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Överenskommelse om statlig upphandling (GATT).

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Riksdagsbehandling: Prop. 1979/80: 24, UU 1979/80: 13,
Rskr 1979/80: 138.

Agreement on Government Procurement

Preamble

Parties to this Agreement (hereinafter referred to as "Parties").

Considering that Ministers agreed in the Tokyo Declaration of 14 September 1973 that comprehensive Multilateral Trade Negotiations in the framework of the General Agreement on Tariffs and Trade (hereinafter referred to as "General Agreement" or "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;

Överenskommelse om statlig upphandling

Inledning

Parterna i denna överenskommelse (nedan benämnda "parterna").

vilka beaktar att ministrarna i Tokyodeklarationen av den 14 september 1973 enats om att de omfattande multilaterala handelsförhandlingarna inom ramen för det Allmänna tull- och handelsavtalet (nedan benämnt "GATT") bland annat borde syfta till att minska eller avskaffa icke-tariffära åtgärder eller, där så inte är lämpligt, minska eller avskaffa deras restriktiva eller störande verkningar på handeln och att bringa sådana åtgärder under mer effektiv internationell disciplin.

vilka beaktar att ministrarna också enats om att förhandlingarna borde syfta till att tillförsäkra ytterligare fördelar för utvecklingsländernas internationella handel samt erkänt betydelsen av att tillämpa differentierade åtgärder på sätt som ger särskild och mer gynnsam behandling av utvecklingsländerna där så är möjligt och lämpligt.

vilka erkänner att utvecklingsländerna under beaktande av sin betalningsbalanssituation kan behöva tillämpa överenskomna differentierade åtgärder för att nå sina ekonomiska och sociala mål att genomföra program och politik för ekonomisk utveckling som syftar till att höja befolkningens levnadsstandard.

vilka beaktar att ministrarna i Tokyodeklarationen erkänt att de minst utvecklade ländernas speciella situation och problem skall ges särskild uppmärksamhet och betonat behovet av att se till att dessa länder får särskild behandling i samband med varje generell eller specifik åtgärd till förmån för utvecklingsländerna under förhandlingarna.

vilka erkänner behovet att i överenskommelsen fastställa ett internationellt system med rättigheter och skyldigheter i fråga om lagar, föreskrifter, förfaranden och tillämpning rörande statlig upphandling i syfte att uppnå en högre grad av liberalisering och utvidgning av världshandeln och en förbättring av det internationella system som reglerar världshandeln.

¹ Översättning i enlighet med den i prop. 1979/80: 24 intagna texten.

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 procedures on notification, consultation, surveillance and dispute settlement 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:

ARTICLE 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 more². 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 or products of the same type results in the award of more than one contract or in con-

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

² For contracts below the threshold, the Parties shall consider, in accordance with paragraph 6 of Article 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 this Agreement.

vilka erkänner att lagar, föreskrifter, förfaranden och tillämpning rörande statlig upphandling dels inte bör utarbetas, antas eller tillämpas gentemot utländska eller inhemska varor och utländska eller inhemska leverantörer för att skydda inhemska varor eller leverantörer, dels inte bör diskriminera mellan utländska varor eller leverantörer,

vilka erkänner önskvärdheten av öppenhet i lagar, föreskrifter, förfaranden och tillämpning rörande statlig upphandling,

vilka erkänner behovet av att utforma internationella förfaranden för notifikation, konsultation, övervakning och biläggande av tvister i syfte att säkerställa ett rättvist, skyndsamt och effektivt hävdande av internationella bestämmelser om statlig upphandling och att vidmakthålla balansen i fråga om rättigheter och skyldigheter på högsta möjliga nivå,

överenskommer härmed om följande:

ARTIKEL I

Omfattning och täckning

1. Denna överenskommelse äger tillämpning på:

(a) lagar, föreskrifter, förfaranden och tillämpning rörande upphandling av varor av myndigheter¹ som omfattas av denna överenskommelse. Häri inbegrips tjänster som har samband med tillhandahållande av varor, förutsatt att värdet av dessa tjänster inte överskrider värdet av varan, men däremot inte upphandling av tjänster i sig;

(b) upphandlingar till ett värde av 150 000 SDR eller mer². Upphandling skall inte delas upp i syfte att nedbringa värdet av densamma under 150 000 SDR. Om ett särskilt behov att upphandla en vara eller varor av samma slag skulle medföra mer än en upphandling, skall värdet av dessa upprepade upphandlingar under 12 månader efter den ursprungliga upp-

¹ I denna överenskommelse avses med uttrycket myndigheter även statliga verk.

² Vad gäller upphandlingar till ett värde understigande tröskelvärdet skall parterna i enlighet med artikel IX, moment 6, överväga tillämpning av hela eller delar av denna överenskommelse. De skall särskilt se över rådande upphandlingsförfaranden samt tillämpningen av icke-diskriminering och öppenhet i sådana upphandlingar i samband med att upphandlingar under tröskelvärdet eventuellt inkluderas i denna överenskommelse.

tracts 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 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. The 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.

ARTICLE II

National Treatment and Non-Discrimination

1. With respect to all laws, regulations, procedures and practices regarding government procurement covered by this Agreement, the Parties 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, 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. The Parties shall not apply rules of origin to products imported for purposes of government procurement covered by this Agreement from other Parties, which are different

handlingen utgöra grunden för tillämpning av denna överenskommelse;

(c) upphandling av de myndigheter som i fråga om upphandlingsförfaranden är direkt eller i huvudsak underställda parterna eller andra särskilt utsedda myndigheter. Fram till den översyn och de ytterligare förhandlingar som omnämns i slutbestämmelserna anges täckningen av denna överenskommelse i listorna över myndigheter, samt i den utsträckning rättelser och ändringar gjorts ersättande myndigheter, enligt bilaga I.

2. Parterna skall underrätta myndigheter som inte täcks av denna överenskommelse samt regionala och lokala styrelser och myndigheter inom sina områden om målen, principerna och reglerna i denna överenskommelse, särskilt reglerna om nationell behandling och icke-diskriminering, och uppmärksamma dem på de allmänna fördelarna med en liberalisering av statlig upphandling.

ARTIKEL II

Nationell behandling och icke-diskriminering

1. I fråga om alla lagar, föreskrifter, förfaranden och tillämpningar rörande statlig upphandling som täcks av denna överenskommelse skall parterna, ofördröjligen och oivkorkligen, bevilja andra parters varor och leverantörer som utbjuder varor med ursprung inom parternas tullområden (inklusive frizoner) behandling som inte är mindre gynnsam än:

(a) den som beviljas inhemska varor och leverantörer; och

(b) den som beviljas varje annan parts varor och leverantörer.

2. Bestämmelserna i moment 1 skall inte äga tillämpning på tullar och avgifter av andra slag som påförs vid eller i samband med import, på metoder att ta ut sådana tullar och avgifter eller på andra importföreskrifter och importformaliteter.

3. Parter skall inte tillämpa ursprungsregler på varor som importerats från andra parter för statligt upphandlingsändamål enligt denna överenskommelse vilka skiljer sig från de

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.

ARTICLE III

Special and Differential Treatment for Developing Countries

Objectives

1. The Parties shall, in the implementation and administration of this Agreement, through the provisions set out in this Article, 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 the GATT and not disapproved by them.

2. Consistently with the provisions of this Agreement, the Parties 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 countries 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

ursprungsregler som vid importtillfället tillämpas i den normala handeln vid import av samma varor från samma parter.

ARTIKEL III

Särskild och differentierad behandling av utvecklingsländer

Mål

1. Parterna skall, med stöd av bestämmelserna i denna artikel, ta vederbörlig hänsyn vid tillämpningen och förvaltningen av denna överenskommelse till utvecklingsländernas och särskilt de minst utvecklade ländernas handels- och utvecklingsmässiga samt finansiella behov när det gäller deras behov att:

(a) trygga sin betalningsbalans och säkerställa erforderliga finansiella reserver för genomförande av ekonomiska utvecklingsprogram;

(b) främja etableringen eller utvecklingen av inhemska industrier, inklusive småföretag och hantverk i eftersatta områden samt ekonomisk utveckling inom andra sektorer i ekonomin;

(c) stödja industriföretag så länge dessa helt eller huvudsakligen är beroende av statlig upphandling;

(d) befordra den ekonomiska utvecklingen genom regionala eller globala avtal mellan utvecklingsländer som framlagts för de AVTALSSLUTANDE PARTERNA i GATT och inte ogillats av dessa.

2. I enlighet med bestämmelserna i denna överenskommelse skall parterna vid utarbetandet och tillämpningen av lagar, föreskrifter och förfaranden rörande statlig upphandling underlätta en ökning av importen från utvecklingsländer, varvid de särskilda problemen i de minst utvecklade länderna och de länder som befinner sig på ett lågt stadium av ekonomisk utveckling bör beaktas.

Täckning

3. För att utvecklingsländer skall tillförsäkras möjlighet att ansluta sig till denna överenskommelse på villkor som är förenliga med deras handels- och utvecklingsmässiga samt finansiella behov, skall de mål som uppräknas

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 this 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, the developing country Parties may modify their lists of entities in accordance with the provisions for modification of such lists contained in paragraph 5 of Article 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. The developing country Parties may also request, after entry into force of this Agreement, the Committee to grant exclusions for certain entities or products that are included in their lists in the light of their

nats i moment 1 ovan vederbörligen beaktas vid förhandlingar rörande utvecklingsländers listor över myndigheter som skall täckas av bestämmelserna i denna överenskommelse. De utvecklade länderna skall vid sammanställning av sina listor över myndigheter som skall täckas av bestämmelserna i denna överenskommelse bemöda sig om att inkludera sådana myndigheter som köper varor av exportintresse för utvecklingsländerna.

Överenskomna undantag

4. I samband med förhandlingar om denna överenskommelse får utvecklingsländer förhandla med andra deltagarländer om ömsesidigt godtagbara undantag från reglerna om nationell behandling vad gäller vissa myndigheter eller varor som finns upptagna i deras listor med hänsyn till de särskilda omständigheterna i varje enskilt fall. Vid sådana förhandlingar skall övervägandena i moment 1(a)–(c) ovan vederbörligen beaktas. Utvecklingsländer som deltar i regionala eller globala avtal mellan utvecklingsländer, åsyftade i moment 1(d) ovan, får också förhandla om undantag i sina listor med hänsyn till de särskilda omständigheterna i varje enskilt fall, varvid bland annat de bestämmelser om statlig upphandling som införts i dessa regionala eller globala avtal skall beaktas och varvid hänsyn särskilt bör tas till varor som kan vara föremål för gemensamma industriella utvecklingsprogram.

5. Sedan denna överenskommelse trätt i kraft kan utvecklingsländer som är parter i denna överenskommelse med hänsyn till sina handels- och utvecklingsmässiga samt finansiella behov vidta ändringar i sina listor över myndigheter enligt bestämmelserna för ändringar av sådana listor i artikel IX, moment 5, i denna överenskommelse eller begära att kommittén medger undantag från reglerna för nationell behandling för vissa myndigheter, eller varor som upptagits i deras listor över myndigheter, varvid hänsyn bör tas till de särskilda omständigheterna i varje enskilt fall och varvid bestämmelserna i moment 1(a)–(c) ovan vederbörligen bör beaktas. Utvecklingsländer som är parter i denna överenskommelse kan, sedan denna trätt i kraft, också begära att kommittén medger undantag

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 Article.

Technical assistance for developing country Parties

8. Developed country Parties 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 the 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. The developed country Parties 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 Agree-

ment for some authorities, or varor som upptagits i deras listor, på grund av deras deltagande i regionala eller globala avtal mellan utvecklingsländer, varvid hänsyn bör tas till de särskilda omständigheterna i varje enskilt fall och varvid bestämmelserna i moment 1(d) ovan vederbörligen bör beaktas. Varje begäran till kommittén från ett utvecklingsland som är part i denna överenskommelse rörande ändring i en lista skall åtföljas av handlingar som är relevanta för denna begäran eller av sådana uppgifter som kan vara nödvändiga vid bedömning av frågan.

6. Moment 4 och 5 ovan skall äga analog tillämpning på utvecklingsländer som ansluter sig till denna överenskommelse efter dess ikraftträdande.

7. Sådana överenskomna undantag som nämnts i moment 4, 5 och 6 ovan skall ses över i enlighet med bestämmelserna i moment 13 i denna artikel.

Tekniskt bistånd till utvecklingsländer som är parter i denna överenskommelse

8. Utvecklade länder som är parter i överenskommelsen skall på begäran ge allt tekniskt bistånd som de bedömer rimligt till utvecklingsländer som är parter i överenskommelsen för att lösa deras problem i fråga om statlig upphandling.

9. Detta bistånd, som skall grundas på icke-diskriminering mellan utvecklingsländer som är parter i denna överenskommelse, skall bland annat avse:

- lösning av särskilda tekniska problem i samband med att anbud i upphandlingsärendet antas;
- problem av varje annat slag som den biståndsökande parten och annan part enas om att ta upp inom ramen för sådant bistånd.

Informationscentraler

10. Utvecklade länder som är parter i denna överenskommelse skall, enskilt eller tillsammans, upprätta informationscentraler för att tillgodose skäliga krav från de utvecklingsländers sida som är parter i överenskommelsen på information beträffande bland annat lagar, föreskrifter, förfaranden och tillämpning rörande statlig upphandling, publicerade tillkännagivanden av planerade upp-

ment, 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 the least-developed country Parties 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 country Parties. The Parties may also grant the benefits of this Agreement to suppliers in the 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 and 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 Article and after each three years of its operation on the basis of reports to be submitted by the Parties 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 Article 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 Article shall be modified or extended.

handlingar, adresser till de myndigheter som täcks av denna överenskommelse samt beskaffenhet och mängd av varor som har upphandlats eller kommer att upphandlas, inklusive tillgänglig information om framtida anbud. Kommittén kan också upprätta en informationscentral.

Särskild behandling av de minst utvecklade länderna

11. Enligt moment 6 i Tokyodeklarationen skall särskild behandling ges de minst utvecklade länder som är parter i denna överenskommelse och leverantörerna i dessa länder i fråga om varor med ursprung i dessa länder i samband med generella eller specifika åtgärder till förmån för de utvecklingsländer som är parter i denna överenskommelse. Parterna kan också bevilja leverantörer i de minst utvecklade länder som inte är parter i denna överenskommelse förmånerna enligt denna överenskommelse i fråga om varor med ursprung i dessa länder.

12. Utvecklade länder som är parter i denna överenskommelse skall på begäran ge bistånd, som de bedömer rimligt, till potentiella anbudsgivare i de minst utvecklade länderna i samband med anbudsgivning och val av varor som bedöms vara av intresse för myndigheter i utvecklade länder och för leverantörer i de minst utvecklade länderna och likaledes bistå dem med att uppfylla tekniska föreskrifter och standarder som gäller de varor som är aktuella för den föreslagna upphandlingen.

Översyn

13. Kommittén skall årligen se över denna artikels tillämpning och effektivitet och efter vart tredje år den tillämpats genomföra en större översyn för att utvärdera dess verkningar på grundval av rapporter som skall lämnas av parterna. Som del av översynen vart tredje år skall kommittén undersöka om de undantag som föreskrivs i moment 4 till 6 i denna artikel skall ändras eller förlängas, i avsikt att nå största möjliga tillämpning av bestämmelserna i denna överenskommelse, särskilt vad avser artikel II, och med hänsyn till de berörda utvecklingsländernas handels- och utvecklingsmässiga samt finansiella läge.

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

ARTICLE IV

Technical Specifications

1. 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.

2. Any technical specification prescribed by procurement entities shall, where appropriate:

(a) be in terms of performance rather than design; and

(b) be based on international standards, national technical regulations, or recognized national standards.

3. 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.

