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Committee on Government Procurement

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**NOTIFICATION OF PROPOSED MODIFICATIONS AND RECTIFICATIONS TO COVERAGE
UNDER THE AGREEMENT ON GOVERNMENT PROCUREMENT 2012**

COMMUNICATION FROM THE UNITED KINGDOM

*Proposed Modifications to Annexes 1, 2, 3 and 7 of Appendix I of the United Kingdom under
the GPA 2012 notified pursuant to Article XIX:1 of the GPA 2012*

The following communication dated 12 March 2021 is being circulated at the request of the Delegation of the United Kingdom.

Notifying Party	THE UNITED KINGDOM
Legal Basis	<input checked="" type="checkbox"/> Article XIX:1(a) of the GPA 2012 <input checked="" type="checkbox"/> Article XIX:1(b) of the GPA 2012
Annexes of Appendix I affected	<ul style="list-style-type: none">• Central Government Entities (Annex 1)• Sub-Central Government Entities (Annex 2)• Other Entities (Annex 3)• General Notes (Annex 7)
Description of the proposed modifications: <p>Pursuant to Article XIX, paragraph 1 (a) and 1 (b) of the Agreement on Government Procurement 2012 (hereinafter referred to as "GPA 2012"), the Government of the United Kingdom hereby notifies the Committee on Government Procurement of the following proposed modifications relating to Annex 1, 2, 3 and 7 to Appendix I to the GPA 2012.</p> <p>These modifications are necessary to reflect the current configuration of the United Kingdom's public sector. Further explanations of these changes are provided below.</p> <p>ANNEX 1 – CENTRAL GOVERNMENT ENTITIES</p> <p>LIST OF ENTITIES</p> <p>1) Deletion of footnote 1 "Where the functions of an entity listed in this Annex have been or are transferred to another entity, which is itself a contracting authority, the successor entity shall be deemed to be included in this Annex."</p> <ul style="list-style-type: none">• As the United Kingdom has updated the list of entities in Annex 1, this footnote is no longer required and has been deleted. <p>LIST OF CENTRAL GOVERNMENT CONTRACTING AUTHORITIES</p> <p>2) Move "Boundary Commission for England" to under "Cabinet Office".</p> <ul style="list-style-type: none">• Legal basis: Art. XIX:1(b) of the GPA 2012• The "Boundary Commission for England" is an advisory non-departmental public body. On 2 June 2010 the responsibility for the "Boundary Commission for England" was transferred from the "Ministry of Justice" to the "Cabinet Office".	

"Boundary Commission for England" has been moved to under Cabinet Office on the Annex 1 list. (See entity No. 2.2 of Annex 1 in Attachment B).

3) Deletion of "Central Office of Information"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Central Office of Information" was a non-ministerial department operating as a trading fund, the Central Office of Information Trading Fund. The Central Office of Information Trading Fund ceased to exist by virtue of the Central Office of Information Trading Fund (Revocation) Order 2011. The functions of the Central Office of Information were transferred to the Cabinet Office.
- Therefore, "Central Office of Information" has been deleted. "Cabinet Office" is already included on the Annex 1 list. (See entity No. 2 of Annex 1 in Attachment B)

4) Deletion of "Crown Estate Commissioners - Vote Expenditure Only"

Insertion of "Crown Estate – Vote Expenditure Only"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Crown Estate Commissioners are board members of the Crown Estate. The Crown Estate is a statutory corporation established by the Crown Estate Act 1961 sponsored by HM Treasury.
- Therefore, "Crown Estate Commissioners - Vote Expenditure Only" has been changed on the Annex 1 list to "Crown Estate - Vote Expenditure Only" to reflect the statutory corporation rather than its board members. (See entity No. 4 of Annex 1 in Attachment B)

5) Deletion of "Department for Business, Energy and Regulatory Reform"

Insertion of (i) "Department for Business, Energy and Industrial Strategy"; (ii) "Department for International Trade"; (iii) "Nuclear Decommissioning Authority" (under "Department for Business, Energy and Industrial Strategy"); and (iv) "Oil and Gas Authority" (under "Department for Business, Energy and Industrial Strategy")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The functions of the "Department for Business, Energy and Regulatory Reform" were transferred to the Department for Business, Innovation and Skills under the Secretary of State for Business, Innovation and Skills Order 2009. Most of the functions of the Department for Business, Innovation and Skills were then transferred to the "Department for Business, Energy and Industrial Strategy" under the Secretaries of State for Business, Energy and Industrial Strategy, for International Trade and for Exiting the European Union and the Transfer of Functions (Education and Skills) Order 2016, which gave effect to several machinery of government changes that occurred in July 2016. However, the trade functions originally carried out by the Department for Business, Enterprise and Regulatory Reform were transferred to the "Department for International Trade" under the same 2016 order. In summary, the functions of the "Department for Business, Enterprise and Regulatory Reform" have now been transferred to the "Department for Business, Energy and Industrial Strategy" and the "Department for International Trade".
- The "Nuclear Decommissioning Authority" was established in 2004 under Section 1 Energy Act 2004 for the purpose of cleaning up and decommissioning the United Kingdom's civil nuclear sites.
- The "Oil and Gas Authority" was established as a Government Company in 2016 under Section 1 Energy Act 2016 to regulate, influence and promote the United Kingdom's oil and gas industry.
- Therefore, "Department of Business, Enterprise and Regulatory Reform" has been deleted and "Department for Business, Energy and Industrial Strategy", the "Nuclear Decommissioning Authority", the "Oil and Gas Authority", and the "Department for International Trade" have been added to the Annex 1 list. (See entities Nos 6, 6.5, 6.8 and 12 of Annex 1 in Attachment B)

6) Deletion of "Competition Commission"

Insertion of (i) "Competition and Markets Authority" (under "Department for Business, Energy and Industrial Strategy"); (ii) "Competition Appeal Tribunal"; and (iii) "Competition Service".

- Legal basis: Art. XIX:1(b) of the GPA 2012

- The "Competition Commission" was abolished and its functions transferred to the newly established "Competition and Markets Authority" on 1 April 2014 under the Enterprise and Regulatory Reform Act 2013.
 - Additionally, the Enterprise Act 2002 established the "Competition Appeal Tribunal" (CAT) and the "Competition Service" (which funds, and provides support services to, the CAT).
 - Therefore, "Competition Commission" has been deleted and "Competition and Markets Authority", "Competition Appeal Tribunal" and "Competition Service" have been added to the Annex 1 list. (See entities Nos 6.1, 6.2 and 6.3 of Annex 1 in Attachment B)
- 7) Deletion of "Gas and Electricity Consumers' Council"
- Insertion of "Consumer Council Northern Ireland (with respect only to the functions transferred from the National Consumer Council which were themselves transferred from the Gas and Electricity Consumer Council)" (under "Northern Ireland Ministers" under "Department for the Economy")
- Legal basis: Art. XIX:1(a) and 1(b) of the GPA 2012
 - The Gas and Electricity Consumer Council (which is the correct name for the entity) was abolished under the Consumers, Estate Agents and Redress Act 2007 and was replaced by the National Consumer Council. The National Consumer Council was closed in April 2014 under The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc.) Order 2014.
 - Functions of the National Consumer Council relating to consumer matters in Northern Ireland for postal services, were transferred to the General Consumer Council for Northern Ireland, a non-departmental public body. The provision of advice and information about consumer matters in England, Wales and Scotland is now carried out by two charities; The National Association Of Citizens Advice Bureaux (known as "Citizens Advice") and the Scottish Association Of Citizens Advice Bureaux (known as "Citizens Advice Scotland"). Government control or influence over the entity's covered procurement has been effectively eliminated.
 - Therefore, "Gas and Electricity Consumers' Council" has been deleted and "Consumer Council Northern Ireland (with respect only to the functions transferred from the National Consumer Council which were themselves transferred from the Gas and Electricity Consumer Council)" has been added to the Annex 1 list. (See entity No. 28.5.1. of Annex 1 in Attachment B)
- 8) Deletion of "Department for Children, Schools and Families"
- Insertion of "Department for Education"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The functions of the "Department for Children, Schools and Families" were transferred to the newly formed "Department for Education" under the Secretary of State for Education Order 2010.
 - Therefore, "Department for Children, Schools and Families" has been deleted and "Department for Education" has been added to the Annex 1 list. (See entity No. 7 of Annex 1 in Attachment B)
- 9) Deletion of "Department of Communities and Local Government"
- Insertion of "Ministry of Housing, Communities and Local Government"
- Legal basis: XIX:1(b) of the GPA 2012
 - The Department of Communities and Local Government's functions were transferred to the "Ministry of Housing, Communities and Local Government" in 2018 under The Secretaries of State for Health and Social Care and for Housing, Communities and Local Government and Transfer of Functions (Commonhold Land) Order 2018.
 - Therefore, "Department of Communities and Local Government" has been deleted and "Ministry of Housing, Communities and Local Government" has been added to the Annex 1 list. (See entity No. 8 of Annex 1 in Attachment B)
- 10) Deletion of "Rent Assessment Panels"
- Insertion of (i) "First-tier Tribunal" (under "Ministry of Justice"); (ii) "Upper Tribunal" (under "Ministry of Justice"); (iii) "First-tier Tribunal for Scotland" (under "Scottish Ministers"); and (iv) "Rent Assessment Committee (Wales)" (under "Welsh Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Functions of the "Rent Assessment Panels" in England were transferred to the Property Chamber of the "First-tier Tribunal" and the Lands Chamber of the "Upper Tribunal", part of HM Courts and Tribunals Service following the transfer of functions of a number of individual tribunals into the First-tier and Upper Tribunal which were created by the Tribunals, Courts and Enforcement Act 2007. Functions of the "Rent Assessment Panels" in Scotland were transferred to The "First-tier Tribunal for Scotland" (Housing and Property Chamber) on 1 December 2016 as part of the changes introduced by the Tribunals (Scotland) Act 2014. The "Rent Assessment Committee (Wales)" still exist in Wales.
- Therefore, "Rent Assessment Panels" has been deleted and "First-tier Tribunal", "Upper Tribunal", "First-tier Tribunal for Scotland" and "Rent Assessment Committee (Wales)" have been added to the Annex 1 list. (See entities Nos 23.4, 23.12, 46.23 and 50.5 in Annex 1 in Attachment B)

11) Deletion of "Department for Culture, Media and Sport"

Insertion of "Department for Digital, Culture, Media and Sport"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Department for Culture, Media and Sport" was renamed the "Department for Digital, Culture, Media and Sport" in 2017 to reflect its new responsibility for the digital economy. The Transfer of Functions (Digital Government) Order 2018/526 transferred the relevant functions under the Digital Economy Act 2017 from the Minister for the Cabinet Office to the Secretary of State for Digital, Culture, Media and Sport.
- Therefore, "Department for Culture, Media and Sport" has been deleted and "Department for Digital, Culture, Media and Sport" has been added to the Annex 1 list. (See No. entity 9 in Annex 1 in Attachment B)

12) Deletion of "Commission for Architecture and the Built Environment"

Insertion of "Department for Digital, Culture, Media and Sport"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Commission for Architecture and the Built Environment" was abolished by The Commission for Architecture and the Built Environment (Dissolution) Order 2012. Its property, rights and liabilities were transferred to the "Department for Digital, Culture, Media and Sport".
- Therefore, the "Commission for Architecture and the Built Environment" has been deleted and "Department for Digital, Culture, Media and Sport" has been added to the Annex 1 list. (See entity No. 9 in Annex 1 in Attachment B)

13) Deletion of "Historic Buildings and Monuments Commission for England - English Heritage"

Insertion of "Historic Buildings and Monuments Commission for England (known as "Historic England")"

- Legal basis: Art. XIX:1(a) and 1(b) of the GPA 2012
- In 2015 English Heritage split into two parts: the English Heritage Trust (known as "English Heritage") and the "Historic Buildings and Monuments Commission for England (known as "Historic England")".
- The English Heritage Trust ceased to be a non-departmental public body and became a charity known as "English Heritage". Government control or influence over the charity's covered procurement has been effectively eliminated.
- Historic England continues to be a non-departmental public body of the Department for Digital, Culture, Media and Sport.
- Therefore, "Historic Buildings and Monuments Commission for England - English Heritage" has been deleted and "Historic Buildings and Monuments Commission for England (known as "Historic England")" has been added to the Annex 1 list. (See entity No. 9.5 of Annex 1 in Attachment B)

14) Deletion of "Museums, Libraries and Archives Council"

Insertion of "Arts Council England"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- "Museums, Libraries and Archives Council" closed in May 2012. Its functions were earlier transferred to "Arts Council England" and "The National Archives" on 1 October 2011.

- Therefore, the "Museums, Libraries and Archives Council" has been deleted and the "Arts Council England" has been added to the Annex 1 list. The National Archives are already included on the Annex 1 list. (See entity No. 9.1 of Annex 1 in Attachment B)

15) Deletion of "Science Museum"

Insertion of "Board of Trustees of the Science Museum (known as "Science Museum Group")"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Science Museum" is now operated by the Science Museum Group. The Schedule of The Value Added Tax (Refund of Tax to Museums and Galleries) (Amendment) Order 2014 shows that references to the "Science Museum" now refer to the Science Museum Group.
- Therefore, "Science Museum" has been deleted and "Board of Trustees of the Science Museum (known as "Science Museum Group")" has been added to the Annex 1 list. (See entity No. 9.11 of Annex 1 in Attachment B)

16) Deletion of "Agricultural Dwelling House Advisory Committees"

Insertion of "Agricultural Dwelling House Advisory Committees (Wales)" (under "Welsh Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Enterprise and Regulatory Reform Act 2013 abolished, for areas in England, Agricultural Dwelling-House Advisory Committees. Their functions in England were transferred to local authorities (which are covered by Annex 2) and the Committees remain in Wales.
- Therefore, "Agricultural Dwelling House Advisory Committees" has been deleted and "Agricultural Dwelling House Advisory Committees (Wales)" has been added to the Annex 1 list. (See entity No. 50.1 of Annex 1 in Attachment B)

17) Deletion of "Agricultural Land Tribunals"

Insertion of (i) "First-tier tribunal" (under "Ministry of Justice") and (ii) "Agricultural Land Tribunal for Wales" (under "Welsh Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- In England, the "Agricultural Land Tribunals" were abolished by the Transfer of Tribunal Functions Order 2013. Functions of the tribunals were transferred to the "First-tier Tribunal" following the transfer of functions of a number of individual tribunals into the First-tier and Upper Tribunal which were created by the Tribunals, Courts and Enforcement Act 2007. The "Agricultural Land Tribunals" remain in Wales.
- Therefore, "Agricultural Land Tribunals" have been deleted and the "First-tier Tribunal" and "Agricultural Land Tribunal for Wales" have been added to the Annex 1 list. (See entities Nos 23.4 and 50.2 of Annex 1 in Attachment B)

18) Deletion of "Agricultural Wages Board and Committees"

Insertion of "Department for Business, Energy and Industrial Strategy"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Agricultural Wages Board and Committees" for England were abolished in 2013 under the Enterprise and Regulatory Reform Act 2013 and its functions discontinued. Functions relating to the setting of all minimum wages in England are carried out by the "Department for Business, Energy and Industrial Strategy" which has been added to the Annex 1 list. (See entity No. 6 of Annex 1 in Attachment B)

19) Deletion of "Cattle Breeding Centre"

- Legal basis: Art. XIX:1(a) of the GPA 2012
- The commercial artificial insemination service, formerly carried out by the "Cattle Breeding Centre" was transferred to the private sector in two parts in 1990 to private companies RSK ADAS Ltd. and Genus Breeding Ltd. Government control or influence over the entity's covered procurement has been effectively eliminated.
- Therefore, "Cattle Breeding Centre" has been deleted from the Annex 1 list.

