29.04 : explosifs
ex 29.07 : explosifs
ex 29.08 : explosifs
ex 29.11 : explosifs
ex 29.12 : explosifs
ex 29.13 : produits toxicologiques
ex 29.14 : produits toxicologiques
ex 29.15 : produits toxicologiques
ex 29.21 : produits toxicologiques
ex 29.22 : produits toxicologiques
ex 29.23 : produits toxicologiques
ex 29.26 : explosifs
ex 29.27 : produits toxicologiques
ex 29.29 : explosifs

Chapitre 30: Produits pharmaceutiques

Chapitre 31: Engrais

Chapitre 32: Extraits tannants et tinctoriaux; tanins et leurs dérivés; matières colorantes, couleurs, peintures, vernis et teintures; mastics; encres

- Chapitre 33: Huiles essentielles et résinoïdes; produits de parfumerie ou de toilette et cosmétiques
- Chapitre 34: Savons, produits organiques tensio-actifs, préparations pour lessives, préparations lubrifiantes, cires artificielles, cires préparées, produits d'entretien, bougies et articles similaires, pâtes à modeler et "cires pour l'art dentaire".
- Chapitre 35: Matières albuminoïdes; colles; enzymes
- Chapitre 36: Poudres et explosifs; articles de pyrotechnie; allumettes; alliages pyrophoriques; matières inflammables
- à l'exception de:
- ex 36.01: poudres
 - ex 36.02: explosifs préparés
 - ex 36.04: détonnants
 - ex 36.08: explosifs
- Chapitre 37: Produits photographiques et cinématographiques
- Chapitre 38: Produits divers des industries chimiques
- à l'exception de:
- ex 38.19: produits toxicologiques
- Chapitre 39: Matières plastiques artificielles, éthers et esters de la cellulose, résines artificielles et ouvrages en ces matières
- à l'exception de:
- ex 39.03: explosifs
- Chapitre 40: Caoutchouc naturel ou synthétique, factice pour caoutchouc et ouvrages en caoutchouc
- à l'exception de:
- ex 40.11: pneus
- Chapitre 43: Pelleteries et fourrures; pelleteries factices
- Chapitre 45: Liège et ouvrages en liège
- Chapitre 46: Ouvrages de sparterie et de vannerie

- Chapitre 47: Matières servant à la fabrication du papier
- Chapitre 65: Coiffures et parties de coiffures
- Chapitre 66: Parapluies, parasols, cannes, fouets, cravaches et leurs parties
- Chapitre 67: Plumes et duvet apprêtés et articles en plumes ou en duvet; fleurs artificielles; ouvrages en cheveux
- Chapitre 68: Ouvrages en pierres, plâtre, ciment, amiante, mica et matières analogues
- Chapitre 69: Produits céramiques
- Chapitre 70: Verre et ouvrages en verre
- Chapitre 71: Perles fines, pierres gemmes et similaires, métaux précieux, plaqués ou doublés de métaux précieux et ouvrages en ces matières; bijouterie de fantaisie
- Chapitre 73: Fonte, fer et acier
- Chapitre 74: Cuivre
- Chapitre 75: Nickel
- Chapitre 76: Aluminium
- Chapitre 77: Magnésium, beryllium (glucinium)
- Chapitre 78: Plomb
- Chapitre 79: Zinc
- Chapitre 80: Etain
- Chapitre 81: Autres métaux communs
- Chapitre 82: Outillage; articles de coutellerie et couverts de table, en métaux communs
- Chapitre 83: Ouvrages divers en métaux communs
- Chapitre 84: Chaudières, machines, appareils et engins mécaniques

Chapitre 85: Machines et Appareils électriques et Objets servant à des Usages électroniques.