ARTICLE V

Tendering Procedures

1. The Parties 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 proce-

14. Under loppet av ytterligare förhandlingsomgångar i enlighet med bestämmelserna i artikel IX, moment 6, skall de utvecklingsländer som är parter i denna överenskommelse beakta möjligheten att utvidga sina listor över myndigheter med hänsyn till sin ekonomiska, finansiella och handelsmässiga situation.

ARTIKEL IV

Tekniska specifikationer

1. Tekniska specifikationer vilka fastställer egenskaper hos varor som skall köpas, exempelvis krav avseende kvalitet, prestanda, säkerhet, dimensioner, provning och provningsmetoder, symboler, terminologi, förpackning, märkning och etikettering samt överensstämmelse-certifiering som föreskrivits av upphandlingsmyndigheten får ej utarbetas, antas eller tillämpas i syfte att upprepa hinder för internationell handel eller resultera i onödiga hinder för internationell handel.

2. Varje teknisk specifikation som föreskrivits av upphandlande myndighet skall, då så är lämpligt:

(a) uttryckas i prestanda hellre än utformning; och

(b) baseras på internationella standarder, nationella tekniska föreskrifter eller erkända nationella standarder.

3. Finns det inte ett tillräckligt exakt och klart sätt att beskriva upphandlingskraven får krav ställas på eller hänvisning göras till särskilt varumärke eller namn, patent, utformning eller typ, särskilt ursprung eller särskild producent under förutsättning att orden "eller likvärdig" införs i anbudsunderlaget.

ARTIKEL V

Anbudsförfaranden

1. Parterna skall tillse att de anbudsförfaranden som tillämpas av deras myndigheter överensstämmer med nedanstående bestämmelser. I denna överenskommelse förstås med öppen anbudsinfördran sådant förfarande vid vilket alla intresserade leverantörer får inlämna anbud. Med selektiv anbudsinfördran förstås i denna överenskommelse förfar-

dures under which, consistent with paragraph 7 and other relevant provisions of this Article, those suppliers invited to do so by the entity may submit a tender. Single tendering procedures, for the purposes of this Agreement, are those procedures 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 and 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;

rande vid vilket, i enlighet med moment 7 och andra relevanta bestämmelser i denna artikel, leverantör som av myndighet inbjudits här till får inlämna anbud. Med anbudsfordran från endast en anbudsgivare förstås i denna överenskommelse förfarande då myndighet tar kontakt med enskild leverantör uteslutande på villkor som anges i moment 15 nedan.

Kvalificering av leverantörer

2. Vid kvalificering av leverantörer skall myndigheter inte diskriminera mellan utländska leverantörer eller mellan inhemska och utländska leverantörer. Kvalificeringsförfarande skall överensstämma med följande:

(a) varje villkor för deltagande i anbudsfordrande skall publiceras i tillräckligt god tid för att intresserade leverantörer skall ha möjlighet att inleda och, i den mån det är förenligt med ett effektivt sätt att genomföra upphandlingsprocessen, fullborda kvalificeringsförfarandena;

(b) varje villkor för deltagande som krävs av leverantör, inklusive ekonomiska garantier, tekniska kvalifikationer och uppgifter erforderliga för bedömning av en leverantörs finansiella, kommersiella och tekniska kapacitet, liksom kontroll av kvalifikationerna, skall inte vara mindre förmånligt för utländska än för inhemska leverantörer och skall inte diskriminera mellan utländska leverantörer;

(c) kvalificeringsförfarande och den härför erforderliga tiden skall inte användas i syfte att hindra utländsk leverantör från att upptas på leverantörsförteckning eller från att komma i fråga vid en viss planerad upphandling. Myndighet skall som kvalificerad leverantör erkänna sådan inhemska eller utländsk leverantör som uppfyller villkoren för deltagande i en viss planerad upphandling. Leverantörer som begär att få delta i viss planerad upphandling men som ännu inte är kvalificerade skall också komma ifråga, förutsatt att tillräcklig tid finns för att slutföra kvalificeringsförfarandet;

(d) myndigheter som för permanenta förteckningar över kvalificerade leverantörer skall tillse att alla kvalificerade leverantörer som så begär upptas på förteckningarna inom rimlig tid;

(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:

(e) varje leverantör som begärt att bli antagen som kvalificerad leverantör skall underrättas av berörd myndighet om beslut härom. Kvalificerade leverantörer som upptagits på myndighetens permanenta förteckningar skall också underrättas vid avskaffande av varje sådan förteckning eller om de avförs från sådana förteckningar;

(f) ingenting i punkterna (a)–(e) ovan skall utgöra hinder för att leverantör utesluts på sådana grunder som konkurs eller falskt intygande, om sådan åtgärd är förenlig med bestämmelserna om nationell behandling och icke-diskriminering i denna överenskommelse.

Tillkännagivande av planerad upphandling samt anbudsunderlag

3. Myndighet skall publicera tillkännagivande av planerad upphandling i lämplig publikation upptagen i bilaga II. Sådant tillkännagivande skall ligga till grund för inbjudan att delta i öppen eller selektiv anbudsinfördran.

4. Varje tillkännagivande av planerad upphandling skall innehålla följande uppgifter:

(a) beskaffenhet och kvantitet av de varor som skall levereras eller när det gäller återkommande upphandlingar av de varor som beräknas bli upphandlade;

(b) om anbudsinfördran är öppen eller selektiv;

(c) eventuellt leveransdatum;

(d) adress och sista dag för att inlämna ansökan att bli inbjuden till anbudsgivning, för att bli kvalificerad att upptas på leverantörsförteckningarna eller för att motta anbud samt uppgift om på vilket eller vilka språk anbud skall avfattas;

(e) adress till den myndighet som svarar för upphandlingen och som tillhandahåller alla uppgifter som är nödvändiga för att erhålla specifikationer och andra handlingar;

(f) eventuella ekonomiska och tekniska krav, ekonomiska garantier och uppgifter som leverantörerna skall lämna;

(g) belopp och betalningsvillkor för eventuell avgift att erläggas för anbudsunderlaget.

Myndigheten skall på något av GATT:s officiella språk publicera en sammanfattning av tillkännagivandet av planerad upphandling, vilken skall innehålla åtminstone följande:

- (i) subject matter of the contract;
- (ii) time-limits set for the submission of tenders or an application to be invited to tender; 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 the 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 Article. The number of additional suppliers permitted to participate shall be

(i) vad upphandlingen avser;

(ii) tidsgränser för lämnande av anbud eller en ansökan att bli inbjuden att lämna anbud; och

(iii) adresser från vilka handlingar rörande upphandlingen kan begäras.

5. För att säkerställa effektivast möjliga internationella konkurrens vid selektiv anbudsinfordran skall myndigheter för varje planerad upphandling infordra anbud från det största antal inhemska och utländska leverantörer som är förenligt med en effektiv tillämpning av upphandlingssystemet. De skall välja leverantörer för deltagande i förfarandet på ett rättvist och icke-diskriminerande sätt.

6(a) Vad gäller selektiv anbudsinfordran skall myndighet som för permanenta förteckningar över kvalificerade leverantörer årligen publicera ett tillkännagivande med följande innehåll i en av de publikationer som upptagits i bilaga III:

(i) en uppräknning av de förteckningar som förs, inklusive deras rubriker, i relation till varor eller varuslag som skall inköpas med ledning av förteckningarna;

(ii) de villkor som skall uppfyllas av potentiella leverantörer för att de skall upptas på dessa förteckningar och de metoder som den berörda myndigheten kommer att använda för kontroll av vart och ett av dessa villkor;

(iii) förteckningarnas giltighetstid och formaliteterna när de förnyas.

(b) Myndigheter som för permanenta förteckningar över kvalificerade leverantörer får utse leverantörer från vilka anbud skall infordras bland dem som upptagits på dessa förteckningar. Varje urval skall medge rättvisa möjligheter för leverantörer som upptagits på förteckningarna.

(c) Om en ännu inte kvalificerad leverantör, efter publicering av tillkännagivande enligt moment 3 ovan, begär att få delta i viss anbudsgivning, skall myndigheten skyndsamt inleda kvalificeringsförfarandet.

7. Leverantörer som begär att få delta i anbudsgivningen för viss planerad upphandling skall tillåtas inlämna anbud och komma i fråga, förutsatt att vad gäller ännu inte kvalificerade leverantörer erforderlig tid finns att genomföra kvalificeringsförfarandet enligt moment 2-6 i denna artikel. Antalet tillkommande leverantörer som tillåts delta skall en-

limited only by the efficient operation of the procurement system.

8. If after publication of a notice of a proposed 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 inadequate 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 Article.

(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 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

dast begränsas av kravet på upphandlingssystemets funktionsduglighet.

8. Om det efter publicering av tillkännagivande av planerad upphandling men före tidpunkten för öppnande eller mottagande av anbud enligt tillkännagivandet eller anbudsunderlaget skulle bli nödvändigt att ändra eller på nytt publicera tillkännagivandet, skall ändringen eller det nya tillkännagivandet ges samma spridning som de ursprungliga handlingarna på vilka ändringen grundats. Varje uppgift av betydelse som lämnas en leverantör med avseende på viss planerad upphandling skall samtidigt lämnas till alla övriga berörda leverantörer i tillräckligt god tid för att ge dessa leverantörer möjlighet att beakta sådan uppgift och vidta erforderliga åtgärder.

9(a) Varje föreskriven tidsgräns skall ge såväl utländska som inhemska leverantörer möjlighet att upprätta och inlämna anbud före utgången av anbudstiden. Vid fastställandet av varje sådan tidsgräns skall myndighet, så långt detta är förenligt med dess egna rimliga behov, beakta sådana faktorer som den planerade upphandlingens komplexitet, beräknad omfattning av underleveranser samt normal tid för postbefordran av anbud från utländska och inhemska orter.

(b) Då så är förenligt med myndighets egna rimliga behov skall vid fastställande av leveransdatum hänsyn tas till normal tid för transport av varorna från de olika leveransorterna.

10(a) Vid öppen anbudsinfordran skall tiden för mottagande av anbud inte i något fall understiga trettio dagar från det datum då tillkännagivande publicerats enligt moment 3 i denna artikel.

(b) Vid selektiv anbudsinfordran, då permanent förteckning över kvalificerade leverantörer inte kommer till användning, skall tiden för inlämnande av ansökan att bli inbjuden till anbudsgivning inte i något fall understiga trettio dagar från det datum då tillkännagivande publicerats enligt moment 3. Tiden för mottagande av anbud skall inte i något fall understiga trettio dagar från det datum inbjudan till anbudsgivning utfärdats.

(c) Vid selektiv anbudsinfordran, då permanenta förteckningar över kvalificerade leverantörer används, skall tiden för mottagande av anbud inte i något fall understiga trettio dagar från det datum inbjudan till anbuds-

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 Article.

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 requirements, 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, drawing 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;

givning ursprungligen utfärdats. Om det datum då inbjudan ursprungligen utfärdats inte sammanfaller med det datum tillkännagivandet publicerats enligt moment 3, skall inte i något fall mindre än trettio dagar förflyta mellan de båda tidpunkterna.

(d) De tider som angivits i (a), (b) och (c) ovan kan minska, antingen då nödfallsituation som vederbörligen belagts av myndigheten omöjliggör tiderna i fråga, eller då det är fråga om ett andra eller därpå följande publicerat tillkännagivande, som avser återkommande upphandlingar enligt moment 4 i denna artikel.

11. Om myndighet i samband med anbudsfordran medger anbudsgivning på flera språk, skall ett av dessa vara officiellt GATT-språk.

12. Anbudsunderlag som tillhandahålls leverantörer skall innehålla alla uppgifter som behövs för att göra det möjligt för dem att lämna in anbud, inklusive följande:

(a) adress till den myndighet till vilken anbud skall sändas;

(b) adress till vilken begäran om ytterligare uppgifter skall sändas;

(c) uppgift om språk på vilket anbud och anbudshandlingar skall avfattas;

(d) sista dag och klockslag för mottagande av anbud samt den tidsperiod under vilken anbud skall gälla;

(e) uppgifter om vilka personer som äger rätt att närvara vid öppnandet av anbud samt datum, tid och plats för öppnande;

(f) eventuella ekonomiska och tekniska krav, ekonomiska garantier och uppgifter eller handlingar att tillhandahållas av leverantören;

(g) en fullständig beskrivning av de varor som efterfrågas eller av förekommande krav inkluderande tekniska specifikationer, överensstämmelse-certifiering som skall uppfyllas av produkterna, erforderliga skisser, ritningar och instruktionsmaterial;

(h) kriterierna för antagande av anbud, inklusive andra faktorer än pris, som kommer att beaktas vid utvärderingen av anbudet, de kostnader som medräknas vid utvärderingen av anbudspriser, såsom transport-, försäkrings- och avsyningskostnader samt, när det gäller utländska produkter, uppgifter om tullar och andra importavgifter, skatter och betalningsvaluta;

- (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 of 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;

- (i) betalningsvillkor;
- (j) övriga villkor och betingelser.

13(a) Vid öppen anbudsinfördran skall myndighet på begäran sända anbudsunderlaget till varje leverantör som deltar i förfarandet samt ofördröjligen besvara varje skälig begäran om förtydligande i samband därmed.

(b) Vid selektiv anbudsinfördran skall myndighet på begäran sända anbudsunderlaget till varje leverantör som begär att få delta och skyndsamt besvara varje skälig begäran om förtydligande i samband därmed.

(c) Myndighet skall skyndsamt besvara varje skälig begäran om relevanta uppgifter från leverantör som deltar i anbudsinfördrandet, förutsatt att sådana uppgifter inte ger denna leverantör en fördel framför konkurrenterna när det gäller antagande av anbud.

Inlämnande, mottagande, öppnande och antagande av anbud.