20) Deletion of "Countryside Agency"

Insertion of (i) "Natural England" and (ii) "Ministry of Housing, Communities and Local Government"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Countryside Agency" was abolished by the Natural Environment and Rural Communities Act 2006. Its functions were transferred to "Natural England", the Commission for Rural Communities, regional development agencies or a Minister of the Crown. Natural England was established by the Natural Environment and Rural Communities Act 2006. The Commission for Rural Communities was abolished in 2012 by The Public Bodies (Abolition of the Commission for Rural Communities) Order 2012. Regional development agencies were abolished by the Public Bodies Act 2011.
- While a number of their activities ceased completely, certain functions were transferred to the Department for Communities and Local Government and the "Department for Environment, Food and Rural Affairs".
- Therefore, "Countryside Agency" has been deleted and "Natural England" and "Ministry of Housing, Communities and Local Government" have been added to the Annex 1 list. "Department for Environment, Food and Rural Affairs" is already on the Annex 1 list. (See entities Nos 8, 10 and 10.1 of Annex 1 in Attachment B)

21) Deletion of "Royal Commission on Environmental Pollution"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Royal Commission on Environmental Pollution" was abolished in 2010. Its functions are now undertaken by the Department for Food, Environment and Rural Affairs.
- Therefore, "Royal Commission on Environmental Pollution" has been deleted from the Annex 1 list. "Department for Environment, Food and Rural Affairs" is already on the Annex 1 list. (See entity No. 10 of Annex 1 in Attachment B)

22) Deletion of "Department of Health"

Insertion of "Department of Health and Social Care"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Department of Health" was renamed the "Department of Health and Social Care" in January 2018. Functions were transferred under The Secretaries of State for Health and Social Care and for Housing, Communities and Local Government and Transfer of Functions (Commonhold Land) Order 2018.
- Therefore, "Department of Health" has been deleted and "Department of Health and Social Care" has been added to the Annex 1 list. (See entity No. 11 of Annex 1 in Attachment B)

23) Deletion of "Dental Practice Board"

Insertion of "NHS Business Services Authority"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Dental Practice Board" was abolished for England and Wales on 1 April 2006 under the Health and Social Care (Community Health and Standards) Act 2003. The functions of the "Dental Practice Board" for England and Wales transferred to the "NHS Business Services Authority" under The General Dental Services, Personal Dental Services and Abolition of the Dental Practice Board Transitional and Consequential Provisions Order 2006.
- Therefore, "Dental Practice Board" has been deleted and "NHS Business Services Authority" has been added to the Annex 1 list. (See entity No. 11.1 of Annex 1 in Attachment B)

24) Deletion of "National Health Service Strategic Health Authorities"

Insertion of (i) "NHS Commissioning Board (known as "NHS England")"; and (ii) "NHS Foundation Trusts"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Strategic Health Authorities were abolished by the Health and Social Care Act 2012. Functions were replaced by "NHS Commissioning Board (known as "NHS England")", "NHS Foundation Trusts" and "Clinical Commissioning Groups".
- Therefore, "National Health Service Strategic Health Authorities" have been deleted and "NHS Commissioning Board (known as "NHS England")" and "NHS

Foundation Trusts" have been added to the Annex 1 list. "Clinical Commissioning Groups" have been added to the Annex 2 list. (See entities Nos 11.2 and 11.4 in Annex 1 and entity No. 5 of Annex 2 in Attachment B)

25) Deletion of "Prescription Pricing Authority"

Insertion of "NHS Business Services Authority"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Prescription Pricing Authority" was abolished and its functions transferred to the National Health Service Business Services Authority under the Special Health Authorities Abolition Order 2006.
- Therefore, "Prescription Pricing Authority" has been deleted and "NHS Business Services Authority" has been added to the Annex 1 list. (See entity No. 11.1 of Annex 1 in Attachment B)

26) Deletion of "Department for Innovation, Universities and Skills"

Insertion of (i) "Department for Business, Energy and Industrial Strategy" and (ii) "Department for Education"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The functions of the "Department for Innovation, Universities and Skills" were transferred to the Department for Business, Innovation and Skills under the Secretary of State for Business, Innovation and Skills Order 2009. Under the Secretaries of State for Business, Energy and Industrial Strategy, for International Trade and for Exiting the European Union and the Transfer of Functions (Education and Skills) Order 2016 functions of Department for Business, Innovation and Skills were transferred to other Ministerial Departments. Functions related to education and training in adult detention were transferred to the "Ministry of Justice", whilst higher education, adult education and some other functions were transferred to the "Department for Education". The remainder of the functions originally carried out by the "Department for Innovation, Universities and Skills" were transferred to the "Department for Business, Energy and Industrial Strategy".
- Therefore, "Department for Innovation, Universities and Skills" has been deleted and "Department for Business, Energy and Industrial Strategy" and "Department for Education" have been added to the Annex 1 list. "Ministry of Justice" is already on the Annex 1 list. (See entities Nos 6 and 7 of Annex 1 in Attachment B)

27) Deletion of "Higher Education Funding Council for England"

Insertion of (i) "Office for Students" (under "Department for Education") and (ii) "UK Research and Innovation" (under "Department for Business, Energy and Industrial Strategy")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Higher Education Funding Council for England" closed in March 2018 under the Higher Education and Research Act 2017. Its functions were transferred to the "Office for Students" and "UK Research and Innovation" (which is an executive non-departmental public body sponsored by the "Department for Business, Energy and Industrial Strategy").
- Therefore, "Higher Education Funding Council for England" has been deleted and "Office for Students" and "UK Research and Innovation" have been added to the Annex 1 list. (See entities Nos 7.1 and 6.9 of Annex 1 in Attachment B)

28) Deletion of "National Weights and Measures Laboratory"

Insertion of "Department for Business, Energy and Industrial Strategy"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "National Weights and Measures Laboratory" changed its name to the National Measurement Office and then to the National Measurement and Regulation Office. It was announced in Parliament that The National Measurement and Regulation Office was to be brought within the Regulatory Delivery directorate in March 2016. The Regulatory Delivery directorate was replaced by the Office for Product Safety and Standards in January 2018. The Office of Product Safety and Standards is part of the "Department for Business, Energy and Industrial Strategy".
- Therefore, "National Weights and Measures Laboratory" has been deleted and "Department for Business, Energy and Industrial Strategy" has been added to the Annex 1 list. (See entity No. 6 of Annex 1 in Attachment B)

29) Deletion of "Patent Office"

Insertion of "Patent Office (known as "Intellectual Property Office")" (under "Department for Business, Energy and Industrial Strategy")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Intellectual Property Office" is the new operating name for the "Patent Office".
- Therefore, "Patent Office" has been deleted and Patent Office (known as "Intellectual Property Office") has been added to the Annex 1 list. (See entity No. 6.4 of Annex 1 in Attachment B)

30) Deletion of "Department of the Procurator General and Treasury Solicitor"

Insertion of "Government Legal Department" (under "Attorney General's Office")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Treasury Solicitor's Department became the "Government Legal Department" in April 2015 and is sponsored by the "Attorney General's Office".
- Therefore, "Department of the Procurator General and Treasury Solicitor" has been deleted and "Government Legal Department" has been added to the Annex 1 list. (See entity No. 1.1 of Annex 1 in Attachment B)

31) Deletion of "Legal Secretariat to the Law Officers"

Insertion of "Attorney General's Office"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Legal Secretariat to the Law Officers" became the "Attorney General's Office" in 2004.
- Therefore, "Legal Secretariat to the Law Officers" has been deleted and "Attorney General's Office" has been added to the Annex 1 list. (See entity No. 1 of Annex 1 in Attachment B)

32) Insertion of "Highways England Company Ltd (known as "Highways England")"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Highways Agency was originally an executive agency of the Department of Transport. These functions were transferred to "Highways England Company Ltd (known as "Highways England")" which is a government owned strategic highways company under Section 1 of the Infrastructure Act 2015.
- Therefore, "Highways England Company Ltd (known as "Highways England")" has been added to the Annex 1 list. (See entity No. 13.2 of Annex 1 in Attachment B)

33) Deletion of "Disability Living Allowance Advisory Board"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Disability Living Allowance Advisory Board" was abolished under the Public Bodies (Abolition of the Disability Living Allowance Advisory Board) Order 2013. The Board was in practice defunct (its advice not having been sought since 2008) with its functions provided by in-house medical advisers to the Department of Work and Pensions.
- Therefore, "Disability Living Allowance Advisory Board" has been deleted from the Annex 1 list. "Department for Work and Pensions" is already on the Annex 1 list. (See entity No. 14 of Annex 1 in Attachment B)

34) Deletion of "Independent Tribunal Service"

Insertion of (i) "First-tier Tribunal" (under "Ministry of Justice") and (ii) "Upper Tribunal" (under "Ministry of Justice")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Section 4 of the Social Security Act 1998 created a system of unified appeal tribunals, to replace the "Independent Tribunal Service". The "Independent Tribunal Service" was responsible for social security tribunals, along with the Pensions Appeal Tribunal, the Industrial Tribunal, the Independent Review Service, the Irish Social Welfare Appeals and the Land Registry Tribunal. In its place, the Appeals Service was established, which comprised the tribunals responsible for the judicial functioning of appeals, headed by a President of Appeal Tribunals and an executive agency responsible for the administration of appeals. The Appeals Service was transferred to the "First-tier Tribunal" and "Upper Tribunal" in 2008 by the Transfer of Tribunal Functions Order 2008 following the transfer of functions of a number of individual tribunals into the First-tier and

Upper Tribunal which were created by the Tribunals, Courts and Enforcement Act 2007.

- Therefore, "Independent Tribunal Service" has been deleted and "First-tier Tribunal" and "Upper Tribunal" have been added to the Annex 1 list. (See entities Nos 23.4 and 23.12 of Annex 1 in Attachment B)

35) Deletion of "Medical Boards and Examining Medical Officers - War Pensions"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Responsibility for War Pensions rested in the Department for Health and Social Security until 2001, at which point it was transferred to the Ministry of Defence (MOD). The War Pensions Agency had responsibility to assess medical grounds for war pensions. In 2006, the War Pensions Agency became the Veterans Agency. The Veterans Agency became the Service Personnel and Veterans Agency (an executive agency of the MOD) in 2007, but this was abolished to become part of the MOD Defence Business Services in 2013. The Veterans Agency was renamed Veterans UK by virtue of the War Pensions Committees (Amendment) Regulations 2017 and remains part of the MOD.
- Therefore, "Medical Boards and Examining Medical Officers - War Pensions" has been deleted.

36) Deletion of "Occupational Pensions Regulatory Authority"

Insertion of "Pensions Regulator"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Occupational Pensions Regulatory Authority" was replaced by the "Pensions Regulator" by the Pensions Act 2004.
- Therefore, "Occupational Pensions Regulatory Authority" has been deleted and "Pensions Regulator" has been added to the Annex 1 list. (See entity No. 14.2 of Annex 1 in Attachment B)

37) Deletion of "Regional Medical Service"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Regional Medical Service" became the Benefits Agency Medical Service. The Benefits Agency was merged with the Employment Service in 2001 to form Job Centre Plus which was an executive agency under the "Department for Work and Pensions" but is now merged with the Department. Therefore, "Regional Medical Service" has been deleted. "Department for Work and Pensions" is already on the Annex 1 list. (See entity No. 14 of Annex 1 in Attachment B)

38) Deletion of "Export Credits Guarantee Department"

Insertion of "Export Credits Guarantee Department (known as "UK Export Finance")"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- UK Export Finance is the new operating name for the Exports Credits Guarantee Department which was established under section 13 of the Export and Investment Guarantees Act 1991, which remains in force.
- Therefore, "Export Credits Guarantee Department" has been deleted and "Export Credits Guarantee Department (known as "UK Export Finance")" has been added to the Annex 1 list. (See entity No. 15 of Annex 1 in Attachment B)

39) Deletion of "Foreign and Commonwealth Office"

Insertion of "Foreign, Commonwealth and Development Office"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- On 16 June 2020, a merger between the "Department for International Development" (DFID) and the "Foreign and Commonwealth Office" (FCO) was announced.
- In September 2020 the functions of the "Foreign and Commonwealth Office" were transferred to the "Foreign, Commonwealth and Development Office" under The Transfer of Functions (Secretary of State for Foreign, Commonwealth and Development Affairs) Order 2020.
- Therefore "Foreign and Commonwealth Office" has been deleted and "Foreign, Commonwealth and Development Office" (FCDO) has been added to the Annex 1 list. (See entity No. 16 of Annex 1 in Attachment B)

40) Deletion of "Department for International Development"

Insertion of "Foreign, Commonwealth and Development Office"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- On 16 June 2020, a merger between the "Department for International Development" (DFID) and the "Foreign and Commonwealth Office" (FCO) was announced.
- In September 2020 the functions of the "Department for International Development" were transferred to the "Foreign, Commonwealth and Development Office" under The Transfer of Functions (Secretary of State for Foreign, Commonwealth and Development Affairs) Order 2020.
- Therefore "Department for International Development" has been deleted and "Foreign, Commonwealth and Development Office" (FCDO) has been added to the Annex 1 list. (See entity No. 16 of Annex 1 in Attachment B)

41) Deletion of "Wilton Park Conference Centre"

Insertion of "Wilton Park"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- "Wilton Park Conference Centre" is now named "Wilton Park".
- Therefore, "Wilton Park Conference Centre" has been deleted and "Wilton Park" has been added to the Annex 1 list. (See entity No. 16.1 of Annex 1 in Attachment B)

42) Deletion of "HM Inspectorate of Constabulary"

Insertion of "HM Inspectorate of Constabulary and Fire & Rescue Services"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- "HM Inspectorate of Constabulary" is now called "HM Inspectorate of Constabulary and Fire & Rescue Services".
- Therefore, "HM Inspectorate of Constabulary" has been deleted and "HM Inspectorate of Constabulary and Fire & Rescue Services" has been added to the Annex 1 list. (See entity No. 19.1 of Annex 1 in Attachment B)

43) Deletion of "House of Commons" and "House of Lords"

Insertion of (i) "Corporate Officer of the House of Commons", (ii) "Corporate Officer of the House of Lords", (iii) "Parliamentary Works Sponsor Body" and (iv) "Restoration and Renewal Delivery Authority Ltd"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The correct name of the legal entities for the "House of Commons" and "House of Lords" is the "Corporate Officer of the House of Commons" and the "Corporate Officer of the House of Lords".
- The Parliamentary Buildings (Restoration and Renewal) Act 2019 provided for new bodies to oversee and deliver restoration works to the Palace of Westminster.
- Therefore, "House of Commons" and "House of Lords" have been deleted and "Corporate Officer of the House of Commons", "Corporate Officer of the House of Lords", "Parliamentary Works Sponsor Body", and "Restoration and Renewal Delivery Authority Ltd" have been added to the Annex 1 list. (See entities Nos 20, 21, 31 and 35 of Annex 1 in Attachment B)

44) Deletion of "Meteorological Office" known as "Met Office"

Insertion of "Meteorological Office (known as "Met Office")" (under "Department for Business, Energy and Industrial Strategy")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Met Office is the new name for the Meteorological Office. The Met Office functions were transferred to the "Department for Business, Energy and Industrial Strategy" under The Transfer of Functions (Her Majesty's Land Registry, the Meteorological Office and Ordnance Survey) Order 2011.
- Therefore, "Meteorological Office" has been deleted and "Meteorological Office (known as "Met Office")" has been added to the Annex 1 list under the "Department for Business, Energy and Industrial Strategy" as it has a separate legal personality. (See entity No. 6.6 of Annex 1 in Attachment B)

45) Deletion of "Combined Tax Tribunal"

Insertion of (i) "First-tier Tribunal" (under "Ministry of Justice") and (ii) "Upper Tribunal" (under "Ministry of Justice")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Combined Tax tribunal" was formed in April 1992, when the administration for the Special Commissioners of Income Tax and the Value Added Tax Tribunals

was merged, although the jurisdiction of the Commissioners and the Tribunals remained separate. The Transfer of Tribunal Functions and Revenue and Customs Appeal Order 2009 abolishes the Special Commissioners of the Income Tax, the VAT and Duties Tribunal, the tribunal established under section 706 of the Income and Corporation Taxes Act 1988 and the tribunal established under section 704 of the Income Tax Act 2007. Their functions were transferred to the new tribunal system following the transfer of functions of a number of individual tribunals into the First-tier Tribunal and the Upper Tribunal which were created by the Tribunals, Courts and Enforcement Act 2007.