à l'exception de:

- ex 85.03: Piles électriques
- ex 85.13: Télécommunications
- ex 85.15: Appareils de transmission

Chapitre 86: Véhicules et Matériel pour Voies ferrées; Appareils de Signalisation non électriques pour Voies de communication

à l'exception de:

- ex 86.02: Locomotives blindées
- ex 86.03: Autres Locoblindés
- ex 86.05: Wagons blindés
- ex 86.06: Wagons Ateliers
- ex 86.07: Wagons

Chapitre 87: Voitures automobiles, Tracteurs, Cycles et autres Véhicules terrestres

à l'exception de:

- 87.08: Chars et Automobiles blindés
- ex 87.02: Camions lourds
- ex 87.09: Motocycles
- ex 87.14: Remorques

Chapitre 88: Navigation aérienne

à l'exception de:

- ex 88.02: Avions

Chapitre 89: Navigation maritime et fluviale

Chapitre 90: Instruments et Appareils d'Optique, de Rotographie et de Cinématographie, de Mesure, de Vérification, de Précision; Instruments et Appareils médico-chirurgicaux;

à l'exception de:

- ex 90.05: Jumelles
- ex 90.13: Instruments divers, Lasers
- ex 90.14: Télémètres
- ex 90.28: Instruments de Mesure électriques ou électroniques

Chapitre 91: Horlogerie

Chapitre 92: Instruments de Musique; Appareils d'Enregistrement ou de Reproduction du Son; Appareils d'Enregistrement ou de Reproduction des Images et du Son en Télévision; Parties et Accessoires de ces Instruments et Appareils

Chapitre 93: Armes et munitions

à l'exception de:

- ex 93.01: Armes blanches
- ex 93.02: Pistolets
- ex 93.03: Armes de guerre
- ex 93.04: Armes à feu
- ex 93.05: Autres armes
- ex 93.07: Projectiles et munitions

Chapitre 95: Matières à tailler et à mouler, à l'état travaillé
(y compris les ouvrages)

Chapitre 96: Ouvrages de broserie et pinceaux, balais, houppes et
articles de tamiserie

Chapitre 98: Ouvrages divers

SWEDEN

1. Defence Material Administration*
2. National Road Administration
3. National Board of Public Building
4. National Industries Corporation*
5. Post Office Administration
6. Swedish Forest Service
7. National Civil Aviation Administration
8. Royal Fortifications Administration*
9. National Board of Education
10. National Police Board
11. Agency for Administrative Development
12. National Prison and Probation Administration
13. National Administration of Shipping and Navigation
14. National Tax Board
15. National Board of Forestry
16. Medical Board of the Armed Forces*
17. National Road Safety Office
18. Royal Civil Defence Board*
19. National Industrial Board
20. National Board of Health and Welfare
21. Central Bureau of Statistics

Note 1

The listed entities include regional and local subdivisions.

Note 2

When a specific procurement decision may impair important national policy objectives the Swedish Government may consider it necessary in singular procurement cases to deviate from the principle of national treatment in the Agreement. A decision to this effect will be taken at the Swedish cabinet level.

Note 3

Procurement by defence entities (marked with a *) covers products falling under the following BTN-chapters:

BTM chapters	Exceptions	
25 - 26		
27	ex 27.10	special fuels
28	ex 28.09	explosives
	ex 28.13	explosives
	ex 28.14	tear gas
	ex 28.28	explosives
	ex 28.32	explosives
	ex 28.39	explosives
	ex 28.50	toxic products
	ex 28.51	toxic products
	ex 28.54	explosives
29	ex 29.03	explosives
	ex 29.04	explosives
	ex 29.07	explosives
	ex 29.08	explosives
	ex 29.11	explosives
	ex 29.12	explosives
	ex 29.13	toxic products
	ex 29.14	toxic products
	ex 29.15	toxic products
	ex 29.21	toxic products
	ex 29.22	toxic products
	ex 29.23	toxic products
	ex 29.26	explosives
	ex 29.27	toxic products
	ex 29.29	explosives
30 - 81		
82	ex 82.05	hand tools
	ex 82.07	hand tool parts
83		
84	ex 84.06	engines
	ex 84.08	other engines
	ex 84.45	machinery
	ex 84.53	ADP-machines
85	ex 85.13	telecommunication equipment
	ex 85.15	transmission apparatus

BTN chapters	Exceptions	
86	ex 86.02	armoured locomotives
	86.03	other armoured locos
	86.05	armoured wagons
	86.06	repair wagons
	86.07	wagons
87	87.08	tanks and armoured vehicles
	ex 87.01	tractors
	ex 87.02	military vehicles
	ex 87.03	break-down lorries
	ex 87.09	motorcycles
	ex 87.14	towing vehicles
89	ex 89.01	warships
90	ex 90.05	binoculars
	ex 90.13	misc.instruments, lasers
	ex 90.14	telemotors
	ex 90.28	electric and electronic measurement instruments
91 - 92		
94	ex 94.01	aerodynamic seats
95 - 98		

UNITED STATES

The following entities are included in the coverage of this Agreement by the United States.