14. Inlämnande, mottagande, öppnande och antagande av anbud skall ske enligt följande:

(a) anbud skall normalt inlämnas skriftligen, antingen direkt eller per post. Medges anbudsgivning per telex, telegram eller telecopy skall sådant anbud innehålla alla erforderliga uppgifter för utvärdering av anbudet, särskilt det slutgiltiga pris som erbjudits av anbudsgivaren samt en förklaring att anbudsgivaren godtar alla anbuds-betingelserna, villkoren och bestämmelserna i anbudsinfördran. Anbudet skall omgående bekräftas genom brev eller undertecknad kopia av ifrågasvarande telex, telegram eller telecopy. Anbudsgivning per telefon skall inte medges. Innehållet i telex, telegram eller telecopy skall gälla i händelse av avvikelser eller motsägelser mellan detta innehåll och innehållet i handlingar som mottagits efter anbudstidens utgång. Ansökan om att få delta i selektiv anbudsinfördran får avges per telex, telegram eller telecopy;

(b) möjligheter som, under tiden från anbudens öppnande till antagandet av anbud, kan ges anbudsgivare att rätta till oavsiktliga fel skall inte tillåtas ge upphov till diskriminering;

(c) a supplier shall not be penalized if a tender is received in the office designated in the tender documentation 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 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 Articles 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;

(c) leverantör skall inte bli skadelidande om anbud inkommer till det kontor som anges i anbudsunderlaget efter utsatt tid på grund av försening som uteslutande beror på felhantering inom myndigheten. Anbud kan också komma i fråga vid andra exceptionella omständigheter, om den berörda myndighetens procedurer så medger;

(d) alla anbud som infordrats av myndigheten genom öppen eller selektiv anbudsinfordran skall mottas och öppnas under iakttagande av förfaranden och förhållanden som dels garanterar att öppnandet sker enligt gällande regler, dels säkerställer att information rörande öppnandet blir tillgänglig. Mottagande och öppnande av anbud skall också ske i enlighet med bestämmelserna i denna överenskommelse om nationell behandling och icke-diskriminering. Vid öppen anbudsinfordran skall myndigheterna i detta syfte fastställa bestämmelser för öppnande av anbud i närvaro av antingen anbudsgivare eller dessas representanter, eller lämpligt och opartiskt vittne, som inte har samröre med upphandlingen. Skriftligt protokoll över öppnandet av anbud skall upprättas. Detta protokoll skall förvaras hos de berörda myndigheterna samt vara tillgängligt för de statsmyndigheter under vilka myndigheten lyder, så att det vid behov kan användas i samband med förfaranden enligt artikel VI och artikel VII i denna överenskommelse;

(e) för att ifrågakomma för antagande skall anbud vid tidpunkten för öppnandet uppfylla de huvudsakliga kraven i tillkännagivandet eller anbudsunderlaget samt vara inlämnat av leverantör som uppfyller villkoren för deltagande. Mottar myndighet ett i förhållande till övriga anbud onormalt lågt anbud, kan myndigheten begära närmare upplysningar av anbudsgivaren för att säkerställa att denne kan uppfylla villkoren för deltagande och förmår fullgöra kontraktsvillkoren;

(f) om inte myndighet beslutar att upphandlingen i det allmänna intresset inte bör komma till stånd, skall anbudet från den anbudsgivare antas som bedöms vara fullt i stånd att genomföra sitt åtagande och vars anbud, vare sig det gäller inhemska eller utländska varor, antingen är lägst eller bedöms som fördelaktigast enligt de särskilda utvärderingskriterier som angetts i tillkännagivandet eller anbudsunderlaget;

(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 conditions 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 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 work 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

(g) visar det sig vid utvärderingen att inte något anbud otvetydigt är fördelaktigast enligt de särskilda utvärderingskriterier som angetts i tillkännagivandet eller anbudsunderlaget, skall myndigheten vid eventuella efterföljande förhandlingar beakta och behandla samtliga konkurrenskraftiga anbud lika;

(h) myndighet bör normalt avhålla sig från att anta anbud på villkor att leverantören erbjuder möjlighet till kompensationsupphandling eller liknande. I de få fall där sådana krav ingår som del av en upphandling, skall berörda parter begränsa sådan kompensationsupphandling till att omfatta skälig andel av upphandlingens värde och inte gynna en parts leverantörer framför andra parter leverantörer. Licenser i fråga om teknologi bör normalt inte användas såsom villkor för antagande av anbud, utan bör begränsas till så få fall som möjligt, varvid en parts leverantörer inte skall gynnas framför övriga parter leverantörer.

Användning av anbudsansfordran från endast en anbudsgivare

15. På villkor att anbudsfordran från endast en anbudsgivare inte tillämpas i syfte att undvika största möjliga konkurrens eller på sätt som skulle innebära diskriminering mellan utländska leverantörer eller skydd för inhemska tillverkare, är bestämmelserna i moment 1-14 ovan om öppen och selektiv anbudsansfordran inte tvingande under följande förutsättningar:

(a) då öppen eller selektiv anbudsansfordran inte lett till anbud eller då inlämnade anbud antingen tillkommit genom anbudskartell eller annan överenskommelse eller ej uppfyller de huvudsakliga kraven i anbudsunderlaget eller inlämnats av leverantörer som inte uppfyller villkoren för deltagande enligt bestämmelserna i denna överenskommelse, dock förutsatt att kraven i den ursprungliga anbudsansfordran inte väsentligen ändrats i samband med att anbud antagits;

(b) då varorna utgörs av konstverk, eller då de av orsaker som sammanhänger med skydd av upphovsrätt, såsom patent eller copyright, endast kan tillhandahållas av en viss leverantör och skäligt alternativ eller substitut inte finns;

(c) i den utsträckning så är absolut nödvän-

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 Article.³

16. Entities shall prepare a report in writing on each contract awarded under the provisions of paragraph 15 of this Article. 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 Article 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 Articles VI and VII of this Agreement.

ARTICLE 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 in the ap-

³ Original 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.

dig, då varorna inte skulle kunna erhållas i tid vid tillämpning av öppen eller selektiv anbudsinfördran på grund av extrem tidsbrist till följd av händelser som inte kunnat förutses av myndigheten;

(d) då det gäller tilläggsleveranser från den ursprungliga leverantören, vilka avser antingen varor för ersättning av befintliga lager eller installationer eller varor för utökning av befintliga lager eller installationer, och då ett byte av leverantör skulle tvinga myndigheten att inköpa varor som inte uppfyller kraven på utbytbarhet med redan befintlig utrustning;

(e) då myndighet inköper prototyper eller en ny vara som utvecklats på dess begäran i samband med och för bestämd upphandling avseende forskning, försöksverksamhet, undersökning eller grundläggande utvecklingsarbete. När sådana upphandlingar fullgjorts skall efterföljande inköp av varorna ske enligt moment 1–14 i denna artikel³.

16. Myndighet skall utarbeta en skriftlig rapport om varje anbud som antagits enligt bestämmelserna i moment 15 i denna artikel. Varje rapport skall innehålla namn på upphandlande myndighet, inköpssumma och varuslag, ursprungsland samt en redogörelse för de villkor i moment 15 i denna artikel som tillämpats. Rapporten skall förvaras hos de berörda myndigheterna och var tillgänglig för de statliga myndigheter under vilka myndigheten lyder så att den vid behov kan användas i samband med förfarande enligt artiklarna VI och VII i denna överenskommelse.

ARTIKEL VI

Information och översyn

1. Lagar, föreskrifter, rättsliga beslut, administrativa utlåtanden med allmän tillämplighet samt förfaranden (inkl. standardkontraktsklausuler) rörande statlig upphandling enligt denna överenskommelse skall skyndsamt publiceras av parterna i lämpliga publi-

³ Ursprunglig utveckling av en ny vara kan omfatta en begränsad tillverkning för att kunna ta hänsyn till resultat av utprovning och för att demonstrera att varan kan serietillverkas i godtagbar kvalitet. Detta gäller inte serietillverkning i syfte att påvisa varans kommersiella möjligheter eller för att täcka utvecklingskostnader.

propriate publications listed in Annex IV and in such a manner as to enable other Parties and suppliers to become acquainted with them. The Parties 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 Article 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

kationer som angivits i bilaga IV på sätt som möjliggör för andra parter och leverantörer att ta del därav. Parterna skall vara beredda att på begäran förklara för annan part sina förfaranden vid statlig upphandling. Myndigheter skall vara beredda att på begäran förklara gällande upphandlingsförfaranden för leverantör från ett land som är part i denna överenskommelse.

2. Myndighet skall på begäran från leverantör skyndsamt tillhandahålla relevanta uppgifter om skälen till att leverantörens ansökan att bli upptagen på leverantörsförteckning avslagits eller till att leverantören inte inbjudits till eller antagits för anbudsgivning.

3. Myndighet skall skyndsamt och aldrig senare än sju arbetsdagar efter den dag ett anbud antagits genom skriftligt meddelande eller publicering underrätta de anbudsgivare vars anbud inte antagits om att anbud från annan anbudsgivare antagits.

4. På begäran av anbudsgivare vars anbud inte antagits skall den upphandlande myndigheten skyndsamt lämna relevanta uppgifter till denna anbudsgivare om skälen till att anbudet inte antagits, inklusive uppgifter om det utmärkande för det antagna anbudet och dess relativa fördelar samt namnet på den vinnande anbudsgivaren.

5. Myndighet skall upprätta ett upplysningsställe för att tillhandahålla ytterligare uppgifter till anbudsgivare vars anbud inte antagits och som inte är nöjd med förklaringarna till att hans anbud avslagits eller som har ytterligare frågor rörande antagande av anbudet. Det skall också finnas förfaranden för hörande och granskning av klagomål med avseende på varje del av upphandlingsförfarandet för att säkerställa att tvister avseende denna överenskommelse så långt möjligt avgörs rättvist och skyndsamt mellan berörda leverantörer och myndigheter.

6. Den regering som är part i denna överenskommelse och i vars land den anbudsgivare vars anbud inte antagits är hemmahörande kan utan inskränkning av bestämmelserna i artikel VII begära sådana ytterligare uppgifter om ifrågasvarande upphandling som kan erfordras för att säkerställa att upphandlingen skett på rättvist och opartiskt sätt. Regeringen i den upphandlande myndighetens land skall i detta syfte tillhandahålla uppgifter

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 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. The Parties 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 this 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 Article V, paragraph 15.

ARTICLE VII

Enforcement of Obligations Institutions

1. There shall be established under this Agreement a Committee on Government Procurement (referred to in this Agreement as

om både vad som varit utmärkande för det antagna anbudet, dess relativa fördelar och inköpssumman. I normala fall får regeringen i det land i vilket anbudsgivare vars anbud inte antagits är hemmahörande lämna ut dessa uppgifter, förutsatt att denna rättighet tillämpas med urskiljning. I de fall då utlämnande av dessa uppgifter skulle skada konkurrensen vid framtida anbuds-förfarande, skall dessa uppgifter inte lämnas ut utan föregående konsultation med och godkännande från den part som lämnat uppgifterna till regeringen i den anbudsgivares land vars anbud inte antagits.

7. Tillgängliga uppgifter om enskilda antagna anbud skall på begäran ges varje annan part.

8. Sekretessbelagd information som getts någon part och som kan utgöra hinder för upprätthållande av lag eller på annat sätt strida mot det allmännas intresse eller som kan skada vissa offentliga eller enskilda företags legitima kommersiella intressen eller skulle kunna skada sund konkurrens mellan leverantörer skall inte röjas utan uttrycklig tillåtelse från den part som gett informationen.

9. Parterna skall insamla och årligen tillställa kommittén statistik rörande sina upphandlingar. Sådana rapporter skall innehålla följande uppgifter i fråga om anbud som antagits av samtliga upphandlande myndigheter som omfattas av denna överenskommelse:

(a) total statistik rörande uppskattat värde av antagna anbud, både över och under tröskelvärdet;

(b) statistik rörande antal och sammanlagt värde av antagna anbud över tröskelvärdet, uppdelad på myndigheter, varuslag och vinnande anbudsgivares nationalitet eller varans ursprungsland, i enlighet med erkänt handels- eller annat lämpligt klassificeringssystem;

(c) statistik över det totala antalet och värdet av antagna anbud enligt vart och ett av fallen i artikel V, moment 15.

ARTIKEL VII

Fullgörande av skyldigheter Institutioner

1. Enligt denna överenskommelse skall en kommitté för statlig upphandling (i denna överenskommelse benämnd "kommittén")

"the Committee") composed of representatives from each of the Parties. 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 this 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 Article 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 this 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 request-consultation promptly.

5. The Parties engaged in consultations on a particular matter affecting the operation of this Agreement shall provide information concerning the matter subject to the provisions of Article VI, paragraph 8, and attempt to conclude such consultations within a reasonably short period of time.

Dispute settlement

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 re-

upprättas, bestående av representanter för var och en av parterna. Denna kommitté skall utse sin egen ordförande och sammanträda när så är nödvändigt, dock minst en gång per år, i syfte att bereda parterna tillfälle att samråda i alla frågor som hänför sig till tillämpningen av denna överenskommelse eller främjandet av dess syften samt för att fullgöra andra uppgifter som parterna kan ålägga den.

2. Kommittén kan på sätt och för ändamål som anges i moment 8 i denna artikel upprätta *ad hoc*-paneler samt arbetsgrupper eller andra underordnade organ, vilka skall utföra sådana uppgifter som kommittén kan tilldela dem.

Konsultationer

3. Varje part skall ge välvilligt beaktande åt och skall erbjuda fullgoda möjligheter till konsultationer angående framställningar från annan part beträffande varje fråga som rör denna överenskommelses tillämpning.

4. Om någon part anser att förmån som direkt eller indirekt tillkommer den enligt denna överenskommelse upphävs eller minskas, eller att uppnåendet av något av denna överenskommelses mål hindras av annan part eller andra parter, kan parten, i syfte att uppnå en ömsesidigt godtagbar lösning av frågan, skriftligen begära konsultationer med ifrågavarande part eller parter. Varje part skall ge välvilligt beaktande åt begäran om konsultationer från annan part. Berörda parter skall inleda begärda konsultationer skyndsamt.

5. Parter inbegripna i konsultationer om en särskild fråga som påverkar denna överenskommelses tillämpning skall lämna uppgifter i frågan i enlighet med bestämmelserna i artikel VI, moment 8, samt sträva efter att slutföra konsultationerna på så kort tid som möjligt.

Biläggande av tvister

6. Om inte någon ömsesidigt godtagbar lösning har uppnåtts mellan parterna i fråga efter konsultationer enligt moment 4, skall kommittén på begäran av endera parten i tvisten

quest 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 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 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

sammanträda inom trettio dagar efter mottagandet av sådan begäran för att utreda frågan i syfte att underlätta en ömsesidigt godtagbar lösning.

7. Om ingen ömsesidigt godtagbar lösning nåtts inom tre månader efter en ingående granskning av kommittén enligt moment 6, skall kommittén på begäran av endera parten i tvisten upprätta en panel med uppgift att:

- (a) utreda frågan;
- (b) regelbundet samråda med parterna i tvisten och bereda dem alla möjligheter att nå fram till en ömsesidigt godtagbar lösning;
- (c) göra ett uttalande om de sakförhållanden som berör tillämpningen av denna överenskommelse samt dra sådana slutsatser som kan vara kommittén till hjälp när det gäller att lämna rekommendationer eller avge uttalanden i frågan.

8. För att underlätta upprättandet av sådana paneler skall kommitténs ordförande föra en informell lista med förslag på statstjänstemän med erfarenhet av handelsfrågor. Denna lista kan också uppta andra personer än statstjänstemän. I detta sammanhang skall varje part uppmanas att i början av varje år till kommitténs ordförande inkomma med namn på en eller två personer som parterna är beredda att ställa till förfogande för sådana uppgifter. När en panel upprättas enligt moment 7 skall ordföranden, inom sju dagar, föreslå parterna i tvisten panelens sammansättning. En panel skall bestå av tre eller fem medlemmar, helst statstjänstemän. De direkt berörda parterna skall inom sju arbetsdagar yttra sig över ordförandens nomineringar av panelmedlemmar och skall inte motsätta sig nomineringarna annat än i tvingande fall.

Medborgare i länder vars regeringar är parter i tvisten skall inte vara medlemmar i den panel som behandlar tvisten. Panelledamöterna skall utföra sitt uppdrag i personlig kapacitet och inte som regeringsrepresentanter eller som representanter för en organisation. Regeringar eller organisationer skall därför inte ge dem instruktioner rörande frågor som förelagts en panel.

9. Varje panel skall upprätta sin egen arbetsordning. Alla parter som har väsentligt intresse i frågan och som meddelat kommit-

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 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 this 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 this 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

tén detta skall beredas tillfälle att bli hörda. Varje panel får rådgöra med och söka upplysningar från varje källa den bedömer lämplig. Innan panel begär upplysningar från källa inom parts lagstiftningsområde skall denna parts regering underrättas härom. Part skall skyndsamt och fullständigt efterkomma begäran från panel om sådana upplysningar som panelen bedömer erforderliga och ändamålsenliga. Konfidentiella upplysningar som utlämnas till panelen får inte utlämnas utan formellt tillstånd från den regering eller de personer som tillhandahåller upplysningarna ifråga. Då sådana upplysningar begärs från panelen, men panelen inte får tillåtelse att lämna ut dessa, skall en icke-konfidentiell sammanfattning lämnas av den regering eller person som gett upplysningarna.