- Therefore, "Combined Tax Tribunal" has been deleted and "First-tier Tribunal" and "Upper Tribunal" have been added to the Annex 1 list. (See entities Nos 23.4 and 23.12 of Annex 1 in Attachment B)

46) Deletion of "Council on Tribunals"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Council on Tribunals" was abolished in 2007 by the Tribunals, Courts and Enforcement Act to make way for the Administrative Justice and Tribunals Council. This in turn was abolished by The Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013.
- Therefore, "Council on Tribunals" has been deleted from the Annex 1 list.

47) Deletion of "Court of Appeal – Criminal"

Insertion of "Court of Appeal (England and Wales)"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Court of Appeal – Criminal" is part of the "Court of Appeal (England and Wales)".
- Therefore, "Court of Appeal – Criminal" has been deleted and "Court of Appeal (England and Wales)" has been added to the Annex 1 list. (See entity No. 23.1 of Annex 1 in Attachment B)

48) Deletion of "HMCS Regions, Crown, County and Combined Courts - England and Wales"

Insertion of "Her Majesty's Courts and Tribunals Service"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Her Majesty's Courts Service was merged with the Tribunal Service in 2011 to form "Her Majesty's Courts and Tribunals Service", which includes all relevant courts. This merger was announced in Parliament in March 2011 as an administrative change.
- Therefore, "HMCS Regions, Crown, County and Combined Courts - England and Wales" has been deleted and "Her Majesty's Courts and Tribunals Service" has been added to the Annex 1 list. (See entity No. 23.5 of Annex 1 in Attachment B)

49) Deletion of "Immigration Appellate Authorities"

Insertion of "First-tier Tribunal" (under "Ministry of Justice")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Immigration Appellate Authority, comprised of the Adjudicators and Immigration Appeals Tribunal, was abolished by the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. Functions were transferred to the Asylum and Immigration Tribunal. The Asylum and Immigration Tribunal was abolished in 2010 and functions were transferred to the "First-tier Tribunal" by The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 following the transfer of functions of a number of individual tribunals into the First-tier and Upper Tribunal which were created by the Tribunals, Courts and Enforcement Act 2007.
- Therefore, "Immigration Appellate Authorities" have been deleted and "First-tier Tribunal" has been added to the Annex 1 list. (See entity No. 23.4 of Annex 1 in Attachment B)

50) Deletion of "Immigration Adjudicators"

Insertion of "First-tier Tribunal" (under "Ministry of Justice")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Immigration Appellate Authority, comprised of the Adjudicators and Immigration Appeals Tribunal, was abolished by the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. Functions were transferred to the Asylum and Immigration Tribunal. The Asylum and Immigration Tribunal was

abolished in 2010 and functions were transferred to the "First-tier Tribunal" by The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 following the transfer of functions of a number of individual tribunals into the First-tier and Upper Tribunal which were created by the Tribunals, Courts and Enforcement Act 2007.

- Therefore, "Immigration Adjudicators" has been deleted and "First-tier Tribunal" has been added to the Annex 1 list. (See entity No. 23.4 of Annex 1 in Attachment B)

51) Deletion of "Immigration Appeals Tribunal"

Insertion of "First-tier Tribunal" (under "Ministry of Justice")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Immigration Appellate Authority, comprised of the Adjudicators and Immigration Appeals Tribunal, was abolished by the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. Functions were transferred to the Asylum and Immigration Tribunal. The Asylum and Immigration Tribunal was abolished in 2010 and functions were transferred to the "First-tier Tribunal" by The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 following the transfer of functions of a number of individual tribunals into the First-tier and Upper Tribunal which were created by the Tribunals, Courts and Enforcement Act 2007.
- Therefore, "Immigration Appeals Tribunal" has been deleted and "First-tier Tribunal" has been added to the Annex 1 list. (See entity No. 23.4 of Annex 1 in Attachment B)

52) Deletion of "Lands Tribunal"

Insertion of "Upper Tribunal" (under "Ministry of Justice")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Lands Tribunal" was abolished in 2009 and its functions transferred to the Upper Tribunal by the Transfer of Tribunal Functions (Lands Tribunal and Miscellaneous Amendments) Order 2009 following the transfer of functions of a number of individual tribunals into the First-tier and Upper Tribunal which were created by the Tribunals, Courts and Enforcement Act 2007.
- Therefore, "Lands Tribunal" has been deleted and "Upper Tribunal" has been added to the Annex 1 list. (See entity No. 23.12 of Annex 1 in Attachment B)

53) Deletion of "Legal Aid Fund - England and Wales"

Insertion of "Legal Aid Agency - England and Wales"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The correct name of the procuring entity is "Legal Aid Agency - England and Wales", an executive agency of the "Ministry of Justice". The Legal Aid Agency was established following the abolition of the "Legal Services Commission" in the Legal Aid, Sentencing and Punishment of Offenders Act 2012.
- Therefore "Legal Aid Fund - England and Wales" has been deleted and "Legal Aid Agency - England and Wales" has been added to the Annex 1 list. (See entity No.23.7 of Annex 1 in Attachment B)

54) Deletion of "Office of the Social Security Commissioners"

Insertion of "Office of the Social Security Commissioners and Child Support Commissioners (Northern Ireland)" (under "Northern Ireland Ministers" under "Department of Justice")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Office of the Social Security Commissioners" was abolished in 2008 in England and Wales. The responsibilities of the Social Security Commissioners were transferred to the Upper Tribunal by The Transfer of Tribunal Functions Order 2008. In Northern Ireland, the functions are carried out by the "Office of the Social Security Commissioners and Child Support Commissioners (Northern Ireland)".
- Therefore, "Office of the Social Security Commissioners" has been deleted and "Office of the Social Security Commissioners and Child Support Commissioners (Northern Ireland)" has been added to the Annex 1 list. (See entity No. 28.10.12 of Annex 1 in Attachment B)

55) Deletion of "Parole Board and Local Review Committees"

Insertion of "Parole Board"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Local Review Committees were abolished by the Criminal Justice Act 1991. Parole Boards still operate within the United Kingdom.
- Therefore, "Parole Board and Local Review Committees" has been deleted and "Parole Board" has been added to the Annex 1 list. (See entity No. 23.10 of Annex 1 in Attachment B)

56) Deletion of "Pensions Appeal Tribunals"

Insertion of (i) "First-tier Tribunal"; (ii) "Pensions Appeal Tribunals (Scotland)" (under "Scottish Ministers"); (iii) "Pensions Appeals Tribunals (Northern Ireland)" (under "Northern Ireland Ministers" under "Department of Justice"); and (iv) "Scottish Courts and Tribunals Service" (under "Scottish Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Pension Appeal Tribunals in England and Wales were abolished and their functions were transferred to the "First-tier Tribunal" by the Transfer of Tribunal Functions Order 2008 following the transfer of functions of a number of individual tribunals into the First-tier and Upper Tribunal which were created by the Tribunals, Courts and Enforcement Act 2007.. Pension Appeal Tribunals remain in Scotland and Northern Ireland.
- Therefore, "Pensions Appeal Tribunals" has been deleted and "First-tier Tribunal", "Pensions Appeal Tribunals (Scotland)" and "Pensions Appeals Tribunals (Northern Ireland)" have been added to the Annex 1 list. (See entities Nos23.4; 44.18; and 28.10.9 of Annex 1 in Attachment B)
- The "Scottish Courts and Tribunals Service" was established in 2008 by the Judiciary and Courts (Scotland) Act 2008 to provide, or ensure the provision of, the property, services, officers and other staff required for the purposes of Scottish Courts and Tribunals. Therefore, "Scottish Courts and Tribunals Service" has been added to the Annex 1 list. (See entity No. 44.8 of Annex 1 in Attachment B)

57) Deletion of "Public Trust Office"

Insertion of (i) "Office of the Official Solicitor to the Senior Courts and the Public Trustee"; and (ii) "Office of the Public Guardian"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Public Trust Office's trust work was moved to the Office of the Public Trustee in 2001 to create a combined office with the Official Solicitor. At the same time the Public Guardianship Office took on its other functions. The Mental Health Act 2005 replaced the Public Guardianship Office with the Office of the Public Guardian.
- Therefore, Public Trust Office has been deleted and "Office of the Official Solicitor to the Senior Courts and the Public Trustee" and "Office of the Public Guardian" have been added to the Annex 1 list. (See entities Nos23.8, and 23.9 of Annex 1 in Attachment B)

58) Deletion of "Supreme Court Group - England and Wales"

Insertion of (i) "UK Supreme Court"; and (ii) "Her Majesty's Courts and Tribunals Service"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Constitutional Reform Act 2005 created the "UK Supreme Court" which took on functions from the House of Lords and the Judicial Committee of the Privy Council. The "Supreme Court Group - England and Wales" was responsible for the Senior Courts of England and Wales (the Court of Appeal, the High Court of Justice and the Crown Court). These now form part of "Her Majesty's Courts and Tribunals Service".
- Therefore, "Supreme Court Group - England and Wales" has been deleted and "UK Supreme Court" and "Her Majesty's Courts and Tribunals Service" have been added to the Annex 1 list. (See entities Nos23.11, and 23.5 of Annex 1 in Attachment B)

59) Deletion of "Transport Tribunal"

Insertion of "First-tier Tribunal" (under "Ministry of Justice")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Transport Tribunal" was abolished in 2009 and its functions were transferred to the "First-tier Tribunal" by The Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009 following the transfer of functions of a number of individual tribunals into the First-tier and Upper Tribunal which were created by the Tribunals, Courts and Enforcement Act 2007.
- Therefore, "Transport Tribunal" has been deleted and "First-tier Tribunal" has been added to the Annex 1 list. (See entity No. 23.4 of Annex 1 in Attachment B)

60) Deletion of "National School of Government"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- In April 2011 the "National School of Government" was brought into the Cabinet Office and ceased to be a separate non-ministerial department. "National School of Government" was subsequently closed on 31 March 2012 and its key functions are now carried out via Civil Service Learning, a part of the Cabinet Office.
- Therefore, "National School of Government" has been deleted from the Annex 1 list. "Cabinet Office" is already on the Annex 1 list. (See entity No. 2 of Annex 1 in Attachment B)

61) Deletion of "Northern Ireland Court Service"

Insertion of "Department of Justice" (under "Northern Ireland Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Northern Ireland Court Service" was abolished under The Northern Ireland Court Service (Abolition and Transfer of Functions) Order (Northern Ireland) 2010. The functions of the Court Service were transferred to the "Department of Justice".
- Therefore, "Northern Ireland Court Service" has been deleted and "Department of Justice" has been added to the Annex 1 list. (See entity No. 28.10 of Annex 1 in Attachment B)

62) Deletion of "Coroners Courts"

Insertion of "Coroners Service" (under "Northern Ireland Ministers" under "Department of Justice")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Coroners Courts" are now referred to as the "Coroners Service".
- Therefore, "Coroners Courts" has been deleted and "Coroners Service" has been added to the Annex 1 list. (See entity No. 28.10.1 of Annex 1 in Attachment B)

63) Deletion of "Legal Aid Fund"

Insertion of "Legal Service Agency Northern Ireland" (under "Northern Ireland Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Legal Aid Fund" is now referred to as the "Legal Service Agency Northern Ireland".
- Therefore, "Legal Aid Fund" has been deleted and "Legal Service Agency Northern Ireland" has been added to the Annex 1 list. (See entity No. 28.10.7 of Annex 1 in Attachment B)

64) Deletion of "Northern Ireland, Department for Employment and Learning"

Insertion of (i) "Department for Communities" (under "Northern Ireland Ministers"); and (ii) "Department for the Economy" (under "Northern Ireland Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Department for Employment and Learning had its functions transferred to the "Department for Communities" and the "Department for the Economy" under The Departments (Transfer of Functions) Order (Northern Ireland) 2016.
- Therefore, "Northern Ireland, Department for Employment and Learning" has been deleted and "Department for Communities" and the "Department for the Economy" have been added to the Annex 1 list. (See entities Nos 28.4 and 28.5 of Annex 1 in Attachment B)

65) Deletion of "Northern Ireland, Department for Regional Development"

Insertion of "Department for Infrastructure" (under "Northern Ireland Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012

- The Department for Regional Development was renamed the "Department for Infrastructure" under The Departments Act (Northern Ireland) 2016.
 - Therefore, "Northern Ireland, Department for Regional Development" has been deleted and "Department for Infrastructure" has been added to the Annex 1 list. (See entity No. 28.9 of Annex 1 in Attachment B)
- 66) Deletion of "Northern Ireland, Department for Social Development"
Insertion of "Department for Communities" (under "Northern Ireland Ministers")
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The Department for Social Development had its functions transferred to the "Department for Communities" under The Departments Act (Northern Ireland) 2016.
 - Therefore, "Northern Ireland, Department for Social Development" has been deleted and "Department for Communities" has been added to the Annex 1 list. (See entity No. 28.4 of Annex 1 in Attachment B)
- 67) Deletion of "Northern Ireland, Department of Agriculture and Rural Development"
Insertion of (i) "Department of Agriculture, Environment and Rural Affairs" (under "Northern Ireland Ministers"); and (ii) "Department for Infrastructure" (under "Northern Ireland Ministers")
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The Department of Agriculture and Rural Development had its functions transferred to the "Department of Agriculture, Environment and Rural Affairs" and the "Department for Infrastructure" under The Departments (Transfer of Functions) Order (Northern Ireland) 2016.
 - Therefore, "Northern Ireland, Department of Agriculture and Rural Development" has been deleted and "Department of Agriculture, Environment and Rural Affairs" and "Department for Infrastructure" have been added to the Annex 1 list. (See entities Nos 28.3 and 28.9 of Annex 1 in Attachment B)
- 68) Deletion of "Northern Ireland, Department of Culture, Arts and Leisure"
Insertion of (i) "Department of Agriculture, Environment and Rural Affairs" (under "Northern Ireland Ministers"); (ii) "Department for Communities" (under "Northern Ireland Ministers"); and (iii) "Department for Infrastructure" (under "Northern Ireland Ministers")
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The Department of Culture, Arts and Leisure had its functions transferred to the "Department of Agriculture, Environment and Rural Affairs", the "Department for Communities" and the "Department for Infrastructure" under The Departments (Transfer of Functions) Order (Northern Ireland) 2016.
 - Therefore, "Northern Ireland, Department of Culture, Arts and Leisure" has been deleted and "Department of Agriculture, Environment and Rural Affairs", "Department for Communities" and "Department for Infrastructure" have been added to the Annex 1 list. (See entities Nos 28.3, 28.4 and 28.9 of Annex 1 in Attachment B)
- 69) Deletion of "Northern Ireland, Department of Enterprise, Trade and Investment"
Insertion of "Department for Communities" (under "Northern Ireland Ministers")
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The Department of Enterprise, Trade and Investment had its functions transferred to the "Department for Communities" under The Departments (Transfer of Functions) Order (Northern Ireland) 2016.
 - Therefore, "Northern Ireland, Department of Enterprise, Trade and Investment" has been deleted and "Department for Communities" has been added to the Annex 1 list. (See entity No. 28.4 of Annex 1 in Attachment B)
- 70) Deletion of "Northern Ireland, Department of the Environment"
Insertion of (i) "Department of Agriculture, Environment and Rural Affairs" (under "Northern Ireland Ministers"); (ii) "Department for Infrastructure" (under "Northern Ireland Ministers") and (iii) "Department for Communities" (under "Northern Ireland Ministers")
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The Department of Environment had its functions transferred to the "Department of Agriculture, Environment and Rural Affairs", the "Department for Communities"

and the "Department for Infrastructure" under The Departments (Transfer of Functions) Order (Northern Ireland) 2016.

