

RESTRICTED

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19 March 1981

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GENERAL AGREEMENT ON TARIFFS AND TRADE

Committee on Government Procurement

Original: French

INFORMATION ON IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT

Addendum

Note Received from the Delegation of Switzerland

In accordance with the decision of the Committee on Government Procurement at its first meeting on 15 January 1981, that each Party would describe the main elements of its legislation in a note, and in response to the checklist subsequently issued for this purpose in GPR/4, the delegation of Switzerland has submitted the note which is reproduced hereunder.

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- (i) At their December 1979 sessions, the two Chambers of the Swiss Parliament adopted the Agreement on Government Procurement by way of a Federal Order. The text of the Federal Order, which is identical to that of the Agreement, was published in the Swiss Federal Gazette (FF 1979 III 331) and included in the Recueil des Lois fédérales (RO 1979 2387).
 - (ii) The authority responsible, in the first instance, for ensuring application of the Agreement is the Federal Office for External Economic Affairs of the Federal Department of the Economy.
 - (iii) The basic instrument for the purchasing entities is the Agreement itself. To facilitate their task, the Federal Department of Finance, in consultation with the Federal Office for External Economic Affairs, has drawn up instructions in the form of a practical guide for the application of the provisions of the Agreement.
 - (iv) The principle of national treatment and non-discrimination was already being applied by purchasing entities in accordance with the Federal Administration's Procurement Ordinance of 8 December 1975 (RO 2373), which required the system of free competition.

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(v) Where purchases are likely to exceed the threshold, they are publicly notified by the purchasing entities in the appropriate organ under the heading "Communications".

(vi) In the case of selective tendering procedures, suppliers are selected on a contract-by-contract basis.

(vii) In principle, the Cantonal Governments are aware of the existence of the new Agreement, since its text was published and discussed by Parliament. In addition, a circular from the Federal Council to the Cantons is being prepared in order to draw their attention to the objectives, principles and rules of the Agreement, as stipulated in Article I:2.

(viii) Information centre, as foreseen in Articles III and VI:

Office fédéral des affaires économiques extérieures,
Palais fédéral Est,
3003 Berne.

(ix) The first notice of a proposed purchase was published on 24 January 1981, in accordance with Article V:3.