Då en ömsesidigt godtagbar lösning av en tvist inte kan nås eller då tvisten avser en tolkning av denna överenskommelse, bör panelen först lämna den beskrivande delen av sin rapport till de berörda parterna och därefter avlämna sina slutsatser eller utkast till slutsatser till parterna i tvisten inom en rimlig tidsperiod innan de avges till kommittén. Då det inte är fråga om en tolkning av denna överenskommelse och då en bilateral lösning av frågan har nåtts, kan panelens rapport begränsas till en kort beskrivning av fallet och till en förklaring att en lösning har uppnåtts.

10. Panelers behov av tid varierar från fall till fall. Panelerna skall eftersträva att avge sina slutsatser och, i förekommande fall, rekommendationer till kommittén utan oskäligt dröjsmål med hänsyn till kommitténs skyldighet att i brådskande fall nå skyndsamt uppgörelse, i regel inom fyra månader från den dag panelen upprättats.

Kommitténs åtgärder

11. Sedan utredning avslutats eller sedan rapport från en panel, arbetsgrupp eller annat underordnat organ framlagts för kommittén skall kommittén skyndsamt behandla ärendet. Kommittén skall med avseende på dessa rapporter inom normalt 30 dagar efter det att rapport mottagits, såvida tiden inte utsträcks

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; 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 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.

ARTICLE VIII

Exceptions to the Agreement

1. Nothing in this Agreement shall be construed to prevent any Party 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

av kommittén, vidta lämpliga åtgärder innefattande:

(a) en redogörelse för fakta i ärendet;

(b) rekommendationer till en eller flera parter; och/eller

(c) eventuellt annat utlåtande som bedöms lämpligt.

Rekommendationer från kommittén skall syfta till en positiv lösning av ärendet på grundval av tillämpningsbestämmelserna i denna överenskommelse och de mål som angivits i inledningen.

12. Om part, till vilken rekommendationer har riktats, anser sig oförmögen att efterkomma desamma, skall den skyndsamt inlämna skriftliga skäl härför till kommittén. I händelse av detta skall kommittén överväga vilka ytterligare åtgärder som kan vara lämpliga.

13. Kommittén skall övervaka varje ärende beträffande vilket den avgivit rekommendationer eller utlåtanden.

Avvägning mellan rättigheter och skyldigheter

14. Om part eller parter i tvistemål inte godtar kommitténs rekommendationer och om kommittén anser att omständigheterna är tillräckligt allvarliga för att rättfärdiga sådana åtgärder, kan kommittén ge part eller parter tillstånd att helt eller delvis och under den tid som kan erfordras upphäva tillämpningen av denna överenskommelse gentemot annan part eller parter på sätt som fastställs som lämpligt under omständigheterna.

ARTIKEL VIII

Undantag från överenskommelsen

1. Ingenting i denna överenskommelse skall tolkas som hinder för part att vidta åtgärd eller att inte lämna upplysningar som den bedömer som erforderliga för skydd av dess grundläggande säkerhetsintressen i samband med upphandling av vapen, ammunition och krigsmateriel eller med upphandling som är oundgänglig för den nationella säkerheten eller för nationella försvarssyften.

2. Med reservation för kravet att åtgärderna inte används på sätt som skulle utgöra en

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.

ARTICLE 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. 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 for acceptance by signature or otherwise by governments having provisionally acceded to the GATT, on terms related to the effective application of rights and obligations under this Agreement, which take into account rights and obligations in the instruments providing for their provisional accession, and whose agreed lists of entities are contained in Annex I.

(d) 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, by the deposit with the Director-General to the CONTRACTING PARTIES to the

godtycklig eller oberättigad diskriminering mellan länder i vilka samma villkor råder eller en förtäckt restriktion i internationell handel, skall ingenting i denna överenskommelse tolkas som hinder för någon part att vidta eller genomdriva nödvändiga åtgärder till skydd för allmän moral, ordning eller säkerhet, av människors, djurs eller växters liv eller hälsa, immateriella rättigheter, eller åtgärder avseende varor tillverkade av handkappade, av filantropiska institutioner eller inom kriminalvården.

ARTIKEL IX

Slutbestämmelser

1. Godkännande och anslutning

(a) Denna överenskommelse skall vara öppen för godkännande genom undertecknande eller på annat sätt av regeringar som är avtalslutande parter i GATT samt av Europeiska ekonomiska gemenskapen vilkas överenskomna myndighetsförteckningar återfinns i bilaga I.

(b) Varje regering som är avtalslutande part i GATT och som inte är part i denna överenskommelse kan ansluta sig till den på villkor varom denna regering och parterna skall enas. Anslutning skall äga rum genom deposition hos generaldirektören hos GATT:s AVTALSSLUTANDE PARTER av en anslutningshandling vari anges de sålunda överenskomna villkoren.

(c) Denna överenskommelse skall vara öppen för godkännande genom undertecknande eller på annat sätt av regeringar som provisoriskt har anslutit sig till GATT, på sådana villkor i fråga om den faktiska tillämpningen av rättigheter och skyldigheter i denna överenskommelse som fastställts under hänsynstagande till rättigheter och skyldigheter i de legala handlingar som reglerar dessa regeringars provisoriska anslutning, och vilkas överenskomna myndighetslistor återfinns i bilaga I.

(d) Denna överenskommelse skall vara öppen för anslutning av varje annan regering på villkor i fråga om den faktiska tillämpningen av rättigheter och skyldigheter i denna överenskommelse varom denna regering och parterna skall enas, genom deposition hos generaldirektören hos GATT:s AVTALSSLU-

GATT of an instrument of accession which states the terms so agreed.

(e) In regard to acceptance, the provisions of Article XXVI:5(a) and (b) of the General Agreement would be applicable.

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 governments⁴ 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.

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 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

TANDE PARTER av en anslutningshandling vari anges de sålunda överenskomna villkoren.

(e) Vad beträffar godkännande gäller bestämmelserna i artikel XXVI:5(a) och (b) i GATT.

2. Förbehåll

Förbehåll får inte göras för någon av bestämmelserna i denna överenskommelse.

3. Ikraftträdande

Denna överenskommelse skall träda i kraft den 1 januari 1981 för de regeringar⁴ som har godkänt eller anslutit sig till den senast denna dag. För varje annan regering skall den träda i kraft den trettionde dagen efter den dag då denna regering godkänt eller anslutit sig till överenskommelsen.

4. Nationell lagstiftning

(a) Varje regering som godkänt eller anslutit sig till denna överenskommelse skall senast dagen för denna överenskommelses ikraftträdande säkerställa att dess lagar, förordningar och administrativa förfaranden liksom de regler och förfaranden och den praxis som tillämpas av i härtill fogad förteckning upptagna myndigheter överensstämmer med bestämmelserna i denna överenskommelse.

(b) Varje part skall underrätta kommittén om ändringar i dess lagar och förordningar som har samband med denna överenskommelse samt om ändringar i tillämpningen av dessa lagar och förordningar.

5. Rättelser eller ändringar

(a) Rättelser av rent formell karaktär samt mindre ändringar i bilagorna I-IV till denna överenskommelse skall notifieras kommittén och skall träda i kraft, förutsatt att inga invändningar görs inom trettio dagar mot införandet av sådana rättelser eller ändringar.

(b) Andra ändringar i myndighetslistorna

⁴ For the purpose of this Agreement, the term "government" is deemed to include the competent authorities of the European Economic Community.

⁴ I denna överenskommelse avses uttrycket "regeringar" innefatta Europeiska ekonomiska gemenskapens behöriga myndigheter.

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 shall consider the proposed modification and consequent compensatory adjustments, with a view to maintaining a comparable level of mutually agreed coverage provided in this 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 Article VII of this Agreement, taking into account the need to maintain the balance of rights and obligations at the highest possible level.

6. Reviews 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 there-to shall undertake further negotiations, with a view to broadening and improving this Agreement on the basis of mutual reciprocity, having regard to the provisions of Article III relating to developing countries. In this connexion, the Committee shall, at an early stage, explore the possibilities of expanding the coverage of this 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.

än de som nämns i punkt (a) får göras endast då synnerliga skäl föreligger. Part som önskar ändra sin myndighetslista skall notifiera kommitténs ordförande som omedelbart skall sammankalla ett möte med kommittén. Parterna skall pröva den föreslagna ändringen och därav följande erforderliga justeringar i syfte att upprätthålla en ömsesidigt överenskommen täckningsgrad som är jämförbar med vad denna överenskommelse innebär före ändringen. I händelse överenskommelse inte kan nås om ändring som gjorts eller föreslagits, kan frågan behandlas i enlighet med bestämmelserna i artikel VII i denna överenskommelse under beaktande av behovet att upprätthålla balansen mellan rättigheter och skyldigheter på högsta möjliga nivå.

6. Översyn och förhandlingar

(a) Kommittén skall årligen se över denna överenskommelses tillämpning och funktion under beaktande av dess syften. Kommittén skall årligen underrätta de AVTALSSLUTANDE PARTERNA i GATT om utvecklingen under den tid som översynen avsett.

(b) Parterna i denna överenskommelse skall senast vid utgången av det tredje året från avtalets ikraftträdande och därefter regelbundet genomföra vidare förhandlingar i syfte att utvidga och förbättra denna överenskommelse på basis av ömsesidighet under beaktande av bestämmelserna i artikel III beträffande utvecklingsländer. I detta sammanhang skall kommittén på ett tidigt stadium undersöka möjligheterna att utöka överenskommelsens täckning till att inkludera upphandling av tjänster.

7. Ändringar

Parterna kan ändra denna överenskommelse med hänsyn till bland annat de erfarenheter som vunnits vid dess tillämpning. Sedan parterna enats om en sådan ändring i enlighet med av kommittén fastställda procedurer, skall den träda i kraft för en part först när den har godkänts av denna part.

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 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 if either of the Parties, at the time either accepts or accedes to this Agreement, does not consent to such application.

10. Notes and Annexes

The notes and 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 and each contracting party to the GATT a certified copy thereof, of each rectification or modification thereto pursuant to paragraph 5 and of each amendment thereto pursuant to paragraph 7, and a notification of each acceptance thereof or accession thereto pursuant to paragraph 1 and of each withdrawal thereof pursuant to paragraph 8, of this Article.

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 twelfth day of April nineteen hundred and seventy-nine in a single

8. Frånträdande

Varje part kan frånträda denna överenskommelse. Frånträdandet skall gälla efter utgången av 60 dagar från den dag då skriftligt meddelande om frånträdande mottagits av generaldirektören hos GATT:s AVTALSSLUTANDE PARTER. Varje part kan efter sådant meddelande begära att kommittén omedelbart sammanträder.

9. Undantag från tillämpningen av denna överenskommelse mellan vissa parter

Denna överenskommelse skall inte tillämpas mellan två parter om någon av parterna, då endera godkänner eller ansluter sig till denna överenskommelse, inte samtycker till sådan tillämpning.

10. Anmärkningar och bilagor

Anmärkningarna och bilagorna till denna överenskommelse utgör en integrerande del därav.

11. Sekretariat

Sekretariatsgöromål beträffande denna överenskommelse skall handhas av GATT-sekretariatet.

12. Deposition

Denna överenskommelse skall deponeras hos generaldirektören hos GATT:s AVTALSSLUTANDE PARTER, vilken omedelbart skall tillställa varje part och var och en av GATT:s Avtalslutande parter en bestyrkt kopia därav och av varje rättelse eller ändring däri enligt moment 5 och av varje ändring enligt moment 7 samt en notifikation om varje godkännande därav eller anslutning därtill enligt moment 1 och om varje frånträdande enligt moment 8 i denna artikel.

13. Registrering

Denna överenskommelse skall registreras enligt bestämmelserna i artikel 102 i Förenta Nationernas stadga.

Upprättat i Genève den 12 april 1979 i ett enda exemplar på engelska, franska och

copy, in the English, French and Spanish languages, each text being authentic, except as otherwise specified with respect to the lists of entities annexed hereto.

NOTES

Article 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.

Article 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 Article 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.

spanska språken, där varje text äger samma giltighet, utom vad som på annat sätt anges beträffande bilagda myndighetslista.

Anmärkningar

Artikel I, moment 1

Med hänsyn till allmänna politiska överväganden i samband med bundet bistånd, inklusive utvecklingsländernas mål att omvandla sådant bistånd till obundet bistånd, äger denna överenskommelse inte tillämpning på upphandling som sker för att främja bundet bistånd till utvecklingsländer så länge sådant tillämpas av parterna.

Artikel V, moment 14(h)

Med hänsyn till allmänna politiska överväganden hos utvecklingsländer i fråga om statlig upphandling konstateras att utvecklingsländer, enligt bestämmelserna i moment 14(h) i artikel V, som villkor för att anbud skall antas får begära att upphandlingen delvis skall ske på den inhemska marknaden eller kopplas till kompensationsköp eller till överföring av teknologi. Det konstateras att en parts leverantörer inte skall gynnas framför övriga parter leverantörer.

¹ De franska och spanska texterna har här uteslutits.

Lists of entities referred to in article I, paragraph 1 (c)**BILAGA I****Listor över i artikel 1, moment 1 (c) åsyftade myndigheter¹****Austria**

This List is authentic in the English language

- 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

Austria

This List is authentic in the English language

- I. *Bundeskanzleramt*
Oesterreichisches Statistisches Zentralamt
- II. *Bundesministerium für Auswärtige Angelegenheiten*
Oeffentliche Vergabestelle
- III. *Bundesministerium für Inneres*
Oeffentliche Vergabestelle beziehungsweise zentrale Beschaffungsstelle
- IV. *Bundesministerium für Justiz*
Amtswirtschaftsstelle
- V. *Bundesministerium für Soziale Verwaltung*
Zentralstelle
- VI. *Bundesministerium für Gesundheit und Umweltschutz*
Zentralstelle

Canada

This List is authentic in the English and French languages

1. Department of Agriculture
2. Department of Consumer and Corporate Affairs
3. Department of Energy, Mines and Resources
including: Atomic Energy Control Board
Energy Supplies Allocation Board
National Energy Board
4. Department of Employment and Immigration
including: Immigration Appeal Board
Canada Employment and Immigration Commission
5. Department of External Affairs
6. Department of Finance
including: Department of Insurance
Anti-Inflation Board

7. Department of Fisheries and Environment
(except Fisheries and Marine Service)
including: Fisheries Price Support Board
8. Department of Indian Affairs and Northern Development
9. Department of Industry, Trade and Commerce
including: Statistics Canada
Machinery and Equipment Advisory Board
10. Department of Justice
including: Canadian Human Rights Commission
Criminal Code Revision Commission
Statute Revision Commission
Supreme Court of Canada
11. Department of Labour
including: Canada Labour Relations Board
12. Department of National Defence*
including: Defence Construction (1951) Limited
13. Department of National Health and Welfare
including: Medical Research Council
Office of the Coordinator, Status of Women
14. Department of National Revenue
15. Department of Post Office¹
16. Department of Public Works
17. Department of Regional Economic Expansion
18. Department of Secretary of State of Canada
including: National Library
National Museums of Canada
Public Archives
Public Service Commission
Office of the Representation Commissioner
19. Department of Solicitor General
including: Royal Canadian Mounted Police*
Canadian Penitentiary Service
National Parole Board
20. Department of Supply and Services (on its own account)
including: Canadian Government Specifications Board
21. Department of Veterans Affairs
including: Director of Veterans Land Act
Director of Soldier Settlement
22. Auditor General of Canada
23. National Research Council
24. Privy Council Office
including: Canada Intergovernmental Conference Secretariat
Commissioner of Official Languages
Economic Council
Public Service Staff Relations Board
Federal Provincial Relations Office

¹ The Department of the Post Office is on this List of entities on the understanding that, should it cease to be a government department, the provisions of Article IX, paragraph 5(b) would not apply.