- Therefore, "Northern Ireland, Department of the Environment" has been deleted and "Department of Agriculture, Environment and Rural Affairs", "Department for Communities" and "Department for Infrastructure" have been added to the Annex 1 list. (See entities Nos 28.3, 28.4 and 28.9 of Annex 1 in Attachment B)

71) Deletion of "Northern Ireland, Department of Finance and Personnel"

Insertion of "Department of Finance" (under "Northern Ireland Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Northern Ireland, Department of Finance and Personnel" was renamed the "Department of Finance" under the Departments Act (Northern Ireland) 2016.
- Therefore, "Northern Ireland, Department of Finance and Personnel" has been deleted and "Department of Finance" has been added to the Annex 1 list. (See entity No. 28.7 of Annex 1 in Attachment B)

72) Deletion of "Northern Ireland, Department of Health, Social Services and Public Safety"

Insertion of "Department of Health" (under "Northern Ireland Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Northern Ireland, Department of Health, Social Services and Public Safety" was renamed the "Department of Health" under the Departments Act (Northern Ireland) 2016.
- Therefore, "Northern Ireland, Department of Health, Social Services and Public Safety" has been deleted and "Department of Health" has been added to the Annex 1 list. (See entity No. 28.8 of Annex 1 in Attachment B)

73) Deletion of "Northern Ireland, Office of the First Minister and Deputy First Minister"

Insertion of "Executive Office" (under "Northern Ireland Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Northern Ireland, Office of the First Minister and deputy First Minister" was renamed the "Executive Office" under the Departments Act (Northern Ireland) 2016.
- Therefore, "Northern Ireland, Office of the First Minister and Deputy First Minister" has been deleted and "Executive Office" has been added to the Annex 1 list. (See entity No. 28.11 of Annex 1 in Attachment B)

74) Deletion of "Crown Solicitor's Office"

Insertion of "Attorney General for Northern Ireland" (under "Northern Ireland Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Justice (Northern Ireland) Act 2002 established a new post of Attorney General for Northern Ireland. The Attorney General takes the role previously occupied by the Crown Solicitor.
- Therefore, "Crown Solicitor's Office" has been deleted and "Attorney General for Northern Ireland" has been added to the Annex 1 list. (See entity No. 28.2 of Annex 1 in Attachment B)

75) Deletion of "Department of the Director of Public Prosecutions for Northern Ireland"

Insertion of "Public Prosecution Service for Northern Ireland"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Crime and policing were transferred to the Northern Ireland Executive under The Northern Ireland Act 1998 (Amendment of Schedule 3) Order 2010. Public Prosecutions for Northern Ireland now sits under the "Public Prosecution Service for Northern Ireland" which was formed by the Justice (Northern Ireland) Act 2002. This is a non-ministerial department.
- Therefore, "Department of the Director of Public Prosecutions for Northern Ireland" has been deleted and "Public Prosecution Service for Northern Ireland" has been added to the Annex 1 list. (See entity No. 29.2 of Annex 1 in Attachment B)

76) Deletion of "Forensic Science Laboratory of Northern Ireland"

Insertion of "Forensic Science Northern Ireland" (under "Northern Ireland Ministers" under "Department of Justice")

- Legal basis: Art. XIX:1(b) of the GPA 2012

- The Northern Ireland Forensic Science Laboratory became an Executive Agency of the Northern Ireland Office on 1 September 1995. The name was changed from "The Forensic Science Agency of Northern Ireland" to "Forensic Science Northern Ireland" in April 2000. On the 12 April 2010, as a result of the devolution of policing and justice in Northern Ireland, Forensic Science Northern Ireland became an agency within the Department of Justice under The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010.
- Therefore, "Forensic Science Laboratory of Northern Ireland" has been deleted and "Forensic Science Northern Ireland" has been added to the Annex 1 list. (See entity No. 28.10.6 of Annex 1 in Attachment B)

77) Move "Police Service of Northern Ireland" to under "Department of Justice" (under "Northern Ireland Ministers").

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Crime and policing were transferred to the Northern Ireland Executive under The Northern Ireland Act 1998 (Amendment of Schedule 3) Order 2010. The "Police Service of Northern Ireland" now sits under the Northern Ireland Department of Justice.
- Therefore, "Police Service of Northern Ireland" has been moved to under "Department of Justice" on the Annex 1 list. (See entity No. 28.10.10 of Annex 1 in Attachment B)

78) Move "Probation Board for Northern Ireland" to under "Department of Justice" (under "Northern Ireland Ministers").

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Crime and policing were transferred to the Northern Ireland Executive under The Northern Ireland Act 1998 (Amendment of Schedule 3) Order 2010. The "Probation Board for Northern Ireland" now sits under the Northern Ireland Department of Justice.
- Therefore, "Probation Board for Northern Ireland" has been moved to under Department of Justice on the Annex 1 list. (See entity No. 28.10.11 of Annex 1 in Attachment B)

79) Deletion of "State Pathologist Service"

Insertion of "State Pathologist's Department" (under "Northern Ireland Ministers" under "Department of Justice")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Crime and policing were transferred to the Northern Ireland Executive under The Northern Ireland Act 1998 (Amendment of Schedule 3) Order 2010. The "State Pathologist Service" is now named the "State Pathologist's Department" and sits under the "Department of Justice". (See entity No. 28.10.13 of Annex 1 in Attachment B)

80) Deletion of "Office of Fair Trading"

Insertion of "Competition and Markets Authority" (under "Department for Business, Energy and Industrial Strategy")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Office for Fair Trading was abolished in 2014 and the majority of its functions transferred to the "Competition and Markets Authority" by the Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014.
- Therefore, "Office of Fair Trading" has been deleted and "Competition and Markets Authority" has been added to the Annex 1 list. (See entity No. 6.2 of Annex 1 in Attachment B)

81) Deletion of "Office of the Parliamentary Commissioner for Administration and Health Service Commissioners"

Insertion of "Parliamentary and Health Service Ombudsman"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- "Parliamentary and Health Service Ombudsman" is the new combined operating name for the "Office of the Parliamentary Commissioner for Administration and Health Service Commissioners". It combines the two statutory roles of Parliamentary Commissioner for Administration (the Parliamentary Ombudsman) and Health Service Commissioner for England (Health Service Ombudsman). Its

powers are set out in the Parliamentary Commissioner Act 1967 and the Health Service Commissioners Act 1993, and these remain in force.

- Therefore, "Office of the Parliamentary Commissioner for Administration and Health Service Commissioners" has been deleted and "Parliamentary and Health Service Ombudsman" has been added to the Annex 1 list. (See entity No. 31 of Annex 1 in Attachment B)

82) Deletion of "Paymaster General's Office"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The functions of the Office of the Paymaster General were transferred to the HMRC Commissioners in 2008 by The Transfer of Functions (Office of Her Majesty's Paymaster General) Order 2006. These functions are exercised by the Government Banking Service which is a part of "HM Revenue and Customs".
- Therefore, "Paymaster General's Office" has been deleted from the Annex 1 list. "HM Revenue and Customs" is already on the Annex 1 list. (See entity No. 34 of Annex 1 in Attachment B)

83) Deletion of "Public Record Office"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Public Record Office", the Royal Commission of Historical Manuscripts, Her Majesty's Stationery Office and the Office of Public Sector Information were brought together in April 2003 to form "The National Archives".
- Therefore, "Public Record Office" has been deleted from the Annex 1 list. "The National Archives" is already included on the Annex 1 list. (See entity No. 24 of Annex 1 in Attachment B)

84) Deletion of "The Revenue and Customs Prosecutions Office"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Public Bodies (Merger of the Director of Public Prosecutions and the Director of Revenue and Customs Prosecutions) Order 2014 abolished "The Revenue and Customs Prosecutions Office" and transferred its functions to the Director of Public Prosecutions. The Director of Public Prosecutions is the head of the Crown Prosecution Service.
- Therefore, "The Revenue and Customs Prosecutions Office" has been deleted from the Annex 1 list. "Crown Prosecution Service" is already on the Annex 1 list. (See entity No. 5 of Annex 1 in Attachment B)

85) Deletion of "Scotland, General Register Office" and "Keeper of the Records of Scotland"

Insertion of "Scotland, National Records of Scotland"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- In April 2011 the General Register Office was merged with the National Archives of Scotland to form National Records of Scotland.
- As part of this merger the role of the "Keeper of the Records of Scotland" is now held by the Chief Executive of National Records of Scotland but is not a public body.
- Therefore, "Scotland, General Register Office" and "Keeper of the Records of Scotland" have been deleted and "Scotland, National Records of Scotland" has been added to the Annex 1 list. (See entity No. 40 of Annex 1 in Attachment B)

86) Deletion of "Crofters Commission"

Insertion of "Crofting Commission" (under "Scottish Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Crofters Commission" was renamed the Crofting Commission under the Crofting Reform (Scotland) Act 2010.
- Therefore, "Crofters Commission" has been deleted and "Crofting Commission" has been added to the Annex 1 list. (See entity No. 44.2 of Annex 1 in Attachment B)

87) Deletion of "Deer Commission for Scotland"

Insertion of "Scottish Natural Heritage" (under "Scottish Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Deer Commission for Scotland" was dissolved under Section 1 of the Public Services Reform (Scotland) Act 2010. The functions, property, rights, liabilities of

the "Deer Commission for Scotland" were transferred to "Scottish Natural Heritage".

- Therefore, "Deer Commission for Scotland" has been deleted and "Scottish Natural Heritage" has been added to the Annex 1 list. (See entity No. 44.21 of Annex 1 in Attachment B)

88) Deletion of "Royal Commission on the Ancient and Historical Monuments of Scotland"

Insertion of "Historic Environment Scotland" (under "Scottish Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Royal Commission on the Ancient and Historical Monuments of Scotland's activities were taken on by a new body, Historic Environment Scotland, created under the Historic Environment Scotland Act 2014.
- Therefore, "Royal Commission on the Ancient and Historical Monuments of Scotland" has been deleted and "Historic Environment Scotland" has been added to the Annex 1 list but this is to be confirmed. (See entity No. 46.25 of Annex 1 in Attachment B)

89) Deletion of "Community Health Partnerships"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The functions of "Community Health Partnerships" were integrated into Health and Social Care Partnerships as part of the integration of health boards and councils in Scotland under the Public Bodies (Joint Working) (Scotland) Act 2014.
- The functions of "Community Health Partnerships" were taken over by "Health Boards" which are already on the GPA list (under "Scottish Ministers"). (See entity No. 46.12 of Annex 1 in Attachment B)

90) Deletion of "Scottish Police Services Authority"

Insertion of "Scottish Police Authority"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Police and Fire Reform (Scotland) Act 2012 abolished the "Scottish Police Services Authority" and established the "Scottish Police Authority" and transferred the functions of the "Scottish Police Services Authority" to the "Scottish Police Authority".
- Therefore, "Scottish Police Services Authority" has been deleted and "Scottish Police Authority" has been added to the Annex 1 list. (See entity No. 44.22 of Annex 1 in Attachment B)

91) Deletion of "Office of the Social Security Commissioners"

Insertion of "Upper Tribunal for Scotland" (under "Scottish Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Office of the Social Security Commissioners" was abolished in 2008 in England and Wales. In Scotland, the functions are carried out by the Upper Tribunal.
- Therefore, "Office of the Social Security Commissioners" has been deleted from and "Upper Tribunal for Scotland" has been added to the Annex 1 list. (See entity No. 44.24 of Annex 1 in Attachment B)

92) Deletion of "The Private Rented Housing Panel and Private Rented Housing Committees"

Insertion of (i) "First-tier Tribunal for Scotland" (under "Scottish Ministers"); and "Upper Tribunal for Scotland" (under "Scottish Ministers")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The functions of the Private Rental Housing Panels and the Private Rental Housing Committees were transferred to the First Tier Tribunal of Scotland under The "First-tier Tribunal for Scotland" (Transfer of Functions of the Private Rented Housing Panel) Regulations 2016 and the "First-tier Tribunal for Scotland" (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016.
- Therefore, "The Private Rented Housing Panel and Private Rented Housing Committees" have been deleted and "First-tier Tribunal for Scotland" and the "Upper Tribunal for Scotland" (under "Scottish Ministers") have been included on the Annex 1 list. (See entities Nos 46.23 and 46.24 of Annex 1 in Attachment B)

93) Deletion of "The Scottish Parliamentary Body Corporate"

Insertion of "The Scottish Parliamentary Corporate Body"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The correct name is "The Scottish Parliamentary Corporate Body".
- Therefore, "The Scottish Parliamentary Body Corporate" has been deleted and "The Scottish Parliamentary Corporate Body" has been added to the Annex 1 list. (See entity No. 45 of Annex 1 in Attachment B)

94) Deletion of "Office of Government Commerce"

Insertion of "Crown Commercial Service" (under Cabinet Office)

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Responsibility for the "Office of Government Commerce" and its executive agency, Buying Solutions, transferred from the Chancellor of the Exchequer to the Minister for the Cabinet Office in 2010. Following various internal reorganisations, the functions of the Office for Government Commerce are now carried out by the "Crown Commercial Service", an executive agency and trading fund under the Cabinet Office under the Buying Agency Trading Fund (Amendment) Orders 2011 and 2014 respectively.
- Therefore, "Office of Government Commerce" has been deleted and "Crown Commercial Service" has been added to the Annex 1 list. (See entity No. 2.3 of Annex 1 in Attachment B)