1. Department of Agriculture (This Agreement does not apply to procurement of agricultural products made in furtherance of agricultural support programmes or human feeding programmes.)
2. Department of Commerce
3. Department of Health, Education and Welfare
4. Department of Housing and Urban Development
5. Department of the Interior (excluding the Bureau of Reclamation)
6. Department of Justice
7. Department of Labour
8. Department of State
9. Department of the Treasury
10. General Services Administration (Purchases by the Automated Data and Telecommunications Service are not included; purchases by the National Tool Centre are not included; purchases by the Regional 9 Office of San Francisco, California are not included)
11. National Aeronautics and Space Administration
12. Veterans Administration
13. Environmental Protection Agency
14. United States International Communication Agency
15. National Science Foundation
16. Panama Canal Company and Canal Zone Government
17. Executive Office of the President
18. Farm Credit Administration
19. National Credit Union Administration
20. Merit Systems Protection Board
21. ACTION
22. United States Arms Control and Disarmament Agency
23. Civil Aeronautics Board
24. Federal Home Loan Bank Board
25. National Labour Relations Board
26. National Mediation Board

UNITED STATES (cont'd)

27. Railroad Retirement Board
28. American Battle Monuments Commission
29. Federal Communications Commission
30. Federal Trade Commission
31. Indian Claims Commission
32. Inter-State Commerce Commission
33. Securities and Exchange Commission
34. Office of Personnel Management
35. United States International Trade Commission
36. Export-Import Bank of the United States
37. Federal Mediation and Conciliation Service
38. Selective Service System
39. Smithsonian Institution
40. Federal Deposit Insurance Corporation
41. Consumer Product Safety Commission
42. Equal Employment Opportunity Commission
43. Federal Maritime Commission
44. National Transportation Safety Board
45. Nuclear Regulatory Commission
46. Overseas Private Investment Corporation
47. Renegotiation Board
48. Administrative Conference of the United States
49. Board for International Broadcasting
50. Commission on Civil Rights
51. Commodity Futures Trading Commission
52. Community Services Administration
53. Department of Defence (excluding Corps of Engineers)

This Agreement will not apply to the following purchases of the DOD:

- (a) Federal Supply Classification (FSC) 83 - all elements of this classification other than pins, needles, sewing kits, flagstuffs, flagpoles, and flagstaff trucks;
- (b) FSC 84 - all elements other than sub-class 8460 (luggage);
- (c) FSC 89 - all elements other than sub-class 8975 (tobacco products)

UNITED STATES (cont'd)

- (d) FSC 2310 - (buses only);
- (e) Specialty metals, defined as steels melted in steel manufacturing facilities located in the United States or its possessions, where the maximum alloy content exceeds one or more of the following limits, must be used in products purchased by DOD: (1) manganese, 1.65 per cent; silicon, 0.60 per cent; or copper, 0.06 per cent; or which contains more than 0.25 per cent of any of the following elements: aluminium, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, or vanadium; (2) metal alloys consisting of nickel, iron-nickel and cobalt base alloys containing a total of other alloying metals (except iron) in excess of 10 per cent; (3) titanium and titanium alloys; or, (4) zirconium base alloys;
- (f) FSC 19 and 20 - that part of these classifications defined as naval vessels or major components of the hull or superstructure thereof;
- (g) FSC 51
- (h) Following FSC categories are not generally covered due to application of Part VIII, paragraph 1:
10, 12, 13, 14, 15, 16, 17, 19, 20, 28, 31, 58, 59, 95

This Agreement will generally apply to purchases of the following FSC categories subject to United States Government determinations under the provisions of Part VIII, paragraph 1:

- 22. Railway Equipment
- 23. Motor Vehicles, Trailers, and Cycles (except buses in 2310)
- 24. Tractors
- 25. Vehicular Equipment Components
- 26. Tyres and Tubes
- 29. Engine Accessories
- 30. Mechanical Power Transmission Equipment
- 32. Woodworking Machinery and Equipment
- 34. Metalworking Machinery
- 35. Service and Trade Equipment