Office of the Governor General's Secretary
Task Force on Canadian Unity

25. National Capital Commission
26. Ministry of State for Science and Technology
including: Science Council
27. National Battlefields Commission
28. Office of the Chief Electoral Officer
29. Treasury Board
30. Canadian International Development Agency (on its own account)
31. Natural Sciences and Engineering Research Council
32. Social Sciences and Humanities Research Council

* The following products purchased by the Department of National Defence and the RCMP are included in the coverage of this Agreement, subject to the application of paragraph 1 of Article VIII.

(Numbers refer to the Federal Supply Classification Code)

22. Railway equipment
23. Motor vehicles, trailers and cycles
(except buses in 2310, military trucks and trailers in 2320 and 2330 and tracked combat, assault and tactical vehicles in 2350)
24. Tractors
25. Vehicular equipment components
26. Tires and tubes
29. Engine accessories
30. Mechanical power transmission equipment
32. Woodworking machinery and equipment
34. Metal working 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 and air conditioning equipment
42. Fire fighting, rescue and safety equipment
(except 4220 Marine lifesaving and diving equipment
4230 Decontaminating and impregnating 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 shop 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
(except 6615: Automatic pilot mechanisms and airborne Gyro components
6665: Hazard-detecting instruments and apparatus)
- 67. Photographic equipment
- 68. Chemicals and chemical products
- 69. Training aids and devices
- 70. General purpose automatic data processing equipment, software, supplies and support equipment (except 7010 ADPE configurations)
- 71. Furniture
- 72. Household and commercial furnishings and appliances
- 73. Food preparation and serving equipment
- 74. Office machines, visible record equipment and automatic data processing equipment
- 75. Office supplies and devices
- 76. Books, maps and other publications
(except 7650: Drawings and specifications)
- 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 note

Notwithstanding the above, this Agreement does not apply to contracts set aside for small businesses.

Canada

Les versions française et anglaise de cette liste font foi

- 1. Ministère de l'agriculture
- 2. Ministère de la consommation et des corporations
- 3. Ministère de l'énergie, des mines et des ressources
y inclus : Commission de contrôle de l'énergie atomique
Office de répartition des approvisionnements d'énergie
Office national de l'énergie
- 4. Ministère de l'emploi et de l'immigration
y inclus : Commission d'appel de l'immigration
Commission de l'emploi et de l'immigration du Canada
- 5. Ministère des affaires extérieures

6. Ministère des finances
 - y inclus : Département des assurances
 - Commission de lutte contre l'inflation
 - Tribunal anti-dumping
 - Office du développement municipal et des prêts aux municipalités
 - Commission du tarif
7. Ministère des pêches et de l'environnement
 - (sauf le Service des pêches et de la mer)
 - y inclus : Office des prix des produits de la pêche
8. Ministère des affaires indiennes et du Nord
9. Ministère de l'industrie et du commerce
 - y inclus : Statistiques Canada
 - Conseil consultatif de la machinerie et de l'équipement
10. Ministère de la justice
 - y inclus : Commission canadienne des droits de la personne
 - Commission de révision du Code pénal
 - Commission de révision des lois
 - Cour suprême du Canada
11. Ministère du travail
 - y inclus : Conseil canadien des relations du travail
12. Ministère de la défense nationale*
 - y inclus : Construction de défense (1951) limitée
13. Ministère de la santé nationale et du bien-être social
 - y inclus : Conseil de recherches médicales
 - Bureau du coordonnateur de la situation de la femme
14. Ministère du revenu national
15. Ministère des postes¹
16. Ministère des travaux publics
17. Ministère de l'expansion économique régionale
18. Secrétariat d'Etat
 - y inclus : Bibliothèque nationale
 - Musées nationaux du Canada
 - Archives publiques
 - Commission de la fonction publique
 - Bureau du commissaire à la représentation
19. Ministère du Solliciteur général
 - y inclus : Gendarmerie royale du Canada*
 - Service canadien des pénitenciers
 - Commission nationale des libérations conditionnelles

¹ Le Ministère des postes est inclus dans cette liste d'entités, étant entendu que les dispositions de l'article IX, paragraphe 5 b), ne s'appliqueraient pas dans l'éventualité où cette entité cesserait d'être un ministère.

20. Ministère des approvisionnements et services (pour son propre compte)
 - y inclus : Office des normes du gouvernement canadien
21. Ministère des affaires des anciens combattants
 - y inclus : Office de l'établissement agricole des anciens combattants
 - Directeur des établissements de soldats
22. Vérificateur général du Canada
23. Conseil national de recherches
24. Bureau du Conseil privé
 - y inclus : Secrétariat des conférences intergouvernementales canadiennes
 - Commissaire aux langues officielles
 - Conseil économique
 - Commission des relations de travail dans la fonction publique
 - Bureau des relations fédérales-provinciales
 - Bureau du secrétaire du Gouverneur-Général
 - Commission sur l'unité canadienne
25. Commission de la capitale nationale
26. Ministère d'Etat aux sciences et à la technologie
 - y inclus : Conseil des sciences du Canada
27. Commission des champs de bataille nationaux
28. Bureau du directeur général des élections
29. Conseil du Trésor
30. Agence canadienne de développement international (pour son propre compte)
31. Conseil de recherches en sciences naturelles et en génie
32. Conseil de recherches en sciences humaines du Canada

* Les produits suivants achetés par le Ministère de la défense nationale et la GRC font partie du champ d'application de cet accord, sous réserve de l'application de l'article VIII, paragraphe 1.

(Les numéros sont ceux de la Classification fédérale des approvisionnements)

22. Matériel ferroviaire
23. Véhicules automobiles, remorques et cycles
 - (sauf les autobus compris dans 2310, les camions et remorques militaires compris dans 2320 et 2330, et les véhicules chenillés de combat, d'attaque et de tactique compris dans 2350)
24. Tracteurs
25. Pièces de véhicules
26. Enveloppes et chambres à air
29. Accessoires de moteurs
30. Matériel de transmission de l'énergie mécanique

32. Machines et matériel pour le travail du bois
34. Machines pour le travail des métaux
35. Matériel de service et de commerce
36. Machines industrielles spéciales
37. Machines et matériel agricoles
38. Matériel de construction, d'extraction, d'excavation et d'entretien routier
39. Matériel de manutention des matériaux
40. Cordages, câbles, chaînes et accessoires
41. Matériel de réfrigération et de climatisation
42. Matériel de lutte contre l'incendie, de sauvetage et de sécurité
(sauf 4220 Equipement de plongée et de sauvetage en mer
4230 Equipement d'imprégnation et de décontamination)
43. Pompes et compresseurs
44. Matériel de fours, de générateurs de vapeur, de séchage, et réacteurs nucléaires
45. Matériel de plomberie, de chauffage et sanitaire
46. Matériel d'épuration de l'eau et de traitement des eaux usées
47. Eléments de canalisations, tuyaux et accessoires
48. Robinets-vannes
49. Matériel d'ateliers d'entretien et de réparation
52. Instruments de mesure
53. Articles de quincaillerie et abrasifs
54. Eléments de construction préfabriqués et éléments d'échafaudages
55. Bois de construction, sciages, contre-plaqués et bois de placage
56. Matériaux de construction
61. Fils électriques, matériel de production et de distribution d'énergie
62. Lampes et accessoires d'éclairage
63. Systèmes d'alarme et de signalisation
65. Fournitures et matériel médicaux, dentaires et vétérinaires.
66. Instruments, matériel de laboratoire
(sauf 6615 Mécanismes de pilotage automatique et éléments de gyroscopes d'aéronefs
6665 Instruments et appareils de détection des dangers)
67. Matériel photographique
68. Substances et produits chimiques
69. Matériels et appareils d'enseignement
70. Matériel d'informatique général, logiciel, fournitures et matériel auxiliaire
(sauf 7010 Configurations d'équipement de traitement automatique des données)
71. Meubles
72. Articles et appareils pour l'équipement des ménages et des lieux publics

73. Matériels de cuisine et de table
74. Machines de bureau, matériel de bureautique et d'informatique de bureau
75. Fournitures et appareils de bureau
76. Livres, cartes et publications diverses
(sauf 7650 Plans et spécifications)
77. Instruments de musique, phonographes et récepteurs radiophoniques domestiques
78. Matériel de plaisance et d'athlétisme
79. Matériel et fournitures de nettoyage
80. Pinceaux, peinture, produits d'obturation et adhésifs
81. Conteneurs, matériaux et fournitures d'emballage
85. Articles de toilette
87. Fournitures pour l'agriculture
88. Animaux vivants
91. Combustibles, lubrifiants, huiles et cires
93. Fabrications non-métalliques
94. Matières brutes non-métalliques
96. Minerais, minéraux et leurs dérivés primaires
99. Divers

Note générale

Nonobstant ce qui précède, le présent accord ne s'applique pas aux marchés réservés aux petites entreprises.

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

This list is authentic in the French language

I. Ministerial departments

1. Administrative services of the Prime Minister
2. Ministry of Economic Affairs
3. Ministry of Foreign Affairs, External Trade and Co-operation for Development

4. Ministry of Agriculture
5. Ministry of the Middle Classes
6. Ministry of Communications
7. Ministry of National Defence¹
8. Ministry of National Education and Culture
9. Ministry of Employment and Labour
10. Ministry of Finance
11. Ministry of the Interior
12. Ministry of Justice
13. Ministry of Social Welfare
14. Ministry of Public Health and the Environment
15. Ministry of Public Works
 - Road Fund
 - Building Construction Fund
16. Postal Administration²

II. *List of actual Ministries, purchasing through entities listed under NO. I*

Prime Minister

Vice-Premier and Minister for the Civil Service

Vice-Premier and Minister for National Defence³

Minister for Justice

Minister for Foreign Affairs

Minister for Economic Affairs

Minister for Social Welfare and Secretary of State for Social Affairs,
attached to the Minister for Walloon Affairs

Minister for Communications

Minister for National Education (Dutch-language)

Minister for Agriculture and the Middle Classes

Minister for Dutch Culture and Minister for Flemish Affairs

Minister for National Education (French-language)

Minister for Public Health and the Environment

Minister for Finance

Minister for External Trade

Minister for Co-operation for Development

Minister for Postal, Telegraph and Telephone Services and Minister
for Brussels Affairs⁴

Minister for Pensions

Minister for Employment and Labour

Minister for the Interior

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

² Postal business only.

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

⁴ Postal business only.

Minister for Scientific Policy

Minister for French Culture

Minister for Public Works and Minister for Walloon Affairs

Secretary of State for Regional Economy, attached to the Minister for Walloon Affairs

Secretary of State for the Budget, attached to the Prime Minister, and Secretary of State for Regional Economy, attached to the Minister for Flemish Affairs

Secretary of State for the Reform of Institutions, attached to the Prime Minister

Secretary of State for French Culture, attached to the Minister for French Culture

Secretary of State for Economic Affairs, attached to the Minister for Economic Affairs, and

Secretary of State for Social Affairs, attached to the Minister for Flemish Affairs

Secretary of State for Reform of Institutions, attached to the Vice-Premier

Secretary of State for Dutch Culture, attached to the Minister for Dutch Culture, and

Secretary of State for Social Affairs, attached to the Minister for Brussels Affairs

III. *Other Government agencies*

1. Refrigeration Services Administration of the Belgian State
2. State General School Buildings Fund
3. Hospital and Medico-Social Construction Fund
4. National Housing Institute
5. National Land Society
6. National Social Security Agency
7. National Institute of Social Insurance for the Self-Employed
8. National Institute of Sickness and Disability Insurance
9. National Retirement and Survivors' Pension Fund
10. National Bureau of Pensions for Wage-Earners
11. Auxiliary Fund for Sickness and Disability Insurance
12. Occupational Diseases Fund
13. National Occupational Credit Fund
14. General Savings and Retirement Fund
15. National Agricultural and Horticultural Markets Agency
16. National Milk and Dairy Products Agency
17. National Employment Agency

La version française de cette liste fait foi

I. Départements ministériels

1. Services du Premier Ministre
2. Ministère des Affaires économiques
3. Ministère des Affaires étrangères, du Commerce extérieur et de la Coopération au Développement
4. Ministère de l'Agriculture
5. Ministère des Classes moyennes
6. Ministère des Communications
7. Ministère de la Défense nationale¹
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
 - Fonds des routes
 - Fonds des bâtiments
16. Régie des postes²

II. Liste des ministères et secrétariats d'Etat dont les achats sont effectués par l'intermédiaire des entités énumérées sous I

Premier Ministre
 Vice-Premier Ministre et Ministre de la Fonction publique
 Vice-Premier Ministre et Ministre de la Défense nationale³
 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 bruxelloises⁴
 Ministre des Pensions
 Ministre de l'Emploi et du Travail

¹ Achats civils repris dans la Partie II de la présente liste.

² Postes seulement.

³ Achats civils repris dans la Partie II de la présente liste.

⁴ Postes seulement.

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
 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.

III. *Institutions relevant de la compétence du Gouvernement*

1. Régie des Services frigorifiques de l'Etat belge
2. Fonds général des bâtiments scolaires de l'Etat
3. Fonds de construction d'institutions hospitalières et médico-sociales
4. Institut national du Logement
5. Société nationale terrienne
6. Office national de Sécurité sociale
7. Institut national d'Assurances sociales pour travailleurs indépendants
8. Institut national d'Assurance Maladie-Invalidité
9. Caisse nationale des Pensions de Retraite et de Survie
10. Office national des pensions pour Travailleurs salariés
11. Caisse auxiliaire d'assurance Maladie-Invalidité
12. Fonds des Maladies professionnelles
13. Caisse nationale de Crédit professionnel
14. Caisse générale d'Epargne et de Retraite
15. Office national des débouchés agricoles et horticoles
16. Office national du Lait et de ses dérivés
17. Office national de l'Emploi

Denmark

This List is authentic in the English language

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
(3 departments) | – Directorate for Government Procurement with Government Printing Office
– 3 other institutions
– 5 directorates and institutions |
| 6. Ministry of Taxes and Duties
(2 departments) | – 4 institutions |
| 7. Ministry of Fisheries | – Research Establishment Risoe |
| 8. Ministry of Commerce | – 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 | – 19 directorates and institutions |
| 12. Ministry of Agriculture | – 5 directorates |
| 13. Ministry of Environment | – Royal Greenland Trade Department ¹ |
| 14. Ministry of Greenland | – 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
(3 departments) | |
| 19. Ministry of Public Works ² | – State harbours and State airports
– 4 directorates and several institutions |
| 20. Ministry of Defence ³ | |

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

² With the exception of Danish State Railways. Postal business only.

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

This List is authentic in the French language

List of entities

(1) Main purchasing entities

A. General Budget

Prime Minister

Minister for the Status of Women, attached to the Prime Minister's Office

Minister for Justice

Minister for Health and the Family

Minister for the Interior

Minister for Foreign Affairs

Minister for Defence¹

Minister for Labour and Participation

Minister for Co-operation

Minister for the Economy

Minister for the Budget

Minister for the Environment and Quality of Living

Minister for Education

Minister for Universities

Minister for Agriculture

Minister for Industry

Minister for Transport

Minister for Trade and Crafts

Minister for Foreign Trade

Minister for Youth, Sport and Recreation

Minister for Culture and Communication

Secretary of State for Postal and Telecommunication Services²

Secretary of State for War Veterans

Secretary of State attached to the Prime Minister's Office

Secretary of State attached to the Prime Minister's Office (Relations with Parliament)

Secretary of State attached to the Prime Minister's Office (Research)

Secretary of State attached to the Office of the Keeper of the Seals, Minister for Justice

Secretary of State attached to the Office of the Minister for Health and the Family

Secretary of State attached to the Office of the Minister for the Interior (Overseas Départements and Territories)

Secretary of State attached to the Office of the Minister for the Interior (local government)

Secretary of State attached to the Office of the Minister for Foreign Affairs

Secretary of State attached to the Office of the Minister for Labour and Participation (vocational training)

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

² Postal business only.