95) Deletion of "Local Government Boundary Commission for Wales"

Insertion of "Local Democracy and Boundary Commission for Wales"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Local Government Boundary Commission for Wales" was re-named the "Local Democracy and Boundary Commission for Wales" under the Local Government (Democracy) (Wales) Act 2013.
- Therefore, "Local Government Boundary Commission for Wales" has been deleted and "Local Democracy and Boundary Commission for Wales" has been added to the Annex 1 list. (See entity No. 50.5 of Annex 1 in Attachment B)

96) Deletion of "Welsh Rent Assessment Panels"

Insertion of "Rent Assessment Committees (Wales)"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Rent Assessment Committees (Wales)" still exist in Wales.
- Therefore, "Welsh Rent Assessment Panels" has been deleted and "Rent Assessment Committees (Wales)" has been added to the Annex 1 list. (See entity No. 50.5 of Annex 1 in Attachment B)

97) Deletion of "Valuation Tribunals - Wales"

Insertion of "Valuation Tribunal for Wales"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Valuation Tribunals - Wales were renamed the Valuation Tribunal for Wales under The Valuation Tribunal for Wales Regulations 2010.
- Therefore, "Valuation Tribunals - Wales" has been deleted and "Valuation Tribunal for Wales" has been added to the Annex 1 list. (See entity No. 50.7 of Annex 1 in Attachment B)

98) Insertion of "Office for Nuclear Regulation" (under "Department for Work and Pensions")

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Office for Nuclear Regulation was created in March 2014 under Section 77 of the Energy Act 2013 as an independent regulator of the United Kingdom's nuclear industry. Therefore, the "Office for Nuclear Regulation" has been added to the Annex 1 list. (See entity No. 14.1 of Annex 1 in Attachment B)

ANNEX 2 – SUB-CENTRAL GOVERNMENT ENTITIES

1) Deletion of "Design Council"

- Legal basis: Art. XIX:1(a) of the GPA 2012
- In 2011, the "Design Council" ceased to be a non-departmental public body of the Department for Business, Innovation and Skills and became a private sector charity. An Order amending its Royal Charter and effecting the change was agreed at a meeting of the Privy Council on 16th March 2011. Government control or influence over the entity's covered procurement has been effectively eliminated.

- Therefore, "Design Council" has been deleted from the Annex 2 list.
- 2) Deletion of "National Research Development Corporation"
- Legal basis: Art. XIX:1(a) of the GPA 2012
 - In 1981, the "National Research Development Corporation" merged with the National Enterprise Board to form a non-statutory body called the British Technology Group. This was given statutory footing through the British Technology Group Act 1991. The British Technology Group was bought from HM Treasury by a private company in 1992 and was floated on the London Stock Exchange in 1995. Government control or influence over the entity's covered procurement has been effectively eliminated.
 - Therefore, "National Research Development Corporation" has been deleted from the Annex 2 list.
- 3) Deletion of "Public Health Laboratory Service Board"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The "Public Health Laboratory Service Board" was abolished by the Health and Social Care (Community Health and Standards) Act 2003 and its functions taken over by the Health Protection Agency in 2003 under the Health Protection Agency Act 2004. The Health Protection Agency was abolished by the Health and Social Care Act 2012 and its functions vested in the Secretary of State before being assumed by Public Health England an executive agency of the Department of Health and Social Care in 2013.
 - Therefore, "Public Health Laboratory Service Board" has been deleted and "Department of Health and Social Care" has been added to the Annex 1 list. (See entity No. 11 of Annex 1 in Attachment B)
- 4) Deletion of "Commission for the New Towns"
- Insertion of "Homes England"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The "Commission for the New Towns" was abolished by the Abolition of the Commission for the New Towns and the Urban Regeneration Agency (Appointed Day and Consequential Amendments) Order 2009 under powers granted by the Housing and Regeneration Act 2008. This Act also provided powers to transfer functions of the "Commission for New Towns" to the Homes and Communities Agency and the "Welsh Ministers". The Homes and Communities Agency was replaced by "Homes England" in January 2018. Homes England is an executive non-departmental public body, sponsored by the "Ministry of Housing, Communities and Local Government".
 - Therefore, "Commission for the New Towns" has been deleted and "Homes England" has been added to the Annex 2 list. (See entity No. 4 of Annex 2 in Attachment B)
- 5) Deletion of "National Blood Authority"
- Insertion of "NHS Blood and Transplant Service"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The functions of the "National Blood Authority" were transferred to the "NHS Blood and Transplant Service" by the National Blood Authority and United Kingdom Transplant (Abolition) Order 2005. The "NHS Blood and Transplant Service" is an executive non-departmental public body, sponsored by the "Department of Health and Social Care".
 - Therefore, "National Blood Authority" has been deleted and "NHS Blood and Transplant Service" has been added to the Annex 2 list. (See entity No. 5 of Annex 2 in Attachment B)
- 6) Deletion of "National Rivers Authority"
- Insertion of "Environment Agency"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The functions of the "National Rivers Authority" were transferred to the "Environment Agency" by the Environment Act 1995. The "Environment Agency" is an executive non-departmental public body, sponsored by the "Department for Environment, Food and Rural Affairs".

- Therefore, "National Rivers Authority" has been deleted and "Environment Agency" has been added to the Annex 2 list. (See entity No. 6 of Annex 2 in Attachment B)
- 7) Deletion of "Ordnance Survey"
Insertion of "Ordnance Survey Limited"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - With effect from 1 April 2015, "Ordnance Survey" has operated as a Government owned limited company – "Ordnance Survey Limited". The Ordnance Survey Trading Fund (Revocation) Order 2016 closed the Trading Fund and transferred its assets to the company.
 - Therefore, "Ordnance Survey" has been deleted and "Ordnance Survey Limited" has been added to the Annex 2 list. (See entity No. 8 of Annex 2 in Attachment B)
- 8) Deletion of "Financial Services Authority"
Insertion of "Financial Conduct Authority"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The "Financial Services Authority" was renamed the "Financial Conduct Authority" by the Financial Services Act 2012.
 - Therefore, "Financial Services Authority" has been deleted from and "Financial Conduct Authority" has been added to the Annex 2 list. (See entity No. 9 of Annex 2 in Attachment B)
- 9) Deletion of "Research Councils"
Insertion of "UK Research and Innovation" (under "Department for Business, Energy and Industrial Strategy")
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - "Research Councils" were abolished in 201 by section 109 of the Higher Education and Research Act 2017. Their functions were transferred to "UK Research and Innovation" that has been added to Annex 1 under the "Department for Business, Energy and Industrial Strategy" (BEIS).
 - Therefore, "Research Councils" has been deleted and "UK Research and Innovation" has been added to the Annex 1 list (under "Department for Business, Energy and Industrial Strategy"). (See entity No. 6.9 of Annex 1 in Attachment B)
- 10) Deletion of "Fire Authorities"
Insertion of "Fire and Rescue Authorities"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The Fire and Rescue Services Act 2004 repealed the Fire Services Act 1947 under which fire authorities were created and provided a power to create new fire and rescue authorities.
 - Therefore, "Fire Authorities" has been deleted and "Fire and Rescue Authorities" has been added to the Annex 2 list. (See entity No. 4 of Annex 2 in Attachment B)
- 11) Insertion of "Police and Crime Commissioners"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - Many police authorities were replaced by "Police and Crime Commissioners" by Section 1 of the Police Reform and Social Responsibility Act 2011. Other police forces such as the British Transport Police remain constituted as Police Authorities.
 - Therefore, "Police Authorities" remains on, and "Police and Crime Commissioners" has been added to the Annex 2 list. (See entity No. 7 of Annex 2 in Attachment B)
- 12) Deletion of "National Health Service Strategic Health Authorities"
Insertion of "Clinical Commissioning Groups"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - Strategic Health Authorities were abolished by the Health and Social Care Act 2012. Functions were replaced by "NHS Commissioning Board (known as "NHS England")", "NHS Foundation Trusts" and "Clinical Commissioning Groups".
 - Therefore, "National Health Service Strategic Health Authorities" has been deleted from the Annex 2 list. The "NHS Commissioning Board (known as "NHS England")"

and "NHS Foundation Trusts" have been added to the Annex 1 list. "Clinical Commissioning Groups" has been added to the Annex 2 list. (See entities Nos 11.2 and 11.4 in Annex 1 and entity No. 5 of Annex 2 in Attachment B)

13) Insertion of "Local authorities including unitary authorities, county councils, district councils, metropolitan district councils, London boroughs and the City of London"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Local authorities in the United Kingdom are "bodies governed by public law" and are covered by Annex 2.
- Therefore, local authorities and a list of examples have been added to the Annex 2 list. (See entity No. 10 of Annex 2 in Attachment B)

14) Insertion of "National Park Authorities"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- "National Park Authorities" are established under the Environment Act 1995. They are "bodies governed by public law" and are covered by Annex 2. There are 15 National Park Authorities in the United Kingdom.
- Therefore, "National Park Authorities" has been added to the Annex 2 list. (See entity No. 11 of Annex 2 in Attachment B)

15) Insertion of "Registered providers of social housing"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- "Registered providers of social housing" in England are independent societies, bodies of trustees or companies established for the purpose of providing low-cost social housing for people in housing need on a non-profit-making basis. They are "bodies governed by public law".
- Therefore, "Registered providers of social housing" has been added to the Annex 2 list. (See entity No. 12 of Annex 2 in Attachment B)

ANNEX 3 – OTHER ENTITIES

A. PRODUCTION, TRANSPORT OR DISTRIBUTION OF DRINKING WATER

1) Deletion of "A water and sewerage authority established by section 62 of the Local Government etc (Scotland) Act. 1994"

Insertion of "Scottish Water"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Section 62 of the Local Government etc (Scotland) Act 1994 was repealed by Water Industry (Scotland) Act 2002 asp 3 (Scottish Act) Sch.7 para.23(a) (April 1, 2002). Section 20 of the Water Industry (Scotland) Act 2002 asp 3 (Scottish Act) established Scottish Water as a body corporate. Section 21 of that Act transferred the functions of each of the new water and sewerage authorities (established under section 62 of the Local Government etc (Scotland) Act 1994) to Scottish Water. The new water and sewerage authorities were then dissolved by the New Water and Sewerage Authorities Dissolution (Scotland) Order 2002 (SSI 2002/277). Scottish Water is a publicly owned company.
- Therefore, "A water and sewerage authority established by section 62 of the Local Government etc (Scotland) Act. 1994" has been deleted and "Scottish Water" has been added to the Annex 3 list. (See entity No. A.2 of Annex 3 in Attachment B)

2) Deletion of "The Department for Regional Development (Northern Ireland)"

Insertion of "Northern Ireland Water"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Department for Regional Development (now the Department for Infrastructure) nominated "Northern Ireland Water" as its successor company for the provision of water services in the Water and Sewerage Services (Successor Company) Order (Northern Ireland) 2007, under powers given by Part X of the Water and Sewerage Services (Northern Ireland) Order 2006. "Northern Ireland Water" is a Government owned company and the statutory water and sewerage undertaker operating at arm's length from Government.

- Therefore, "The Department for Regional Development (Northern Ireland)" has been deleted and "Northern Ireland Water" has been added to the Annex 3 list. (See entity No. A.3 of Annex 3 in Attachment B)

B. PRODUCTION, TRANSPORT OR DISTRIBUTION OF ELECTRICITY

- 1) Deletion of "National Grid Electricity Transmission plc"
 - Legal basis: Art. XIX:1(a) of the GPA 2012
 - The entity that owns the electricity and gas transmission system in the United Kingdom is no longer subject to government control or influence.
 - Therefore, "National Grid Electricity Transmission plc" has been deleted from the Annex 3 list.
- 2) Deletion of "System Operation Northern Ireland Ltd"
 - Legal basis: Art. XIX:1(a) of the GPA 2012
 - Since 2009, "System Operations Northern Ireland Ltd" has been part of the EirGrid Group. EirGrid plc is the state-owned electric power transmission operator in the Republic of Ireland. It is a public limited company and its shares are held by the Republic of Ireland's Minister for Communications, Climate Action and Environment. "System Operation Northern Ireland Ltd" is therefore no longer a United Kingdom entity.
 - Therefore, "System Operations Northern Ireland Ltd" has been deleted from the Annex 3 list.
- 3) Deletion of "Scottish & Southern Energy plc"
 - Legal basis: Art. XIX:1(a) of the GPA 2012
 - "Scottish & Southern Energy plc" is a Scottish energy company. It is a public limited company that is not subject to government control or influence.
 - Therefore, "Scottish & Southern Energy plc" has been deleted from the Annex 3 list.
- 4) Deletion of "SPTransmission plc"
 - Legal basis: Art. XIX:1(a) of the GPA 2012
 - "SPTransmission plc" is a wholly owned subsidiary of SP Energy Networks, which in turn is owned by Iberdrola, S.A. It is a public limited company that is not subject to government control or influence.
 - Therefore, "SPTransmission plc" has been deleted from the Annex 3 list.

C. AIRPORT INSTALLATIONS

- 1) Deletion of "An airport operator within the meaning of the Airports Act 1986 who has the management of an airport subject to economic regulation under Part IV of that Act"
 - Legal basis: Art. XIX:1(a) of the GPA 2012
 - Part IV of the Airports Act 1986 was revoked by section 76(1) of the Civil Aviation Act 2012, which overhauled economic regulation of United Kingdom airports. Part I of the Civil Aviation Act 2012 applies a new regulatory scheme to "dominant airports" as defined under section 5(1) of the Act. Only two airports (Heathrow and Gatwick) are caught by this reference and both of these airports are fully privately owned and are not subject to government control or influence.
 - Therefore, "An airport operator within the meaning of the Airports Act 1986 who has the management of an airport subject to economic regulation under Part IV of that Act" has been deleted from the Annex 3 list.
- 2) Deletion of "An airport operator within the meaning of the Airports (Northern Ireland) Order 1994"
 - Legal basis: Art. XIX:1(a) of the GPA 2012
 - The Civil Aviation Act 2012 (and the definition of "dominant airport area" and "dominant airport" in section 5 of that Act) also apply to Northern Ireland.
 - Therefore, "An airport operator within the meaning of the Airports (Northern Ireland) Order 1994" has been deleted.
- 3) Deletion of "BAA Ltd"
 - Legal basis: Art. XIX:1(a) of the GPA 2012

- "BAA Ltd" was bought in 2006 by a consortium led by Spanish construction firm Ferrovial. In October 2012 BAA changed its name to Heathrow Airport Holdings Ltd after selling Gatwick and Stansted Airport. Heathrow Airport Holdings Ltd is a private limited company and is not subject to government control or influence.
 - Therefore, "BAA Ltd" has been deleted from the Annex 3 list.
- 4) Insertion of "London Luton Airport Operations Limited"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - "London Luton Airport Operations Limited" owns Luton Airport. Its majority shareholder is Luton Borough Council.
 - Therefore, "London Luton Airport Operations Limited" has been added to the Annex 3 list. (See entity No. C.3 of Annex 3 in Attachment B)
- 5) Insertion of "Manchester Airports Holdings Limited"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - "Manchester Airports Holdings Limited" is the country's largest United Kingdom-owned airport operator. It operates three airports - Manchester, London Stansted and East Midland. The company has both public and private shareholders. Its government shareholders include Manchester City Council (35.5%) and the nine other Greater Manchester local authorities (29%).
 - Therefore, "Manchester Airports Holdings Limited" has been added to the Annex 3 list. (See entity No. C.4 of Annex 3 in Attachment B)
- 6) Insertion of "Cornwall Airport Limited"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - "Cornwall Airport Ltd" operates Cornwall Airport. The company is owned by Cornwall Council.
 - Therefore, "Cornwall Airport Ltd" has been added to the Annex 3 list. (See entity No. C.5 of Annex 3 in Attachment B)

D. MARITIME OR INLAND PORT OR OTHER TERMINAL FACILITIES

- 1) Deletion of "British Waterways Board"
- Legal basis: Art. XIX:1(a) of the GPA 2012
 - The assets and statutory functions of the "British Waterways Board" were transferred to the Canal and River Trust by the British Waterways Board (Transfer of Functions) Order 2012. The Canal and River Trust is a charitable trust and is not subject to government control or influence.
 - Therefore, "British Waterways Board" has been deleted from the Annex 3 list.