UNITED STATES (cont'd)

36. Special Industry Machinery
37. Agricultural Machinery and Equipment
38. Construction, Mining, Excavating, and Highway Maintenance Equipment
39. Materials Handling Equipment
40. Rope, Cable, Chain and Fittings
41. Refrigeration and Air Conditioning Equipment
42. Fire Fighting, Rescue and Safety Equipment
43. Pumps and Compressors
44. Furnace, Steam Plant, Drying Equipment and Nuclear Reactors
45. Plumbing, Heating and Sanitation Equipment
46. Water Purification and Sewage Treatment Equipment
47. Pipe, Tubing, Hose and Fittings
48. Valves
49. Maintenance and Repair Ship Equipment
52. Measuring Tools
53. Hardware and Abrasives
54. Prefabricated Structures and Scaffolding
55. Lumber, Millwork, Plywood and Veneer
56. Construction and Building Materials
61. Electric Wire, and Power and Distribution Equipment
62. Lighting Fixtures and Lamps
63. Alarm and Signal Systems
65. Medical, Dental, and Veterinary Equipment and Supplies
66. Instruments and Laboratory Equipment
67. Photographic Equipment
68. Chemicals and Chemical Products
69. Training Aids and Devices
70. General Purpose ADPE, Software, Supplies and Support Equipment
71. Furniture
72. Household and Commercial Furnishings and Appliances
73. Food Preparation and Serving Equipment
74. Office Machines, Visible Record Equipment and ADP Equipment
75. Office Supplies and Devices
76. Books, Maps and Other Publications

UNITED STATES (cont'd)

- 77. Musical Instruments, Phonographs, and Home Type Radios
- 78. Recreational and Athletic Equipment
- 79. Cleaning Equipment and Supplies
- 80. Brushes, Paints, Sealers and Adhesives
- 81. Containers, Packaging and Packing Supplies
- 85. Toiletries
- 87. Agricultural Supplies
- 88. Live Animals
- 91. Fuels, Lubricants, Oils and Waxes
- 93. Non-metallic Fabricated Materials
- 94. Non-metallic Crude Materials
- 96. Ores, Minerals and their Primary Products
- 99. Miscellaneous

General Notes

- 1. Notwithstanding the above, this Agreement will not apply to set asides on behalf of small and minority businesses.
- 2. Pursuant to Part I, paragraph 1(a), transportation is not included in services incidental to procurement contracts.

ANNEX II¹PUBLICATIONS UTILIZED BY PARTIES TO THIS AGREEMENT FOR THE
PUBLICATION OF NOTICES OF PROPOSED PURCHASES -
PART V, PARAGRAPH 3EUROPEAN ECONOMIC COMMUNITY

- Belgium
- Official Journal of the European Communities
 - Le Bulletin des Adjudications
 - Other publications in the specialized press
- Denmark
- Official Journal of the European Communities
- France
- Official Journal of the European Communities
- F.R. Germany
- Official Journal of the European Communities
 - Bundesanzeiger
Postfach 108006
5000 Köln 1
 - Bundesausschreibungsblatt GmbH
Poststrasse 13
4000 Düsseldorf 1
- Ireland
- Official Journal of the European Communities
 - Daily Press: "Irish Independent", "Irish Times",
"Irish Press", "Cork Examiner"
- Italy
- Official Journal of the European Communities
- Luxembourg
- Official Journal of the European Communities
 - Daily Press
- Netherlands
- Official Journal of the European Communities
- United Kingdom
- Official Journal of the European Communities

FINLAND

Official Gazette of Finland

JAPAN

Kampō (Official Gazette)

¹To be completed.

NORWAY

Official Gazette of Norway

SUISSE

Feuille officielle suisse du commerce

SWEDEN

Gazette of Government

Contracts, supplement to the Official Gazette

UNITED STATES

Commerce Business Daily

ANNEX III^{1/}

PUBLICATIONS UTILIZED BY PARTIES TO THIS AGREEMENT FOR THE
PUBLICATION ANNUALLY OF INFORMATION ON PERMANENT
LISTS OF SUPPLIERS IN THE CASE OF SELECTIVE
TENDERING PROCEDURES - PART V, PARAGRAPH 6

JAPAN

Kampō. (Official Gazette)

^{1/}To be completed.