Loan Fund for Low-Cost Housing Agencies
 Casa de Valesquez
 Zootechnical Institute, Rambouillet
 Centre for Study of the Environment and Applied Pedagogy, Ministry for
 Agriculture
 Centre for Advanced Studies on Social Security
 Agricultural Vocational Training Centres
 Georges Pompidou National Centre for Art and Culture
 National Centre for French Cinematography
 National Study and Training Centre for Handicapped Children
 National Centre for the Design and Testing of Agricultural Machinery
 National Study and Training Centre for Schooling Adjustment and Spe-
 cialized Education (C.N.E.F.A.S.E.S.)
 National Centre for Basic and Advanced Training of Teachers of Domestic
 Science and of Farm Housekeeping
 National Centre for the Advancement of Literature
 National Centre for Educational Documentation
 National Centre of Benevolent Agencies for Schools and Universities
 (C.N.O.U.S.)
 National Centre of Ophthalmology, Quinze-Vingts Hospital
 National Centre for the Preparatory Training of Teachers of Handicrafts
 and Domestic Science
 National Centre for Rural Development, Marmilhat
 National Scientific Research Centre (C.N.R.S.)
 Regional Teacher Training Centres
 Regional Centres for Adult Education
 Regional Centres for Physical Education and Sports Training (C.R.E.P.S.)
 Regional Centres of Benevolent Agencies for Universities (C.R.O.U.S.)
 Regional Centres for Forested Estates
 Social Security Centre for Migrant Workers
 University Centres
 University Chancelleries
 High Schools
 Agricultural Schools
 Stock Exchange Commission
 Fisheries Board
 Agency for the Protection of Seashores and Lakefronts
 National Conservatory of Technology and Engineering
 National Higher Conservatory of Music
 National Higher Conservatory of Dramatic Art
 Pompadour Estate
 Central School, Lyons
 Central School of Arts and Manufactures
 French School of Archaeology, Athens
 French School of the Far East
 French School, Rome
 School of Higher Studies in the Social Sciences
 National School of Administration
 National School of Civil Aviation (E.N.A.C.)
 National School of Palaeography and Librarianship
 National Riding School
 National Women's School of Agronomy, Marmilhat (Puy-de-Dôme)

Secretary of State attached to the Office of the Minister for Labour and Participation (Manual workers and immigrant labour)

Secretary of State attached to the Office of the Minister for Labour and Participation (Female employment)

Secretary of State attached to the Office of the Minister for the Environment and Quality of Living (Housing)

Secretary of State attached to the Office of the Minister for the Environment and Quality of Living (Environment)

Secretary of State attached to the Office of the Minister for Education

Secretary of State attached to the Office of the Minister for Agriculture

Secretary of State attached to the Office of the Minister for Industry (Small and medium-sized enterprises)

B. Budget annex

Mention may be made of:

- National Printing Office

C. Special Treasury accounts

Mention may be made of:

- National Forestry Fund
- Financial support for the Film Industry
- Special Road Investment Fund
- National Town and Country Planning Fund
- Union for Pooled procurement in the Public Sector (UGAP)

(2) National public institutions of an administrative character

French Academy in Rome

Naval Academy

Academy of Science Overseas

Central Registry of Social Security Agencies (A.C.O.S.S.)

Financing Agencies for River Basins

National Agency for the Improvement of Working Conditions (A.N.A.C.T.)

National Agency for the Improvement of Housing (A.N.A.H.)

National Agency for Employment (A.N.P.E.)

National Agency for the Compensation of Overseas French Nationals (A.N.I.F.O.M.)

Standing Assembly of Chambers of Agriculture (A.P.C.A.)

National Library

National and University Library, Strasbourg

Research Department of Overseas Postal and Telecommunication Services (B.E.P.T.O.M.)

Aid Fund for Capital Improvements by Local Government Authorities (C.A.E.C.)

Independent Fund for Reconstruction

Escrow Fund

National Family Allowances Fund (C.N.A.F.)

National Motorways Fund (C.N.A.)

Employees' National Sickness Insurance Fund (C.N.A.M.)

Employees' National Old-Age Insurance Fund (C.N.A.V.T.S.)

National Military Social Security Fund (C.N.M.S.S.)

National Historic Monuments and Natural Sites Fund

National Telecommunications Fund³

³ Postal business only

National Women's School of Agronomy, Toulouse (Haute-Garonne)
 National School of Rural Engineering and Forestry (E.N.G.R.E.F.)
 National Schools of the Dairy Industry
 National Schools of Engineers
 National School of Engineers of the Agricultural and Food Technology Industries
 National Schools of Engineers of Agricultural Works
 National Schools of Engineers of Rural Works and Sanitation Technology
 National School of Engineers of Forestry Works (E.N.I.T.E.F.)
 National School of the Judiciary
 National Merchant Marine Schools
 National School of Public Health (E.N.S.P.)
 National Skiing and Mountain-Climbing School
 National Higher School of Agronomy, Montpellier
 National Higher School of Agronomy, Rennes
 National Higher School of Decorative Arts
 National Higher School of Arts and Industries, Strasbourg
 National Higher School of Textile Arts and Industries, Roubaix
 National Higher School of Technology and Engineering
 National Higher School of the Beaux-Arts
 National Higher School of Librarianship
 National Higher School of Industrial Ceramics, Sèvres
 National Higher School of Electronics and Electronic Applications (E.N.S.E.A.)
 National Higher School of Horticulture
 National Higher School of Agro-Industries
 National Higher School of Landscaping
 National Higher School of Applied Agronomical Sciences (E.N.S.S.A.A.)
 National Veterinary Schools
 National Further Training Schools
 National Schools of Primary Grades
 National School of Street Sanitation and Maintenance
 Teacher Training Schools
 National Training Schools for Apprenticeship Teachers
 Higher Teacher Training Schools
 Polytechnic School
 School of Sylviculture, Croigny (Aube)
 Agriculture and Forestry Vocational Technical School, Meymac (Corrèze)
 School of Viticulture and Oenology, La Tour Blanche (Gironde)
 School of Viticulture, Avize (Marne)
 National Convalescents' Home, Le Vésinet (E.N.C.V.)
 National Convalescents' Home, Saint-Maurice
 National Disabled Sailors' Home (E.N.I.M.)
 Koenigs Warter National Institution
 Carnegie Foundation
 Singer-Polignac Foundation
 Social Action Fund for Migrant Workers
 Dufresne-Sommeiller National Hospital and Shelter
 Institute of Animal Husbandry and Veterinary Medicine in Tropical Countries (I.E.M.V.P.T.)
 French Institute of Oriental Archaeology, Cairo
 National Geographical Institute

Industrial Institute of the North
 International Institute of Public Administration (I.I.A.P.)
 National Institute of Agronomy, Paris-Grignon
 National Institute of Designations of Origin of Wines and Liquors
 (I.N.A.O.V.E.V.)
 National Institute of Astronomy and Geophysics (I.N.A.G.)
 National Institute for the Protection of Consumers (I.N.C.)
 National Institute of Adult Education (I.N.E.P.)
 National Institute of Population Studies (I.N.E.D.)
 National Institute for the Youthful Blind, Paris
 National Institute for Deaf Girls, Bordeaux
 National Institute for the Youthful Deaf, Chambéry
 National Institute for the Youthful Deaf, Metz
 National Institute for the Youthful Deaf, Paris
 National Institute of Nuclear Physics and Particle Physics (I.N2.P3.)
 National Institute of Advanced Agricultural Promotion
 National Industrial Property Institute
 National Agronomy Research Institute (I.N.R.A.)
 National Paedagogical Research Institute (I.N.R.P.)
 National Health and Medical Research Institute (I.N.S.E.R.M.)
 National Sports Institute
 National Polytechnic Institutes
 National Applied Sciences Institutes
 Higher National Institute of Industrial Chemistry, Rouen
 Data-Processing and Automation Research Institute (I.R.I.A.)
 Transport Research Institute (I.R.T.)
 Regional Institutes of Administration
 Scientific and Technical Institute of Fisheries (I.S.T.P.M.)
 Higher Institute of Materials and Machine-Building, Saint-Ouen
 Agricultural Lycées
 Classical and Modern Lycées
 Vocational Education Lycées
 Technical Lycées
 Army Museum
 Gustave Moreau Museum
 Navy Museum
 J.J. Henner National Museum
 National Museum of the Legion of Honour
 Postal Museum
 National Museum of Natural History
 Auguste Rodin Museum
 Observatory of Paris
 Office of Co-operation and University Reception
 French Agency for the Protection of Refugees and Repatriated Persons
 National War Veterans Agency
 National Game Hunting Agency
 National Educational and Vocational Information Agency (O.N.I.S.E.P.)
 National Immigration Agency (O.N.I.)
 Overseas Scientific and Technical Research Agency (O.R.S.T.O.M.)
 French University and Cultural Agency for Algeria
 Palace of Discovery
 National Parks

Conference of National Museums
 National Service for Driving Licence Examinations
 Paris Transport Syndicate
 National Thermal Baths, Aix-les-Bains
 Universities

France

La version française de cette liste fait foi

Liste des entités

1) Principales entités acheteuses

A. Budget général

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 défense¹

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 télécommunications²

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)

Secrétaire d'Etat auprès du Ministre des affaires étrangères

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

¹ Achats civils du Ministère de la défense repris dans la Partie II de la présente liste.

² Postes seulement.

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

on peut notamment signaler :
– 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

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'études 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 télécommunications³

³ Postes seulement.

Caisse de prêts aux organismes H.L.M.
 Casa de Velasquez
 Centre d'enseignement zootechnique de Rambouillet
 Centre d'études du milieu et de pédagogie appliquée du Ministère de l'agriculture
 Centre d'études supérieures de sécurité sociale
 Centres de formation professionnelle agricole
 Centre national d'art et de culture Georges Pompidou
 Centre national de la cinématographie française
 Centre national d'études et de formation pour l'enfance inadaptée
 Centre national d'études et d'expérimentation du machinisme agricole
 Centre national d'études et de formation pour l'adaptation scolaire et l'éducation 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 œuvres universitaires et scolaires (C.N.O.U.S.)
 Centre national d'ophtalmologie des Quinze-Vingts
 Centre national de préparation au professorat de travaux manuels éducatifs 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
 Centres régionaux d'éducation populaire
 Centres régionaux d'éducation physique et sportive (C.R.E.P.S.)
 Centres régionaux des œuvres 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 études en sciences sociales
 Ecole nationale d'administration
 Ecole nationale de l'aviation civile (E.N.A.C.)
 Ecole nationale des Chartes
 Ecole nationale d'équitation
 Ecole nationale féminine d'agronomie de Marmilhat (Puy-de-Dôme)
 Ecole nationale féminine d'agronomie de Toulouse (Hte-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'électronique 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'œnologie 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 Carnegie
 Fondation Singer-Polignac
 Fonds d'action sociale pour les travailleurs migrants
 Hôpital-Hospice national Dufresne-Sommeiller
 Institut d'élevage 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'éducation populaire (I.N.E.P.)
 Institut national d'études 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

This List is authentic in the English language

List of Central Purchasing Entities

1. Federal Foreign Office
2. Federal Ministry of Labour and Social Affairs
3. Federal Ministry of Education and Science
4. Federal Ministry of Food, Agriculture and Forestry
5. Federal Ministry of Finance
6. Federal Ministry for Research and Technology
7. Federal Ministry for Intra-German Relations
8. Federal Ministry of the Interior (civil goods only)
9. Federal Ministry for Youth, Family Affairs and Health
10. Federal Ministry of Justice
11. Federal Ministry for Regional Planning, Building and Urban Development
12. Federal Ministry of Posts and Telecommunications¹
13. Federal Ministry of Economics
14. Federal Ministry for Economic Co-operation
15. Federal Ministry of Defence²

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 a 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

This List is authentic in the English language

List of Central Purchasing Entities

1. Auswärtiges Amt
2. Bundesministerium für Arbeit und Sozialordnung
3. Bundesministerium für Bildung und Wissenschaft

¹ Postal business only.

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

4. Bundesministerium für Ernährung, Landwirtschaft und Forsten
5. Bundesministerium für 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 Fernmeldewesen¹
13. Bundesministerium für Wirtschaft
14. Bundesministerium für Wirtschaftliche Zusammenarbeit
15. Bundesministerium der Verteidigung²

Ireland

This List is authentic in the English language

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 Gaelteacht (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

¹ Postal business only.

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

Italy

This List is authentic in the English and French languages

Purchasing entities

1. Ministry of the Treasury¹
2. Ministry of Finance²
3. Ministry of Justice
4. Ministry of Foreign Affairs
5. Ministry of Public Instruction
6. Ministry of the Interior
7. Ministry of Public Works
8. Ministry of Agriculture and Forestry
9. Ministry of Industry, Trade and Crafts
10. Ministry of Labour and Social Affairs
11. Ministry of Health
12. Ministry of Cultural Affairs and the Environment
13. Ministry of Defence³
14. Budget and Planning Ministry
15. Ministry of State Participation in Enterprises
16. Ministry of Tourism
17. Ministry of Foreign Trade
18. Ministry of Postal Services and Telecommunications⁴

Note:

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

Italy

This List is authentic in the English and French languages

Purchasing entities

1. Ministero del tesoro¹
2. Ministero delle finanze²
3. Ministero di grazia e giustizia
4. Ministero degli affari esteri
5. Ministero della pubblica istruzione
6. Ministero dell'interno
7. Ministero di lavori pubblici
8. Ministero dell'agricoltura e delle foreste

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

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

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

⁴ Postal business only.

9. Ministero dell'industria, commercio e artigianato
10. Ministero del lavoro e della previdenza sociale
11. Ministero della sanità
12. Ministero dei beni culturali e dell'ambiente
13. Ministero della difesa³
14. Ministero del bilancio
15. Ministero delle partecipazioni statali
16. Ministero del turismo
17. Ministero del commercio con l'estero
18. Ministero delle poste e delle telecomunicazioni⁴

Luxembourg

This List is authentic in the French language

List of central procurement entities to which the Agreement may apply:

1. Ministry of State: Central Service for Printed Matter and Supplies
2. Ministry of Agriculture: Agricultural Technical Services Administration
3. Ministry of National Education: secondary, intermediate and vocational schools
4. Ministry of the Family and Social Solidarity: old-people's homes
5. Ministry of Public Forces: Army¹ – Gendarmerie – Police
6. Ministry of Justice: Penal institutions
7. Ministry of Public Health: Mondorf-Etat, Neuropsychiatry Hospital
8. Ministry of Public Works: Public buildings – Bridges and Roads Administration
9. Ministry of Finance: Postal and Telecommunication Services²
10. Ministry of Transport and Energy: electric power stations of the Upper and Lower Saar
11. Ministry of the Environment: Office of the High Commissioner for Water Protection

Luxembourg

La version française de cette liste fait foi

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 d'enseignement secondaire, d'enseignement moyen, d'enseignement professionnel
4. Ministère de la Famille et de la Solidarité sociale: Maisons de retraite
5. Ministère de la Force publique: Armée¹ – Gendarmerie – Police
6. Ministère de la Justice: Etablissements pénitentiaires

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

² Postal business only.

³ Achats civils repris dans la Partie II de la présente liste.

⁴ Non-warlike materials contained in Part II of this List.

⁵ Postal business only.