E. CONTRACTING ENTITIES IN THE FIELD OF URBAN RAILWAY, TRAMWAY, TROLLEYBUS OR BUS SERVICES

- 1) Deletion of "London Regional Transport"
Insertion of "London Bus Services Limited"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - The Greater London Authority Act 1999 provided for the incremental transfer of London Regional Transport's functions to Transport for London and "London Regional Transport's" subsequent abolition. Functions relating to bus services were transferred to "London Bus Services Limited", a subsidiary of Transport for London.
 - Therefore, "London Regional Transport" has been deleted and "London Bus Services Ltd" has been added to the Annex 3 list. "Transport for London" is already included on the Annex 3 list. (See entity Nos E.1 and E.3 of Annex 3 in Attachment B)
- 2) Deletion of "Strathclyde Passenger Transport Executive"
Insertion of "Strathclyde Partnership for Transport"
- Legal basis: Art. XIX:1(b) of the GPA 2012
 - Following the Transfer of Functions from the Strathclyde Passenger Transport Authority and the Strathclyde Passenger Transport Executive to the West of Scotland Transport Partnership Order 2006, "Strathclyde Passenger Transport Executive" ceased to operate. Under the powers of the Transport (Scotland) Act

2005, the "Strathclyde Partnership for Transport" was established as one of the seven Regional Transport Partnerships in Scotland.

- Therefore, "Strathclyde Passenger Transport Executive" has been deleted and "Strathclyde Partnership for Transport" has been added to the Annex 3 list. (See entity No. E.5 of Annex 1 in Attachment B)

3) Deletion of "Greater Manchester Passenger Transport Executive"

Insertion of "Transport for Greater Manchester"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The Greater Manchester Combined Authority Order 2011 abolished the "Greater Manchester Passenger Transport Executive", replacing it with "Transport for Greater Manchester". "Transport for Greater Manchester" is a public body and operates as an executive body of the Greater Manchester Combined Authority.
- Therefore, "Greater Manchester Passenger Transport Executive" has been deleted and "Transport for Greater Manchester" has been added to the Annex 3 list. (See entity No. E.6 of Annex 3 in Attachment B)

4) Deletion of "Tyne and Wear Passenger Transport Executive"

Insertion of "Tyne and Wear Passenger Transport (trading as "Nexus")"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- The "Tyne and Wear Passenger Transport Executive" rebranded in 1996 and now trades as "Nexus". It is run and operated by the North East Combined Authority.
- Therefore, "Tyne and Wear Passenger Transport" has been deleted and "Tyne and Wear Transport (trading as "Nexus")" has been added to the Annex 3 list. (See entity No. E.7 of Annex 3 in Attachment B)

5) Deletion of "Brighton Borough Council"

Insertion of "Brighton and Hove City Council"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- "Brighton Borough Council" was abolished by The East Sussex (Boroughs of Brighton and Hove) (Structural Change) Order 1995 and its functions transferred to Brighton and Hove Council which was subsequently granted city status by Letters Patent dated 31st January 2001.
- Therefore, "Brighton Borough Council" has been deleted and "Brighton and Hove City Council" has been added to the Annex 3 list. (See entity No. E.8 of Annex 3 in Attachment B)

6) Deletion of "South Yorkshire Supertram Limited"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- "South Yorkshire Supertram Limited" was previously incorrectly listed in the United Kingdom's Annex 3. It has been a private entity since December 1997.
- Therefore, "South Yorkshire Supertram Limited" has been deleted from the Annex 3 list.

7) Deletion of "A person who holds a road service licence under section 4(1) of the Transport Act (Northern Ireland) 1967 which authorises him to provide a regular service within the meaning of that licence"

Insertion of "A person who holds a bus operator's licence under section 4(1) of the Transport Act (Northern Ireland) 1967 which authorises him to provide a regular service within the meaning of that licence"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- Section 4(1) of the Transport Act (Northern Ireland) 1968 was amended by section 18(1) of the Transport Act (Northern Ireland) 2011, which renames "road service licence" to "bus operator's licence".
- Therefore "A person who holds a road service licence under section 4(1) of the Transport Act (Northern Ireland) 1967 which authorises him to provide a regular service within the meaning of that licence" has been deleted and "A person who holds a bus operator's licence under section 4(1) of the Transport Act (Northern Ireland) 1967 which authorises him to provide a regular service within the meaning of that licence" has been added to the Annex 3 list. (See entity No. E.12 of Annex 3 in Attachment B)

F. CONTRACTING ENTITIES IN THE FIELD OF RAIL SERVICES

1) Deletion of "Eurotunnel plc"

- Legal basis: Art. XIX:1(b) of the GPA 2012
- "Eurotunnel plc" was previously incorrectly listed in the United Kingdom's Annex 3. From 2008, the company ceased to exist as a result of a financial restructuring. The Channel Tunnel is currently operated by a joint venture comprising the Channel Tunnel Group Ltd and Trans Manche S.A.
- Therefore, "Eurotunnel plc" has been deleted from the Annex 3 list.

ANNEX 7 – GENERAL NOTES

1) Rectification of the following typographical errors:

- "South Teeside" should read "South Teesside" (See entity No. 1.1.2 of the List of Territorial Units in Annex 7);
- "Antrim and Newtonabbey" should read "Antrim and Newtownabbey" (See entity No. 12.1.8 of the List of Territorial Units in Annex 7); and
- "Lisburn and Castelreagh" should read "Lisburn and Castlereagh" (See entity No. 12.1.9 of the List of Territorial Units in Annex 7)

Information of the likely consequences of the change for the mutually agreed coverage provided for by the Agreement:

In accordance with Article XIX:1(b) of the GPA 2012, the United Kingdom can confirm that the modifications proposed do not represent an overall loss of the mutually agreed coverage provided under the GPA 2012.

Attachments¹:

- Attachment A to this document shows (in bold, strikeout or underlining) the proposed modification(s) to the corresponding pages of Annexes 1, 2, 3 and 7 to Appendix I of the United Kingdom under the GPA 2012.
- Attachment B indicates how the relevant pages would appear after the proposed modifications have become effective.

¹ Attachments A and B are in English only.

ATTACHMENT A

ANNEX 1

CENTRAL GOVERNMENT ENTITIES

Thresholds:

Goods	SDR 130,000
Services	SDR 130,000
Construction Services	SDR 5,000,000

List of entities¹:

1 THE CENTRAL GOVERNMENT CONTRACTING AUTHORITIES OF THE UNITED KINGDOM

1. For the goods, services, suppliers and service providers of the European Union, Liechtenstein, Switzerland, Iceland, Norway, ~~the Kingdom of the~~ the Netherlands with respect to Aruba, procurement by all central government contracting authorities of the United Kingdom. The list below is indicative.

2. For the goods, services, suppliers and service providers of Israel; Montenegro; the Republic of Moldova; Ukraine; the United States; Canada; Japan; Hong Kong, China, Singapore; Korea; Armenia; the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu; New Zealand and Australia, procurement by the following central government contracting authorities.

2 LIST OF CENTRAL GOVERNMENT CONTRACTING AUTHORITIES

1. Attorney General's Office:1.1. Government Legal Department.~~2.1.~~ 2. Cabinet Office:~~2.1.1.~~ Office of the Parliamentary Counsel;~~2.2. Central Office of Information;~~2.2. Boundary Commission for England;2.3. Crown Commercial Service.~~2.3.~~ 3. Charity Commission;~~2.4.~~ 4. Crown Estate Commissioners -- Vote Expenditure Only;~~2.5.~~ 5. Crown Prosecution Service;~~2.6.~~ 6. Department for Business, Energy and ~~Regulatory Reform~~ Industrial Strategy;~~2.~~ 6.1. Competition Commission; Appeal Tribunal;~~2.6.2. Gas and Electricity Consumers' Council;~~~~2.~~ 6.3. 2. Competition and Markets Authority;6.3. Competition Service;6.4. Intellectual Property Office;6.5. Nuclear Decommissioning Authority;6.6. Meteorological Office (known as "Met Office");

6.7. Office of Manpower Economics.;

6.8. Oil and Gas Authority;6.9. UK Research and Innovation.~~2.7.~~ 7. Department for Children, Schools and Families; Education;7.1. Office for Students.~~2.8.~~ 8. Ministry of Housing, ~~Department of~~ Communities and Local Government;~~2.8.1. Rent Assessment Panels.~~~~2.9.~~ 9. Department for Digital, Culture, Media and Sport;

¹ ~~Where the functions of an entity listed in this Annex have been or are transferred to another entity, which is itself a contracting authority, the successor entity shall be deemed to be included in this Annex.~~

APPENDIX I	THE UNITED KINGDOM	ANNEX 1	Page 2/6
	<p>9.1. Arts Council England; 9.1. 9.2. British Library; 2.9.2 9.3. British Museum; 2.9.3. Commission for Architecture and the Built Environment; 2.9.4. The Gambling Commission; 2.9.5 Historic Buildings and Monuments Commission for England (known as "Historic England"); English Heritage; 2.9.6. Imperial War Museum; 2.9.7. Museums, Libraries and Archives Council; 2.9.8.9.7. National Gallery; 2.9.9.8. National Maritime Museum; 2.9.10.9. National Portrait Gallery; 2.9.10. Natural History Museum; 2.9.12.9.11. Board of Trustees of the Science Museum (known as "Science Museum Group"); 2.9.1312. Tate Gallery; 2.9.1413. Victoria and Albert Museum; 2.9.1514. Wallace Collection.</p> <p>2.10. Department for Environment, Food and Rural Affairs: 2.10.1. Agricultural Dwelling House Advisory Committees; 2.10.2. Agricultural Land Tribunals; 2.10.1. Natural England; 10.3. Agricultural Wages Board and Committees 2.10.4. Cattle Breeding Centre; 2.10.5. Countryside Agency; 2.10.62. Plant Variety Rights Office; 210.73. Royal Botanic Gardens, Kew. 2.10.8. Royal Commission on Environmental Pollution.</p> <p>2.11.11. Department of Health and Social Care: 2.11.1.1. Dental Practice Board NHS Business Services Authority; 11.2. NHS Commissioning Board; (known as "NHS England"); 2.11.2. National Health Service Strategic Health Authorities; 2.11.3. NHS Trusts 2.11.4. Prescription Pricing Authority.</p> <p>12. Department for Innovation, Universities and Skills: 2.111.4. NHS Foundation Trusts 12.1. Higher Education Funding Council for England; 12.2. National Weights and Measures Laboratory; 12.3. Patent Office. Department for International Development;</p> <p>2.13. Department for International Development Trade; 2.14. Department of the Procurator General and Treasury Solicitor: 2.14.1. Legal Secretariat to the Law Officers.</p> <p>2.15. 13. Department for Transport: 2.15. 13.1. Maritime and Coastguard Agency. 13.2. Highways England Company Ltd (known as "Highways England")</p> <p>2.16. 14. Department for Work and Pensions: 2.16.1. Disability Living Allowance Advisory Board; 2.16.2. Independent Tribunal Service; 2.16.3. Medical Boards and Examining Medical Officers War Pensions; 2.16.4. Occupational Pensions Regulatory Authority; 2.16.5. Regional Medical Service; 2.16.6. 14.1 Office for Nuclear Regulation; 14.2. Pensions Regulator; 14.3. Social Security Advisory Committee.</p> <p>2.17. 15. Export Credits Guarantee Department (known as "UK Export Finance"); 2.18. 16. Foreign and, Commonwealth and Development Office; 2.18-16.1. Wilton Park Conference Centre.</p> <p>2.19. 17. Government Actuary's Department; 2.20. 18. Government Communications Headquarters;</p>		

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2.21.	19.	Home Office:	
2.21.	19.1.	HM Inspectorate of Constabulary and Fire & Rescue Services.	
2.22.	20.	Corporate Officer of the House of Commons;	
2.23.	21.	Corporate Officer of the House of Lords;	
2.24.	22.	Ministry of Defence:	
24.2.1.	22.1.	Defence Equipment & Support;	
24.2.	22.2.	Meteorological Office.	
25.23.		Ministry of Justice:	
2.25.	23.1.	Boundary Commission for England;	
2.25.2.	23.2.	Combined Tax Tribunal;	
2.25.3.	23.3.	Council on Tribunals;	
2.25.4.	23.4.	Court of Appeal— Criminal; (England and Wales);	
	23.2.25.5.	Employment Appeals Tribunal;	
2.25.6.	23.3.	Employment Tribunals;	
2.25.7.	23.4.	HMCS Regions, Crown, County and Combined Courts— England and Wales;	
2.25.8.	23.5.	Immigration Appellate Authorities;	
2.25.9.	23.6.	Immigration Adjudicators;	
2.25.10.	23.7.	Immigration Appeals 23.4. First-tier Tribunal;	
2.25.11.	23.8.	Lands Tribunal;	
2.25.12.	23.9.	Her Majesty's Courts and Tribunals Service;	
25.23.126.	23.10.	Law Commission;	
2.25.13.	23.11.	Legal Aid Fund -Agency – England and Wales;	
2.25.14.	23.12.	Office of the Social Security Commissioners—Official Solicitor to the Senior Courts and the Public Trustee;	
2.25.15.	23.13.	Office of the Public Guardian;	
	23.14.	Parole Board and Local Review Committees;	
2.25.16.	23.15.	Pensions Appeal Tribunals;	
2.25.17.	23.16.	Public Trust Office;	
25.14.	23.17.	Office of the Social Security Commissioners;	
2.25.18.	23.18.	UK Supreme Court Group— England and Wales; ;	
2.25.19.	23.19.	Transport— 23.12. Upper Tribunal.	
2.26.	24.	The National Archives;	
2.27.	25.	National Audit Office;	
2.28.	26.	National Savings and Investments;	
2.29.	27.	National School of Government;	
2.30.	28.	Northern Ireland Assembly Commission;	
2.31.	29.	Northern Ireland—Court Service Ministers;	
2.31.1.	28.1.	Agricultural Wages Board for Northern Ireland;	
	28.2.	Attorney General for Northern Ireland;	
	28.3.	Department of Agriculture, Environment and Rural Affairs;	
	28.4.	Department for Communities;	
	28.5.	Department for the Economy;	
	28.5.1.	Consumer Council Northern Ireland (with respect only to the functions transferred from the National Consumer Council which were themselves transferred from the Gas and Electricity Consumer Council).	
	28.6.	Department of Education;	
	28.7.	Department of Finance;	
	28.8.	Department of Health;	
	28.9.	Department for Infrastructure;	
	28.10.	Department of Justice;	
	28.10.1.	Coroners Courts Service;	
	28.10.2.31.2.	County Courts;	
2.31.	28.10.3.	Court of Appeal and High Court of Justice in Northern Ireland;	
2.31.	28.10.4.	Crown Court;	
2.31.	28.10.5.	Enforcement of Judgements Office;	
2.31.	28.10.6.	Forensic Science Northern Ireland;	
	28.10.7.	Legal Aid Fund Service Agency Northern Ireland;	
2.31.7.	28.10.8.	Magistrates' Courts;	