ANNEX IV^{1/}

PUBLICATIONS UTILIZED BY PARTIES TO THIS AGREEMENT
FOR THE PROMPT PUBLICATION OF LAWS, REGULATIONS, JUDICIAL
DECISIONS, ADMINISTRATIVE RULINGS OF GENERAL APPLICATION AND ANY
PROCEDURE REGARDING GOVERNMENT PROCUREMENT COVERED BY THIS
AGREEMENT - PART VI, PARAGRAPH 1

EUROPEAN ECONOMIC COMMUNITY

- Belgium - Laws, royal regulations, ministerial regulations, main
 circulars on government procurement - Le Moniteur Belge
- Jurisprudence - pasicrisie
- Denmark - Laws and regulations - Lovtidende
- Judicial decisions - Ugeskrift for retsvaesen
- Administrative rulings and procedures - ministerialtidende
- France - Legislation - Bulletin officiel
- Jurisprudence - no official publication
- Germany - Legislation - Bundesgesetzblatt
 - Herausgeber: Der Bundesminister der Justiz
 - Verlag: Bundesanzeiger
 - Bundesanzeiger
 Postfach 108006
 5000 Köln 1.
- Judicial and administrative rulings:
 Entscheidungsammlungen des
- Bundesverfassungsgerichts
- Bundesgerichtshofs
- Bundesverwaltungsgerichts
- Bundesfinanzhofs sowie der Oberlandsgerichts
- Ireland - Legislation and regulations - Iris Oifigiuil (official Gazette
 of the Irish Government)

^{1/}To be completed.

- Italy
 - Legislation - Gazette Ufficiale
 - Jurisprudence - no official publication
- Luxembourg
 - Legislation - memorial
 - Jurisprudence - Pasicrisie
- Netherlands
 - Legislation - Nederlandse Staatscourant and/or Staatsblad
 - Jurisprudence - no official publication
- United Kingdom
 - Legislation - no such legislation
 - Jurisprudence - Law Reports
 - Standard Contract conditions -
Document GC/Stores/1 obtainable from the
Ministry of Defence. It should be noted that
special conditions may apply to some contracts:
details may be obtained from the department
concerned.

FINLAND

The Code of Statutes of Finland (Suomen Asetuskokoelma - Finlands
Författningssamling)

JAPAN

Genkō-nihon-hōki (Compilation of Current Laws and Regulations of
Japan), and/or Kampo (Official Gazette)

NORWAY

The Code of Statutes of Norway (Norsk Lovtidend)

SUISSE

Recueil officiel des lois et ordonnances de la Confédération suisse (RO)

SWEDEN

1. The Swedish Code of Statutes (Svensk författningssamling, SFS)
2. Instructions to the Royal proclamations on Government Procurement, issued by the National Audit Bureau. (Riksrevisionsverkets tillämpningsanvisningar till upphandlingskungörelsen)

UNITED STATES

All U.S. laws, regulations, judicial decisions, administrative rulings and procedures regarding government procurement covered by this Agreement are codified in the Defense Acquisitions Regulation (DAR) and the Federal Procurement Regulations (FPR), both of which are published as a part of the U.S. Code of Federal Regulations (CFR). The DAR is published in Title 32 of CFR and the FPR is in Title 41, Chapter 1 (CFR). Copies may be purchased from the Government Printing Office. These regulations are also published in loose leaf versions which are available by subscription from the Government Printing Office. Changes are provided to subscribers as they are issued.

For those who wish to consult original sources, the following published sources are provided:

<u>Material</u>	<u>Publication Name</u>
U.S. Laws	U.S. Statutes at Large
Decisions:	
- U.S. Supreme Court	U.S. Reports
- Circuit Court of Appeals	Federal Reporter - 2nd Series
- District Courts	Federal Supplement Reporter
- Court of Claims	Court of Claims Reports
Decisions:	
- Boards of Contract Appeals	Unofficial publication by Commerce Clearing House

Decisions:

- Comptroller General of the U.S.

Those not officially published
as decisions of the Comptroller
General are published unofficially
by Federal Publications, Inc.