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 Télécommunications²
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

Netherlands

This List is authentic in the English language

Lists of entities

A. Ministries and central governmental bodies

1. Ministry of General Affairs
2. Ministry of Foreign Affairs
3. Ministry of Justice
4. Ministry of Home Affairs
5. Ministry of Defence¹
6. Ministry of Finance
7. Ministry of Economic Affairs
8. Ministry of Education and Science
9. Ministry of Housing and Physical Planning
10. Ministry of Transport and Public Works², including postal, telephone and telegraph services
11. Ministry of Agriculture and Fisheries
12. Ministry of Social Affairs
13. Ministry of Cultural Affairs, Recreation and Social Work
14. Ministry of Public Health and Environmental Hygiene
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

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 Office¹
4. Air Material Directorate¹
5. Procurement Division of the Royal Netherlands Navy¹
6. State Printing and Publishing Office
7. Postal, Telephone and Telegraph Services, Central Purchasing and Materials Testing Department²
8. Governmental Motor Vehicle Department
9. Governmental Centre for Office Mechanization and Automation
10. Governmental Forestry Directorate
11. Directorate for IJsselmeer Polders

¹ Postes seulement.

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

³ Postal business only.

Netherlands

This List is authentic in the English language

*Lists of entities***A. Ministries and central government bodies**

1. Ministerie van Algemene Zaken
2. Ministerie van Buitenlandse Zaken
3. Ministerie van Justitie
4. Ministerie van Binnenlandse Zaken
5. Ministerie van Defensie¹
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, waaronder de P.T.T.²
11. Ministerie van Landbouw en Visserij
12. Ministerie van Sociale Zaken
13. Ministerie van Cultuur, Recreatie en Maatschappelijk Werk
14. Ministerie van Volksgezondheid en Milieuhygiëne
15. Ministerie van Ontwikkelingssamenwerking
16. Ministerie van Wetenschapsbeleid
17. Kabinet van de Nederlandse Antillen
18. Hoge Colleges van Staat

B. Central procurement offices

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

1. Rijksinkoopbureau
2. Directoraal-Generaal voor de Waterstaat
3. Dienst van de Kwartiermeester-Generaal¹
4. Directie (Materieel Koninklijke Luchtmacht¹)
5. Hoofdafdeling Materieel Koninklijke Marine¹
6. Staatsdrukkerij – en – uitgeverijbedrijf
7. Centrale Afdeling Inkoop en Materieel controle van het Staatsbedrijf der P.T.T.²
8. Rijksautomobielcentrale
9. Rijkskantoor machinecentrale
10. Staatsbosbeheer
11. Rijksdienst IJsselmeerpolder.

United Kingdom

This List is authentic in the English language

List of entities

- Board of Inland Revenue
 British Museum
 British Museum (Natural History)

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

² Postal business only.

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

Country 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 Defence¹

Procurement Executive

Meteorological Office

Ministry of Overseas Development

Centre for Overseas Pest Research

Directorate of Overseas Surveys

Land Resources Division

Tropical Products Institute

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

¹ Non-warlike materials contained in Part II of List (pages 188–192).

Department of Education
 Department of the Environment
 Department of Finance
 Department of Health and Social Services
 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
 Postal Business of the Post Office
 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
 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

Part II

List of supplies and equipment purchased by ministries of defence that are covered by the agreement

This List is authentic in the English and French languages

- Chapter 25:* Salt; sulphur; earths and stone; plastering materials, lime and cement
- Chapter 26:* Metallic ores, slag and ash
- Chapter 27:* Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes
except:
ex 27.10 special engine fuels
- Chapter 28:* Inorganic chemicals; organic and inorganic compounds of precious metals, of rare earth metals, of radio-active elements and of isotopes
except:
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
- Chapter 29:* Organic chemicals
except:
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
- Chapter 30:* Pharmaceutical products
- Chapter 31:* Fertilizers
- Chapter 32:* Tanning and dyeing extracts; tannins and their derivatives; dyes, colours, paints and varnishes; putty, fillers and stoppings; inks
- Chapter 33:* Essential oils and resinoids; perfumery, cosmetics and toilet preparations

- Chapter 34:* Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and "dental waxes"
- Chapter 35:* Albuminoidal substances; glues; enzymes
- Chapter 37:* Photographic and cinematographic goods
- Chapter 38:* Miscellaneous chemical products
except:
ex 38.19: toxic products
- Chapter 39:* Artificial resins and plastic materials, cellulose esters and ethers; articles thereof
except:
ex 39.03: explosives
- Chapter 40:* Rubber, synthetic rubber, factice, and articles thereof
except:
ex 40.11: bullet-proof tyres
- Chapter 41:* Raw hides and skins (other than furskins) and leather
- Chapter 42:* Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk-worm gut)
- Chapter 43:* Furskins and artificial fur; manufactures thereof
- Chapter 44:* Wood and articles of wood; wood charcoal
- Chapter 45:* Cork and articles of cork
- Chapter 46:* Manufactures of straw, of esparto and of other plaiting materials; basketware and wickerwork
- Chapter 47:* Paper-making material
- Chapter 48:* Paper and paperboard; articles of paper pulp, of paper or of paperboard
- Chapter 49:* Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans
- Chapter 65:* Headgear and parts thereof
- Chapter 66:* Umbrellas, sunshades, walking-sticks, whips, riding-crops and parts thereof
- Chapter 67:* Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair
- Chapter 68:* Articles of stone, of plaster, of cement, of asbestos, of mica and of similar materials
- Chapter 69:* Ceramic products
- Chapter 70:* Glass and glassware
- Chapter 71:* Pearls, precious and semi-precious stones, precious metals, rolled precious metals, and articles thereof; imitation jewellery
- Chapter 73:* Iron and steel and articles thereof
- Chapter 74:* Copper and articles thereof
- Chapter 75:* Nickel and articles thereof
- Chapter 76:* Aluminium and articles thereof
- Chapter 77:* Magnesium and beryllium and articles thereof
- Chapter 78:* Lead and articles thereof
- Chapter 79:* Zinc and articles thereof
- Chapter 80:* Tin and articles thereof
- Chapter 81:* Other base metals employed in metallurgy and articles thereof

- Chapter 82:* Tools, implements, cutlery, spoons and forks, of base metal; parts thereof
except:
 ex 82.05: tools
 ex 82.07: tools, parts
- Chapter 83:* Miscellaneous articles of base metal
- Chapter 84:* Boilers, machinery and mechanical appliances; parts thereof
except:
 ex 84.06: engines
 ex 84.08: other engines
 ex 84.45: machinery
 ex 84.53: automatic data-processing machines
 ex 84.55: parts of machines under heading No. 84.53
 ex 84.59: nuclear reactors
- Chapter 85:* Electrical machinery and equipment; parts thereof
except:
 ex 85.13: telecommunication equipment
 ex 85.15: transmission apparatus
- Chapter 86:* Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway tracks fixtures and fittings; traffic signalling equipment of all kinds (not electrically powered)
except:
 ex 86.02: armoured locomotives, electric
 ex 86.03: other armoured locomotives
 ex 86.05: armoured wagons
 ex 86.06: repair wagons
 ex 86.07: wagons
- Chapter 87:* Vehicles, other than railway or tramway rolling-stock, and parts thereof
except:
 87.08: tanks and other armoured vehicles
 ex 87.01: tractors
 ex 87.02: military vehicles
 ex 87.03: breakdown lorries
 ex 87.09: motorcycles
 ex 87.14: trailers
- Chapter 89:* Ships, boats and floating structures
except:
 89.01A: warships
- Chapter 90:* Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus; parts thereof
except:
 ex 90.05: binoculars
 ex 90.13: miscellaneous instruments, lasers
 ex 90.14: telemeters
 ex 90.28: electrical and electronic measuring instruments
 ex 90.11: microscopes
 ex 90.17: medical instruments
 ex 90.18: mechano-therapy appliances
 ex 90.19: orthopaedic appliances
 ex 90.20: X-ray apparatus

- Chapter 91:* Clocks and watches and parts thereof
Chapter 92: Musical instruments; sound recorders and reproducers; television image and sound recorders and reproducers, magnetic; parts and accessories of such articles
Chapter 94: Furniture and parts thereof; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings
except:
 ex 94.01A: aircraft seats
Chapter 95: Articles and manufactures of carving or moulding material
Chapter 96: Brooms, brushes, feather dusters, powder-puffs and sieves
Chapter 98: Miscellaneous manufactured articles

Finland

This List is authentic in the English language

1. Agricultural Research Centre
2. National Board of Navigation
3. Institute of Meteorology
4. Government Printing Centre
5. Ministry of Justice
6. Finnish Mint
7. National Board of Aviation
8. National Board of Forestry
9. National Water Administration Board
10. National Board of Vocational Education
11. Government Fuel Centre
12. Government Margarine Factory
13. Government Nutrition Centre
14. Government Purchasing Centre
15. Government 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***Finland**

This List is authentic in the English language

1. Maatalouden tutkimuskeskus
2. Merenkulkuhallitus
3. Ilmatieteen laitos
4. Valtion Painatuskeskus
5. Oikeusministeriö
6. Suomen Rahapaja
7. Ilmailuhallitus
8. Metsähallitus
9. Vesihallitus
10. Ammattikasvatusthallitus
11. Valtion Polttoainokeskus
12. Valtion margariinitehdas
13. Valtion ravitsemuskeskus
14. Valtion hankintakeskus
15. Valtion tekninen tutkimuskeskus
16. Pääesikunta*

Hong Kong

This List is authentic in the English language.

Entity

Hong Kong Government Supplies Department.

India

This List is authentic in the English Language.

<i>No.</i>	<i>Purchasing entity</i>	<i>Categories of goods</i>
1.	Oil and Natural Gas Commission	Offshore oil well drilling rigs and spares thereof and seamless steel casing pipes in the sizes above 5 1/2" O.D. for onshore and offshore drilling.
2.	All India Radio	Medium-wave transmitters above 300 KW, shortwave transmitters above 250 KW
3.	Doordarshan	special type of short-wave reversible

broad band arrays for very high power transmitters. 16 mm. cine cameras and video tapes.

4. Ministry of Railways Wheels and axles for 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. This Agreement does not apply to procurement by entities otherwise falling under this Agreement made under the specific procedure of credit from the International Development Association.

IV. This Agreement does not extend to purchases in the context of bilateral arrangements that provide for balanced trade through a clearing system.

Jamaica

This List is authentic in the English language.

Jamaica Building Materials.

(Division of the Jamaican State Trading Corporation Ltd.).

Japan

This List is authentic in the English language.

Entities covered by the Accounts Law.

House of Representatives

House of Councillors

Supreme Court

Board of Audit

Prime Minister's Office

Fair Trade Commission

National Public Safety Commission

(National Police Agency)

Environmental Disputes Coordination Commission

Imperial Household Agency

Administrative Management Agency

Hokkaido Development Agency

Defense Agency

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 Railways*
 Japon Tobacco and Salt Public Corporation
 Nippon Telegraph & Telephone Public Corporation*
 People's Finance Corporation
 Housing Loan Corporation
 Agriculture, Forestry and Fisheries Finance Corporation
 Small Business Finance Corporation
 Finance Corporation of Local Public Enterprise
 Hokkaido and Tohoku Development Corporation
 Medical Care Facilities Financing Corporation
 Small Business Credit Insurance Corporation
 Environmental Sanitation Business Financing Corporation
 Okinawa Development Finance Corporation
 Japan Development Bank
 Export-Import Bank of Japan

Notes

1. Entities covered by the Accounts Law include all their internal subdivisions, independent organs, attached organizations and other organizations and local branch offices provided for in the National Government Organization Law.
2. Products for resale or for use in the production of goods for sale are not included.
3. Where it is so 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.
4. This Agreement will generally apply to procurement by the Defense Agency of the following Federal Supply Classification (FSC) categories subject to the Japanese Government determinations under the provisions of Article VIII, paragraph 1:

FSC Description

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 Fittings
- 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
- 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

5. The application of this Agreement to the entities marked with asterisk (*) is subject to the following terms and conditions specified by the Japanese Government:

(a) Japanese National Railways

Materials connected with operational safety of transportation is not included.

(b) Nippon Telegraph & Telephone Public Corporation

(i) Public telecommunications equipment is not included.

(ii) Procurement by local branch offices is not included.

- (iii) If agreement on the coverage in the field of telecommunications under this Agreement is reached by 31 December 1980 in the light of I. (A) of the Joint Statement by the negotiators of the Governments of Japan and the United States issued on 2 June 1979, this Agreement shall apply to the procurement subject to the above Agreement.

Republic of Korea

This List is authentic in the English language

1. *Purchasing Entity*

Office of Supply

2. *Classification of Purchases*

- CCCN EX 6902 Silicon carbide refractory bricks
- CCCN EX 7316 Railway and tramway track construction material of iron or steel, the following: switch blades, crossing (or frogs), crossing pieces, point rods, sleepers, fishplates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialised for joining or fixing rails.
- CCCN EX 8509 Lighting lamp, signalling lamp, sound signalling equipment, windscreen wipers, defrosters and demisters
- CCCN 8607 Railway and tramway goods vans, goods wagons and trucks
- CCCN 8609 Parts of railway and tramway locomotives and rolling-stock
- CCCN EX 9028
- 0101 Automatic voltage regulators
- 0200 Electronic instruments and apparatus for measuring or detecting ionising radiations
- 0302 Circuit testers
- 0303 Oscilloscopes
- 0304 Frequency measuring apparatus
- 0305 Frequency or period counters

Nigeria

This List is authentic in the English language

1. *Nigeria National Supplies Company*

For purchases of the following products:

- (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

Norway

This List is authentic in the English language

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. Defence Combined Material Agency*

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:

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
- stationery 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
- pyrotechnical 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

Norway

This List is authentic in the English language

1. Statens vegvesen
2. Statens Innkjøpsentral
3. Postverket
4. Rikshospitalet
5. Universitetet i Oslo
6. Politiet
7. Norsk Rikskringkasting
8. Universitetet i Trondheim
9. Universitetet i Bergen
10. Kystdirektoratet
11. Universitetet i Tromsø
12. Statens forurensningstilsyn
13. Luftfartsverket
14. Forsvarsdepartementet*
15. Forsvarets Sanitet*
16. Luftforsvarets Forsyningskommando*
17. Haerens Forsyningskommando*
18. Sjøforsvarets Forsyningskommando*
19. Forsvarets Felles Materielltjeneste*

Singapore

This List is authentic in the English language

Purchasing Entity

Central Supplies Department

Note:

The offer is conditional on the right of the Singapore Government to grant tenderers from the ASEAN countries a two and a half per cent or US\$ 40,000 preferential margin in accordance with the provisions of the Agreement on ASEAN Preferential Trading Arrangements.

This List is authentic in the English language

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 Poice 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 sub-divisions.

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 CCCN chapters:

CCCN 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
30-49		
65-81		
82	ex 82.05	tools
	ex 82.07	tools, 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
86	ex 86.02	armoured locomotives, electric
	86.03	other armoured locomotives
	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	breakdown lorries
	ex 87.09	motor cycles
	ex 87.14	trailers
89	ex 89.01	warships
90	ex 90.05	binoculars
	ex 90.13	miscellaneous instruments, lasers
	ex 90.14	telemeters
	ex 90.28	electric and electronic measurements instruments
91-92		
94	ex 94.01	aerodynamic seats
95-98		

Sweden

This list is authentic in the English language

1. Försvarets materialverk*
2. Statens vägverk
3. Byggnadsstyrelsen

4. Förenade fabriksverken*
5. Postverket
6. Domänverket
7. Luftfartsverket
8. Fortifikationsförvaltningen*
9. Skolöverstyrelsen
10. Rikspolisstyrelsen
11. Statskontoret
12. Kriminalvårdsstyrelsen
13. Sjöfartsverket
14. Riksskatteverket
15. Skogsstyrelsen
16. Försvarets sjukvårdsstyrelse*
17. Statens trafiksäkerhetsverk
18. Civilförsvarsstyrelsen*
19. Statens industriverk
20. Socialstyrelsen
21. Statistiska centralbyrån

Not 1

I de uppräknade myndigheterna och affärsverken ingår regionala och lokala enheter.