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2.31-8. 28.10.9.	Pensions Appeals Tribunals.		
2.32.	Northern Ireland, Department for Employment and Learning;		
2.33.	Northern Ireland, Department for Regional Development;		
2.34.	(Northern Ireland, Department for Social Development);		
2.35.	28.10.10. Police Service of Northern Ireland, Department of Agriculture and Rural Development;		
2.36.	28.10.11. Probation Board for Northern Ireland, Department of Culture, Arts and Leisure;		
2.37.	Northern Ireland, Department of Education;		
2.38.	Northern Ireland, Department of Enterprise, Trade and Investment;		
2.39.	Northern Ireland, Department of the Environment;		
2.40.	28.10.12. Office of the Social Security Commissioners and Child Support Commissioners (Northern Ireland, Department of Finance and Personnel);		
	28.10.13. State Pathologist's Department.		
	28.11. Executive Office.		
2.41.	29. Northern Ireland, Department of Health, Social Services and Public Safety; Office;		
2.42.	Northern Ireland, Office of the First Minister and Deputy First Minister;		
2.43.	Northern Ireland Office;		
2.43.1.	Crown Solicitor's Office;		
2.43.2.	Department of the Director of Public Prosecutions for Northern Ireland;		
2.43.3.	Forensic Science Laboratory of Northern Ireland;		
2.43.4.	29.1. Office of the Chief Electoral Officer for Northern Ireland;		
	29.2.43.5. Police Public Prosecution Service of Northern Ireland;		
2.43.6.	Probation Board for Northern Ireland;		
2.43.7.	State Pathologist Service.		
2.44.	Office of Fair Trading;		
2.4530.	Office for National Statistics:		
	2.4530.1. National Health Service Central Register.		
	Office of the 31. Parliamentary Commissioner for Administration Works Sponsor Body;		
2.46.	32. Parliamentary and Health Service Commissioners Ombudsman;		
2.47.	Paymaster General's Office;		
2.4833.	Postal Business business of the Post Office;		
2.4934.	Privy Council Office;		
2.50.	Public Record Office;		
35.	Restoration and Renewal Delivery Authority Ltd		
2.5136.	HM Revenue and Customs;		
	2.51.1. The Revenue and Customs Prosecutions Office.		
2.5237.	Royal Hospital, Chelsea;		
2.5338.	Royal Mint;		
2.5439.	Rural Payments Agency;		
2.5540.	Scotland, Auditor-General;		
2.5641.	Scotland, Crown Office and Procurator Fiscal Service;		
2.57.	Scotland, General Register Office;		
2.5842.	Scotland, National Records of Scotland		
2.5943.	Scotland, Queen's and Lord Treasurer's Remembrancer;		
2.5944.	Scotland, Registers of Scotland;		
2.60.	45. The Scotland Office;		
2.61.	46. The Scottish Ministers;		
2.61 46.1.	Architecture and Design Scotland;		
2.61 46.2.	Crofters Crofting Commission;		
2.61.46.3.	Deer Commission for Scotland;		
2.61.4.	Lands Tribunal for Scotland;		
2.61.5.	46.4. National Galleries of Scotland;		
2.61.6.	46.5. National Library of Scotland;		
2.61.7.	46.6. National Museums of Scotland;		
2.61.8.	46.7. Royal Botanic Garden, Edinburgh;		
	2.61.9. 46.8. Scottish Courts and Tribunals Service		

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	<p><u>46.9. Scottish Further and Higher Education Funding Council;</u></p> <p><u>46.10. Scottish Law Commission;</u></p> <p><u>46.11. Special Health Boards;</u></p> <p><u>46.12. Health Boards;</u></p> <p><u>46.13. The Office of the Accountant of Court;</u></p> <p><u>46.14. High Court of Justiciary;</u></p> <p><u>46.15. Court of Session;</u></p> <p><u>46.16. HM Inspectorate of Constabulary;</u></p> <p><u>46.17. Parole Board for Scotland;</u></p> <p><u>46.18. Pensions Appeal Tribunals (Scotland);</u></p> <p><u>46.19. Scottish Land Court;</u></p> <p><u>46.20. Sheriff Courts;</u></p> <p><u>46.21. Scottish Natural Heritage;</u></p> <p><u>46.22. Scottish Police Authority;</u></p> <p><u>46.23. First-tier Tribunal for Scotland;</u></p> <p><u>46.24. Upper Tribunal for Scotland;</u></p> <p><u>46.25. Historic Environment Scotland.</u></p> <p><u>47. The Scottish Parliamentary Corporate Body;</u></p> <p><u>48. HM Treasury;</u></p> <p><u>48.1. United Kingdom Debt Management Office.</u></p> <p><u>49. The Wales Office - Office of the Secretary of State for Wales;</u></p> <p><u>50. The Welsh Ministers;</u></p> <p><u>50.1. Agricultural Dwelling House Advisory Committees (Wales);</u></p> <p><u>50.2. Agricultural Land Tribunal for Wales;</u></p> <p><u>50.3. Higher Education Funding Council for Wales;</u></p> <p><u>50.4. Local Democracy and Boundary Commission for Wales;</u></p> <p><u>50.5. Rent Assessment Committee (Wales);</u></p> <p><u>50.6. The Royal Commission on the Ancient and Historical Monuments of Scotland/Wales;</u></p> <p>2.61.10. Scottish Further and Higher Education Funding Council;</p> <p>2.61.11. Scottish Law Commission;</p> <p>2.61.12. Community Health Partnerships;</p> <p>2.61.13. Special Health Boards;</p> <p>2.61.14. Health Boards;</p> <p>2.61.15. The Office of the Accountant of Court;</p> <p>2.61.16. High Court of Justiciary;</p> <p>2.61.17. Court of Session;</p> <p>2.61.18. HM Inspectorate of Constabulary;</p> <p>2.61.19. Parole Board for Scotland;</p> <p>2.61.20. Pensions Appeal Tribunals;</p> <p>2.61.21. Scottish Land Court;</p> <p>2.61.22. Sheriff Courts;</p> <p>2.61.23. Scottish Police Services Authority;</p> <p>2.61.24. Office of the Social Security Commissioners;</p> <p>2.61.25. The Private Rented Housing Panel and Private Rented Housing Committees;</p> <p>2.61.26. Keeper of the Records of Scotland.</p> <p>2.62. The Scottish Parliamentary Body Corporate;</p> <p>2.63. HM Treasury;</p> <p>2.63.1. Office of Government Commerce;</p> <p>2.63.2. United Kingdom Debt Management Office.</p> <p>2.64. The Wales Office - Office of the Secretary of State for Wales;</p> <p>2.65. The Welsh Ministers;</p> <p>2.65.1. Higher Education Funding Council for Wales;</p> <p>2.65.2. Local Government Boundary Commission for Wales;</p> <p>2.65.3. The Royal Commission on the Ancient and Historical Monuments of Wales;</p> <p>2.65.4. 50.7. Valuation Tribunals Tribunal for Wales;</p> <p>2.65.5. 50.8. Welsh National Health Service Trusts and Local Health Boards;</p> <p>2.65.6. Welsh Rent Assessment Panels.</p>		

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Notes to Annex 1

1. The following shall not be considered as covered procurement:
 - a. procurement by procuring entities covered under this Annex of air traffic control equipment in regard of suppliers and service providers from the United States;
 - b. procurement by procuring entities covered under this Annex of good or service components of procurement which are not themselves covered by this Agreement in regard of suppliers and services providers from the United States and Canada;

until such time as the United Kingdom has accepted that the Parties concerned provide satisfactory reciprocal access for the United Kingdom goods, suppliers, services and service providers to their own procurement markets.
2. The provisions of Article XVIII shall not apply to suppliers and service providers of Japan, Korea, the US and Australia in contesting the award of contracts to a supplier or service provider of Parties other than those mentioned, which are small or medium sized enterprises as defined in Regulation 112(4) of the Public Contracts Regulations 2015, until such time as the United Kingdom accepts that they no longer operate discriminatory measures in favour of certain domestic small and minority businesses.
3. "Contracting authorities of the United Kingdom" covers also any subordinated entity of any contracting authority of the United Kingdom provided it does not have separate legal personality.
4. As far as procurement by entities in the field of defence and security is concerned, only non-sensitive and non-warlike materials contained in the list attached to Annex 4 are covered.

ANNEX 2**SUB-CENTRAL GOVERNMENT ENTITIES****Thresholds:**

Goods	SDR 200,000
Services	SDR 200,000
Construction Services	SDR 5,000,000

List of Entities:

1. All regional or local contracting authorities.
 - a. All contracting authorities of the administrative units falling under Territorial Units 1, 2 and 3 as described in Note 3 of the General Notes in Annex 7.
 - b. For the purposes of the Agreement, "Regional contracting authorities" shall be understood as contracting authorities of the administrative units falling under Territorial Units 1 and 2 as described in Note 3 of the General Notes in Annex 7.
 - c. For the purposes of the Agreement, "Local contracting authorities" shall be understood as contracting authorities of the administrative units falling under Territorial Unit 3 as described in Note 3 of the General Notes in Annex 7 and smaller administrative units.
2. All contracting authorities which are bodies governed by public law, for England, Wales and Northern Ireland, as defined by the Public Contracts Regulations 2015 and, for Scotland, the Public Contracts (Scotland) Regulations 2015.
 - a. "Bodies governed by public law" as defined by the Public Contracts Regulations 2015 means any bodies that have all of the following characteristics:
 - i. they are established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;
 - ii. they have legal personality; and
 - iii. they have any of the following characteristics:
 - a) they are financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law;
 - b) they are subject to management supervision by those authorities or bodies; or
 - c) they have an administrative, managerial or supervisory board; more than half of whose members are appointed by the State, regional or local authorities or by other bodies governed by public law.
 - b. "Body governed by public law" as defined by the Public Contracts (Scotland) Regulations 2015 means a body that has legal personality, is established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character and which:
 - i. is financed for the most part by the State, regional or local authorities, or by any other body governed by public law;

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- ii. is subject to management supervision by any such authority or body; or
- iii. has an administrative, managerial or supervisory board more than half the members of which were appointed by any body referred to in sub-paragraph i.
- c. An indicative list of contracting authorities which are bodies governed by public law follows.

INDICATIVE LISTS OF CONTRACTING AUTHORITIES WHICH ARE BODIES GOVERNED BY PUBLIC LAW

Bodies:

- ~~1. Design Council;~~
- ~~21. Health and Safety Executive;~~
- ~~3. National Research Development Corporation;~~
- ~~4. Public Health Laboratory Service Board;~~
- ~~52. Advisory, Conciliation and Arbitration Service;~~
- ~~6. Commission for the New Towns;~~
- ~~3. 7. National Homes England;~~
- ~~4. NHS Blood Authority and Transplant Service~~
- ~~8. National Rivers Authority;~~
- ~~5. 9. Environment Agency;~~
- ~~6. Scottish Enterprise;~~
- ~~7. 10. Ordnance Survey Limited;~~
- ~~8. 11. Financial Services Conduct Authority.~~

Categories:

1. Maintained schools;
2. Universities and colleges financed for the most part by other contracting authorities;
3. National Museums and Galleries;
- ~~4. Research Councils;~~
- ~~5. Fire and Rescue Authorities;~~
- ~~6. National Health Service Strategic Health Authorities;~~
- ~~5. 7. Clinical Commissioning Groups~~
6. Police Authorities;
- ~~7. 8. Police and Crime Commissioners;~~
8. New Town Development Corporations;
9. Urban Development Corporations.
- ~~10. Local authorities including unitary authorities, county councils, district councils, metropolitan district councils, London boroughs and the City of London;~~
- ~~11. National Park Authorities;~~
- ~~12. Registered providers of social housing.~~

Notes to Annex 2

1. The following shall not be considered as covered procurement:
 - a. procurement by procuring entities covered under this Annex in regard of suppliers, services and service providers from the United States;
 - b. procurement by procuring entities covered under this Annex of air traffic control equipment in regard of suppliers and service providers from the United States;
 - c. procurement by cities-regions listed under Territorial Units 1 and 2 as described in Note 3 of the General Notes in Annex 7, local procuring entities and bodies governed by public

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law covered under this Annex in regard of goods, services, suppliers and service providers from Canada;

- d. procurement by procuring entities covered under this Annex of good or service components of procurement which are not themselves covered by this Agreement in regard of suppliers and service providers from the United States and Canada;
- e. procurement between 200,000 SDR and 355,000 SDR by procuring entities covered under this Annex of goods and services for suppliers and service providers from Canada;
- f. procurement by local contracting authorities (contracting authorities of administrative units listed under Territorial Unit 3 as described in Note 3 of the General Notes in Annex 7 and smaller administrative units) in regard of goods, services, suppliers and service providers from New Zealand;
- g. procurement by contracting authorities of administrative units listed under Territorial Units 1 and 2 as described in Note 3 of the General Notes in Annex 7, in regard of goods, services, suppliers and service providers from New Zealand, unless their procurement is covered under the United Kingdom Annex 3;
- h. procurement by regional and local contracting authorities (contracting authorities of administrative units listed under Territorial Units 2 and 3 as described in Note 3 of the General Notes in Annex 7 and smaller administrative units) in regard of goods, services, suppliers and service providers from Australia;
- i. procurement between 200,000 SDR and 355,000 SDR by regional contracting authorities and between 200,000 SDR and 400,000 SDR for bodies governed by public law covered under this Annex of goods and services for suppliers and service providers from Australia;
- j. procurement by procuring entities covered under this Annex of:
 - i. motor vehicles, as described in the Chapters of the Combined Nomenclature (CN) specified below:

CN Chapter	Description
1. 8702	Motor vehicles for the transport of ten or more persons, including the driver;
2. 8703	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 8702), including station wagons and racing cars;
3. 8704	Motor vehicles for the transport of goods;
4. 8705	Special purpose motor vehicles, other than those principally designed for the transport of persons or goods (for example, breakdown lorries, crane lorries, fire fighting vehicles, concrete-mixer lorries, road sweeper lorries, spraying lorries, mobile workshops, mobile radiological units);
5. 8711	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side cars;
6. 8713	Carriages for disabled persons, whether or not motorised or otherwise mechanically propelled.