Not 2

När ett visst upphandlingsbeslut kan påverka väsentliga ekonomiskt politiska målsättningar kan den svenska regeringen i enskilda upphandlingsärenden anse det nödvändigt att avvika från principen om nationell behandling i denna överenskommelse. Ett sådant beslut kommer att tas på regeringsnivå.

Not 3

Upphandling av försvarsmyndigheter (markerade med*) täcker produkter som faller under följande CCCN-kapitel:

CCCN-kapitel undantag

25-26

- | | | |
|----------|----------|------------------------|
| 27 | ex 27.10 | särskilda eldningsolja |
| 28 | ex 28.09 | sprängämnen |
| | ex 28.13 | sprängämnen |
| | ex 24.14 | tårgas |
| | ex 28.28 | sprängämnen |
| | ex 28.32 | sprängämnen |
| | ex 28.39 | sprängämnen |
| | ex 28.50 | giftiga ämnen |
| | ex 28.51 | giftiga ämnen |
| | ex 28.54 | sprängämnen |
| | 29 | ex 29.03 |
| ex 29.04 | | sprängämnen |
| ex 29.07 | | sprängämnen |
| ex 29.08 | | sprängämnen |
| ex 29.11 | | sprängämnen |
| | ex 29.12 | sprängämnen |

29	ex 29.13	giftiga ämnen
	ex 29.14	giftiga ämnen
	ex 29.15	giftiga ämnen
	ex 29.21	giftiga ämnen
	ex 29.22	giftiga ämnen
	ex 29.23	giftiga ämnen
	ex 29.26	sprängämnen
	ex 29.27	giftiga ämnen
	ex 29.29	sprängämnen
30-49		
65-81		
82	ex 82.05	verktyg
	ex 82.07	verktyg, delar
83		
84	ex 84.06	motorer
	ex 84.08	andra motorer
	ex 84.45	maskiner och apparater
	ex 84.53	automatiska databehandlingsmaskiner
85	ex 85.13	utrustning för telekommunikationer
	ex 85.15	apparater för sändning
86	ex 86.02	pansarlokomotiv, elektriska
	ex 86.03	andra pansarlokomotiv
	ex 86.05	bepansrade vagnar
	ex 86.06	verkstadsvagnar
	ex 86.07	godsvagnar
87	ex 87.08	stridsvagnar och bepansrade fordon
	ex 87.01	traktorer
	ex 87.02	militära fordon
	ex 87.03	bärningsbilar
	ex 87.09	motorcyklar
	ex 87.14	släpfordon
89	ex 89.01	krigsfartyg
90	ex 90.05	kikare (binokulär)
	ex 90.13	diverse instrument, lasrar
	ex 90.14	avståndsmätare,
	ex 90.28	elektriska och elektroniska mätinstrument
91-92		
94	ex 94.01	aerodynamiska sittmöbler
95-98		

Switzerland

This List is authentic in the French language

- (1) Federal Central Agency for Printing, Supplies and Equipment
- (2) Central Library of Parliament and the Federal Administration
- (3) Federal Constructions Agency
- (4) Federal Polytechnic School, Zurich
- (5) Federal Polytechnic School, Lausanne
- (6) Federal Reactor Research Institute
- (7) Federal Forestry Research Institute
- (8) Institut for the Study of Snow and Avalanches

- (9) Swiss Nuclear Research Institute
- (10) Swiss Meteorological Institute
- (11) Federal Institute for Water Planning, Purification and Protection
- (12) Federal public Health Agency
- (13) Swiss National Library
- (14) Federal Civil Defence Agency¹
- (15) Federal Customs Administration²
- (16) Federal Alcohol Monopoly
- (17) Mint
- (18) Federal Metrology Agency
- (19) Federal Agriculture Agency
- (20) Federal Civil Aviation Agency
- (21) Federal Water-Economy Agency
- (22) Armaments Group¹
- (23) Postal Administration

When a specific procurement decision may impair important national policy objectives, the Swiss 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 Swiss Government level.

List of non-warlike supplies and equipment used for defence and civil defence covered by the agreement

- Chapter 25:* Salt, sulphur; earths and stone; plastering materials, lime and cement
- Chapter 26:* Metallic ores, slag and ash
- Chapter 27:* Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes
- Chapter 28:* Inorganic chemicals; organic and inorganic compounds of precious metals, of rare earth metals, of radio-active elements and of isotopes.
except:
 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
- Chapter 29:* Organic chemicals
except:
 ex 29.03 explosives
 ex 29.04 explosives
 ex 29.07 explosives
 ex 29.08 explosives
 ex 29.11 explosives
 ex 29.12 explosives

¹ For products, see the list of non-warlike supplies and equipment used for defence and civil defence.

² For border guards and customs officers, see the list of non-warlike materials used for defence and civil defence.

- 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
- Chapter 30:* Pharmaceutical products
Chapter 31: Fertilizers
Chapter 32: Tanning and dyeing extracts; tannins and their derivatives; dyes, colours, paints and varnishes; putty, fillers and stoppings; inks
- Chapter 33:* Essential oils and resinoids; perfumery; cosmetics and toilet preparations
- Chapter 34:* Soap, organic surface-active agents, washing preparations lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and "dental waxes"
- Chapter 35:* Albuminoidal substances; glues; enzymes
Chapter 36: Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations
except:
 ex 36.01: propellent powders
 ex 36.02: prepared explosives
 ex 36.04: detonators
 ex 36.08: explosives
- Chapter 37:* Photographic and cinematographic goods
Chapter 38: Miscellaneous chemical products
except:
 ex 38.19: toxic products
- Chapter 39:* Artificial resins and plastic materials, cellulose esters and ethers; articles thereof
except:
 ex 39.03: explosives
- Chapter 40:* Rubber, synthetic rubber, factice, and articles thereof
except:
 ex 40.11: tyres
- Chapter 43:* Furskins and artificial fur; manufactures thereof
Chapter 45: Cork and articles of cork
Chapter 46: Manufactures of straw, of esparto and of other plaiting materials; basketware and wickerwork
- Chapter 47:* Paper-making material
Chapter 65: Headgear and parts thereof
Chapter 66: Umbrellas, sunshades, walking-sticks, whips, riding-crops and parts thereof
- Chapter 67:* Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair
- Chapter 68:* Articles of stone, of plaster, of cement, of asbestos, of mica and of similar materials
- Chapter 69:* Ceramic products
Chapter 70: Glass and glassware

- Chapter 71:* Pearls, precious and semi-precious stones, precious metals, rolled precious metals, and articles thereof; imitation jewellery
- Chapter 73:* Iron, steel and articles thereof
- Chapter 74:* Copper and articles thereof
- Chapter 75:* Nickel and articles thereof
- Chapter 76:* Aluminium and articles thereof
- Chapter 77:* Magnesium and beryllium and articles thereof
- Chapter 78:* Lead and articles thereof
- Chapter 79:* Zinc and articles thereof
- Chapter 80:* Tin and articles thereof
- Chapter 81:* Other base metals employed in metallurgy and articles thereof
- Chapter 82:* Tools, implements, cutlery, spoons and forks, of base metal; parts thereof
- Chapter 83:* Miscellaneous articles of base metal
- Chapter 84:* Boilers, machinery, and mechanical appliances; parts thereof
- Chapter 85:* Electrical machinery and equipment; parts thereof
except:
ex 85.03: primary cells and primary batteries
ex 85.13: telecommunication equipment
ex 85.15: transmission apparatus
- Chapter 86:* Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway track fixtures and fittings; traffic signalling equipment of all kinds (not electrically powered)
except:
ex 86.02: armoured locomotives, electric
ex 86.03: other armoured locomotives
ex 86.05: armoured wagons
ex 86.06: repair wagons
ex 86.07: wagons
- Chapter 87:* Vehicles, other than railway or tramway rolling-stock, and parts thereof
except:
87.08: tanks and other armoured vehicles
ex 87.02: heavy lorries
ex 87.09: motorcycles
ex 87.14: trailers
- Chapter 88:* Aircraft and parts thereof
except:
ex 88.02: aircraft
- Chapter 89:* Ships, boats and floating structures
- Chapter 90:* Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus; parts thereof
except:
ex 90.05: binoculars
ex 90.13: miscellaneous instruments, lasers
ex 90.14: telemeters
ex 90.28: electrical and electronic measuring instruments

<i>Chapter 91:</i>	Clocks and watches and parts thereof
<i>Chapter 92:</i>	Musical instruments; sound recorders and reproducers; television image and sound recorders and reproducers, magnetic; parts and accessories of such articles
<i>Chapter 93:</i>	Arms and ammunition; parts thereof
	<i>except:</i>
ex 93.01:	side-arms
ex 93.02:	pistols
ex 93.03:	military firearms and projectors
ex 93.04:	other firearms
ex 93.05:	arms of other descriptions
ex 93.07:	bombs, grenades, torpedoes, mines, guided weapons and missiles and similar munitions of war
<i>Chapter 95:</i>	Articles and manufactures of carving or moulding material
<i>Chapter 96:</i>	Brooms, brushes, feather dusters, powder-puffs and sieves
<i>Chapter 98:</i>	Miscellaneous manufactured articles

Suisse

La version française de cette liste fait foi

- 1) Office central fédéral des imprimés et du matériel
- 2) Bibliothèque centrale du Parlement et de l'administration fédérale
- 3) Office des constructions fédérales
- 4) Ecole polytechnique fédérale Zurich
- 5) Ecole polytechnique fédérale 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 fédéral pour l'aménagement, l'épuration et la protection des eaux
- 12) Office fédéral de la santé publique
- 13) Bibliothèque nationale suisse
- 14) Office fédéral de la protection civile¹
- 15) Administration fédérale des douanes²
- 16) Régie fédérale des alcools
- 17) Monnaie
- 18) Office fédéral de métrologie
- 19) Office fédéral de l'agriculture
- 20) Office fédéral de l'aviation civile
- 21) Office fédéral de l'économie des eaux
- 22) Groupement de l'armement¹
- 23) Entreprise des postes

Si une décision particulière concernant un marché peut compromettre la réalisation d'importants objectifs de politique nationale, le gouvernement suisse pourra juger nécessaire de déroger, 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.

¹ Pour les produits, voir liste des matériels civils de la défense et de la protection civile.

² Pour le corps des gardes frontière et les douaniers, voir liste des matériels civils de la défense et de la protection civile.

- 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: détonants
 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 électrotechniques
 à l'exception de:
 ex 85.03: Piles électriques
 ex 85.13: Télécommunications
 ex 85.15: Appareils de transmission
- Chapitre 86:* Véhicules et matériel fixe 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 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
- 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 brosse et pinceaux, balais, houppes et articles de tamerie
- Chapitre 98:* Ouvrages divers

United States

This List is authentic in the English language

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 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
 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);
 - (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 Article 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 Article 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
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 Shop 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
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 Article I, paragraph 1 (a), transportation is not included in services incidental to procurement contracts.

Publications utilized by parties for the publication of notices of proposed purchases – article V, paragraph 3

BILAGA II

Av parterna använda publikationer för publicering av tillkännagivande av planerad upphandling – artikel V, moment 3

Austria

Amtsblatt zur Wiener Zeitung

Canada

The Canada Gazette

European 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
- Bulletin officiel des annonces des marchés publics

Germany, Federal Republic of

- Official Journal of the European Communities

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
- The London Gazette

Finland

Virallinen Lehti (Official Gazette of Finland)

Hong Kong

Hong Kong Government Gazette

India

Indian Trade Journal

Japan

Kanpō

Korea, Republic of

Daily English Newspapers (Korea Herald and Korea Times alternatively)

Nigeria

Federal Government Gazette

Norway

Norsk Lysningsblad (Official Gazette of Norway)

Singapore

Government Gazette

Sweden

Tidning för leveranser till Staten (bilaga till Post- och Inrikes Tidningar)
(Gazette of Government Contracts (Supplement to the Official Gazette))

Switzerland

Feuille officielle suisse du commerce

United States

Commerce Business Daily

Publications utilized by parties for the publications annually of information on permanent lists of suppliers in the case of selective tendering procedurs – article V, paragraph 6

BILAGA III

Av parterna använda publikationer för årlig publicering av uppgifter och permanenta förteckningar över leverantörer vid selektiv anbudsinfordran – artikel V, moment 6

Austria

Amtsblatt zur Wiener Zeitung (at present, however, no such lists exist)

Canada

The Canada Gazette

Finland

No list existing

Hong Kong

Hong Kong Government Gazette

India

Indian Trade Journal where applicable

Japan

Kanpō

Korea, Republic of

Daily English Newspapers (Korea Herald and Korea Times, alternatively)

Norway

No list existing

Singapore

CSD mainly open tendering

Sweden

No list existing

Switzerland

Feuille officielle suisse du commerce

United States

Commerce Business Daily

Publications utilized by parties for the prompt publication of laws, regulations, judicial decisions, administrative rulings of general application and any procedure regarding government procurement covered by this agreement – article VI, paragraph 1

BILAGA IV

Av parterna använda publikationer. För skyndsamt publicering av lagar, föreskrifter, rättsliga och administrativa beslut med allmän tillämpning samt förfarande rörande statlig upphandling som täcks av denna överenskommelse – artikel VI, moment I

Austria

- Oesterreichisches Bundesgesetzblatt
- Amtsblatt zur Wiener Zeitung
- Jurisprudence – no official publication

Canada

- The Canada Gazette
- Contracting
- The Federal Government: Your Client

European Economic Community

- | | |
|--|---|
| Belgium | - Laws, royal regulations, ministerial regulations, ministerial circulars – Le Moniteur Belge |
| | - Jurisprudence – Pasirisie |
| Denmark | - Laws and regulations – Lovtidende |
| | - Judicial decisions – Ugeskrift for Retsvaesen |
| | - Administrative rulings and procedures – Ministerialti-dende |
| France | - Legislation – Bulletin officiel |
| | - Jurisprudence – Recueil des arrêts du Conseil d'Etat |
| | - Revue des marchés publics |
| Germany
Federal
Republic of | - Legislation and regulations – Bundesgesetzblatt |
| | - Herausgeber: Der Bundesminister der Justiz Verlag: Bundesanzeiger
Bundesanzeiger
Postfach 108006
5000 Köln 1 |
| | - Judicial decisions:
Entscheidungsammlungen des |
| | - Bundesverfassungsgerichts |
| | - Bundesgerichtshofs |
| | - Bundesverwaltungsgerichts |
| | - Bundesfinanzhofs sowie der Oberlandesgerichte |
| Ireland | - Legislation and regulations – Iris Oifigiuil (official Gazette of the Irish Government) |
| Italy | - Legislation – Gazzetta 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

Suomen Asetuskokoelma – Finlands Författningssamling (The Collection of the Statutes of Finland)

Hong Kong

Hong Kong Government Gazette

India

(a) "Gazette of India" in respect of procurement by Ministry of Railways;

(b) "Indian Trade Journal" in respect of procurement by Oil and Natural Gas Commission and the Director General of Supplies and Disposal.

(c) "Conditions of Contract" (a priced publication available with Controller of Publications, Delhi 110006), contains the laws, regulations, etc. in respect of purchases by the Director General of Supplies and Disposal. Any amendments hereto will be published in the Indian Trade Journal.

Japan

Kanpō and/or Hōreizensho

Korea, Republic of

Kwanpo (Official Gazette)

Nigeria

Federal Government Gazette

Norway

Norsk Lovtidend (Norwegian Law Gazette)

Singapore

Laws/Regulations and judicial decisions – Government Gazette
 Administrative rulings – Ministry of Finance Circulars and Instruction
 Manual No. 3

Sweden

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

Switzerland

Recueil officiel des lois et ordonnances de la Confédération suisse (RO)
 Arrêts du Tribunal fédéral suisse
 Jurisprudence des autorités administratives de la Confédération

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 United States 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:

<i>Material</i>	<i>Publication Name</i>
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.