- ii. components for motor vehicles, as described in the Chapters of the Combined Nomenclature (CN) specified below:

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CN Chapter	Description
1. 8706 00	Chassis fitted with engines, for the motor vehicles of headings 8701 to 8705;
2. 8707	Bodies (including cabs), for the motor vehicles of headings 8701 to 8705;
3. 8708	Parts and accessories of the motor vehicles of headings 8701 to 8705;
4. 8714	Parts and accessories of vehicles of headings 8711 to 8713;
5. 8716	Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof.

in regard of suppliers and service providers from Australia.

until such time as the United Kingdom has accepted that the Parties concerned provide satisfactory reciprocal access to United Kingdom goods, suppliers, services and service providers to their own procurement markets.

2. The provisions of Article XVIII shall not apply to suppliers and service providers of Japan, Korea, the US and Australia in contesting the award of contracts to a supplier or service provider of Parties other than those mentioned, which are small or medium sized enterprises as defined in Regulation 112(4) of the Public Contracts Regulations 2015, until such time as the United Kingdom accepts that they no longer operate discriminatory measures in favour of certain domestic small and minority businesses.
3. The provisions of Article XVIII shall not apply to Japan and Korea in contesting the award of contracts by entities listed under Annex 2 paragraph 2, until such time as the United Kingdom accepts that they have completed coverage of sub-central entities.
4. The provisions of Article XVIII shall not apply to Japan and Korea in contesting that award of contracts by United Kingdom entities, whose value is less than the threshold applied for the same category of contracts awarded by these Parties.

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ANNEX 3**OTHER ENTITIES****Thresholds:**

Goods	SDR 400,000
Services	SDR 400,000
Construction Services	SDR 5,000,000

List of Entities:

1. All utilities whose procurement is covered by the Utilities Contracts Regulations 2016 and the Utilities Contracts (Scotland) Regulations 2016 which are contracting authorities (e.g. those covered under Annex 1 and Annex 2) or public undertakings³ and which have as one of their activities any of those referred to below or any combination thereof:
 - a. the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of drinking water or the supply of drinking water to such networks;
 - b. the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of electricity or the supply of electricity to such networks;
 - c. the provision of airport or other terminal facilities to carriers by air;
 - d. the provision of maritime or inland port or other terminal facilities to carriers by sea or inland waterway;
 - e. the provision or operation of networks⁴ providing a service to the public in the field of transport by urban railway, automated systems, tramway, trolley bus, bus or cable;
 - f. the provision or operation of networks providing a service to the public in the field of transport by railways⁵
2. Indicative lists of contracting authorities and public undertakings fulfilling the criteria set out above follow.

³ According to the Utilities Contracts Regulations 2016, a "public undertaking" means any undertaking over which contracting authorities may exercise directly or indirectly a dominant influence by virtue of:

- a) their ownership of that undertaking;
- b) their financial participation in that undertaking; or
- c) the rules which govern that undertaking.

According to the Utilities Contracts (Scotland) Regulations 2016, a "public undertaking" means a person over which one or more contracting authorities are able to exercise, directly or indirectly, a dominant influence by virtue of one or more of the following:

- a) their ownership of that person;
- b) their financial participation in that person;
- c) the rights accorded to them by the rules which govern that person.

According to both the Utilities Contracts Regulations 2016 and the Utilities Contracts (Scotland) Regulations 2016, a dominant influence on the part of contracting authorities is presumed in any of the following cases in which those authorities, directly or indirectly:

- a) hold the majority of the undertaking's subscribed capital;
- b) control the majority of the votes attaching to shares issued by the undertaking;
- c) can appoint more than half of the undertaking's administrative, management or supervisory body.

⁴ As regards transport services, a network shall be considered to exist where the service is provided under operating conditions laid down by a competent authority of the United Kingdom such as conditions on the routes to be served, the capacity to be made available or the frequency of the service.

⁵ E.g. the provision or operation of networks (within the meaning of footnote 2) providing a service to the public in the field of transport by high-speed or conventional trains.

**INDICATIVE LISTS OF CONTRACTING AUTHORITIES AND PUBLIC UNDERTAKINGS
FULFILLING THE CRITERIA LAID DOWN UNDER ANNEX 3**

A. PRODUCTION, TRANSPORT OR DISTRIBUTION OF DRINKING WATER

1. A company holding an appointment as a water undertaker or a sewerage undertaker under the Water Industry Act. 1991;
- ~~2. A water and sewerage authority established by section 62 of the Local Government etc (Scotland) Act. 1994;~~
- ~~2. Scottish Water;~~
- ~~3. The Department for Regional Development (Northern Ireland);~~
- ~~3. Northern Ireland Water.~~

B. PRODUCTION, TRANSPORT OR DISTRIBUTION OF ELECTRICITY

1. A person licensed under section 6 of the Electricity Act 1989;
2. A person licensed under Article 10(1) of the Electricity (Northern Ireland) Order 1992.
- ~~3. National Grid Electricity Transmission plc;~~
- ~~4. System Operation Northern Ireland Ltd;~~
- ~~5. Scottish & Southern Energy plc;~~
- ~~6. SP Transmission plc.~~

C. AIRPORT INSTALLATIONS

1. A local authority which exploits a geographical area for the purpose of providing airport or other terminal facilities to carriers by air;
- ~~2. An airport operator within the meaning of the Airports Act 1986 who has the management of an airport subject to economic regulation under Part IV of that Act;~~
- ~~2. Highland and Islands Airports Limited;~~
- ~~4. An airport operator within the meaning of the Airports (Northern Ireland) Order 1994;~~
- ~~5. BAA Ltd.~~
- ~~3. London Luton Airport Operations Limited;~~
- ~~4. Manchester Airports Holdings Limited;~~
- ~~5. Cornwall Airport Limited.~~

D. MARITIME OR INLAND PORT OR OTHER TERMINAL FACILITIES

1. A local authority which exploits a geographical area for the purpose of providing maritime or inland port or other terminal facilities to carriers by sea or inland waterway;
2. A harbour authority within the meaning of section 57 of the Harbours Act 1964;
- ~~3. British Waterways Board;~~
- ~~43. A harbour authority as defined by section 38(1) of the Harbours Act (Northern Ireland) 1970.~~

E. CONTRACTING ENTITIES IN THE FIELD OF URBAN RAILWAY, TRAMWAY, TROLLEYBUS OR BUS SERVICES

- ~~1. London Regional Transport;~~
- ~~1. London Bus Services Limited;~~
2. London Underground Limited;
3. Transport for London;
4. A subsidiary of Transport for London within the meaning of section 424(1) of the Greater London Authority Act 1999;
- ~~5. Strathclyde Passenger Transport Executive;~~
- ~~5. Strathclyde Partnership for Transport;~~
- ~~6. Greater Manchester Passenger Transport Executive;~~
- ~~6. Transport for Greater Manchester;~~
- ~~7. Tyne and Wear Passenger Transport Executive;~~
- ~~7. Tyne and Wear Passenger Transport (trading as "Nexus");~~

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~~8. Brighton Borough Council;~~**8. Brighton and Hove City Council;**

9. South Yorkshire Passenger Transport Executive;

~~10. South Yorkshire Supertram Limited;~~

10. Blackpool Transport Services Limited;

11. Conwy County Borough Council;

12. A person who provides a London local service as defined in section 179(1) of the Greater London Authority Act 1999 (a bus service) in pursuance of an agreement entered into by Transport for London under section 156(2) of that Act or in pursuance of a transport subsidiary's agreement as defined in section 169 of that Act;

13. Northern Ireland Transport Holding Company;

~~15. A person who holds a road service licence under section 4(1) of the Transport Act (Northern Ireland) 1967 which authorises him to provide a regular service within the meaning of that licence;~~**14. A person who holds a bus operator's licence under section 4(1) of the Transport Act (Northern Ireland) 1967 which authorises him to provide a regular service within the meaning of that licence.****F. CONTRACTING ENTITIES IN THE FIELD OF RAIL SERVICES**

1. Network Rail plc;

~~2. Eurotunnel plc;~~~~32.~~ Northern Ireland Transport Holding Company;~~43.~~ Northern Ireland Railways Company Limited;~~54.~~ Providers of rail services which operate on the basis of special or exclusive rights granted by the Department of Transport or any other competent authority.**Notes to Annex 3**

1. Procurement for the pursuit of an activity listed above when exposed to competitive forces in the market concerned are not covered by this Agreement.
2. This Agreement does not cover procurement by procuring entities included in this Annex:
 - a. for the purchase of water and for the supply of energy or of fuels for the production of energy;
 - b. for purposes other than the pursuit of their activities as listed in this Annex or for the pursuit of such activities outside of the United Kingdom;
 - c. for purposes of re-sale or hire to third parties, provided that the procuring entity enjoys no special or exclusive right to sell or hire the subject of such contracts and other entities are free to sell or hire it under the same conditions as the procuring entity.
3. The supply of drinking water or electricity to networks which provide a service to the public by a procuring entity other than a contracting authority shall not be considered as an activity within the meaning of paragraphs (a) or (b) of this Annex where:
 - a. the production of drinking water or electricity by the entity concerned takes place because its consumption is necessary for carrying out an activity other than that referred to in paragraphs (a) to (f) of this Annex; and
 - b. supply to the public network depends only on the entity's own consumption and has not exceeded 30 per cent of the entity's total production of drinking water or energy, having regard to the average for the preceding three years, including the current year.
4. I. Provided that the conditions in paragraph II are met, this Agreement does not cover procurement:

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- a. by a procuring entity to an affiliated undertaking⁶; or
- b. by a joint venture, formed exclusively by a number of procuring entities for the purpose of carrying out activities within the meaning of paragraphs (a) to (f) of this Annex, to an undertaking which is affiliated with one of these procuring entities.

II. Paragraph I shall apply to services or supplies contracts provided that at least 80 per cent of the average turnover of the affiliated undertaking with respect to services or supplies for the preceding three years derives respectively from the provision of such services or supplies to undertakings with which it is affiliated.⁷

5. This Agreement does not cover procurement:

- a. by a joint venture, formed exclusively by a number of procuring entities for the purposes of carrying out activities within the meaning of paragraphs (a) to (f) of this Annex, to one of these procuring entities; or
- b. by a procuring entity to such a joint venture of which it forms part, provided that the joint venture has been set up to carry out the activity concerned over a period of at least three years and the instrument setting up the joint venture stipulates that the procuring entities, which form it, will be part thereof for at least the same period.

6. The following shall not be considered as covered procurement:

- a. procurement by procuring entities operating in the fields of:
 - i. production, transport or distribution of drinking water covered under this Annex;
 - ii. production, transport or distribution of electricity covered under this Annex;
 - iii. airport facilities covered under this Annex;
 - iv. maritime or inland port or other terminal facilities covered under this Annex; and
 - v. urban railway, tramway, trolley bus or bus services covered under this Annex in regard of supplies, services, suppliers and service providers from Canada.
- b. procurement by procuring entities operating in the field of production, transport or distribution of drinking water covered under this Annex in regard of suppliers and service providers from the United States;
- c. procurement by procuring entities operating in the field of maritime or inland port or other terminal facilities covered under this Annex of dredging services or related to shipbuilding in regard of suppliers and service providers from the United States;
- d. procurement by procuring entities covered under this Annex of air traffic control equipment in regard of suppliers and service providers from the United States;

⁶ "affiliated undertaking" means any undertaking over which the procuring entity may exercise, directly or indirectly, a dominant influence, or which may exercise a dominant influence over the procuring entity, or which, in common with the procuring entity, is subject to the dominant influence of another undertaking by virtue of ownership, financial participation, or the rules which govern it.

⁷ When, because of the date on which an affiliated undertaking was created or commenced activities, the turnover is not available for the preceding three years, it will be sufficient for that undertaking to show that the turnover referred to in this paragraph is credible, in particular by means of business projections.

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- e. procurement by procuring entities operating in the field of airport facilities covered under this Annex in regard of suppliers and service providers from the United States and Korea;
- f. procurement by procuring entities operating in the field of urban railway, tramway, trolleybus or bus services covered under this Annex in regard of suppliers and service providers from the United States;
- g. procurement by procuring entities operating in the field of urban railway covered under this Annex in regard of suppliers and service providers from Japan;
- h. procurement by procuring entities operating in the field of railways covered under this Annex in regard of goods, suppliers, services and service providers from Armenia; Canada; Japan; the United States; Hong Kong, China; Singapore and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu;
- i. procurement by procuring entities operating in the field of high-speed railways and high-speed railways infrastructure in regard of goods, suppliers, services and service providers from Korea;
- j. procurement by procuring entities covered under this Annex of good or service components of procurement which are not themselves covered procurement in regard of suppliers and service providers from the United States;
- k. procurement by procuring entities operating in the field of production, transport or distribution of electricity covered under this Annex in regard of suppliers and services providers from Japan;
- l. procurement by procuring entities operating in the field of production, transport and distribution of electricity covered under this Annex of HS Nos. 8504, 8535, 8537 and 8544 (electrical transformers, plugs, switches and insulated cables) in regard of suppliers from Korea;
- m. procurement by procuring entities operating in the field of production, transport and distribution of electricity covered under this Annex of HS Nos. 85012099, 85015299, 85015199, 85015290, 85014099, 85015390, 8504, 8535, 8536, 8537, and 8544 in regard of suppliers from Israel;
- n. procurement by procuring entities operating in the field of bus services covered under this Annex in regard of suppliers and service providers from Israel;
- o. procurement by procuring entities operating in the field of production, transport or distribution of drinking water covered under this Annex in regard of supplies, services and service providers from New Zealand;
- p. procurement by procuring entities operating in the field of airport facilities covered under this Annex in regard of supplies, services, and service providers from New Zealand;
- q. procurement by procuring entities operating in the field of the provision of maritime or inland port or other terminal facilities covered under this Annex in regard of supplies, services, and service providers from New Zealand;
- r. procurement by regional or local contracting authorities operating in the fields covered by this Annex, in regard of supplies, services, and service providers from New Zealand, with the exception of procurement by contracting authorities of administrative units listed under Territorial Units 1 and 2 as described in Note 3 of the General Notes in Annex 7 operating in the field of transport by urban railway, automatic systems, tramway, trolley bus, bus and cable;

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- s. procurement by procuring entities operating in the fields of:
 - i. production, transport or distribution of drinking water covered under this Annex;
 - ii. production, transport or distribution of electricity covered under this Annex;
 - iii. airport facilities covered under this Annex;
 - iv. maritime or inland port or other terminal facilities covered under this Annex;
 - v. urban railway, tramway, trolley bus or bus services covered under this Annex: and
 - vi. transport by railways covered under this Annex
 - vii. in regard of supplies, services, suppliers and service providers from Australia.

until such time, the United Kingdom has accepted that the Parties concerned provide satisfactory reciprocal access to United Kingdom goods, suppliers, services and service providers to their own procurement markets.

- 7. The provisions of Article XVIII shall not apply to suppliers and service providers of Japan, Korea and the US in contesting the award of contracts to a supplier or service provider of Parties other than those mentioned, which are small or medium sized enterprises as defined in Regulation 112(4) of the Public Contracts Regulations 2015, until such time as the United Kingdom accepts that they no longer operate discriminatory measures in favour of certain domestic small and minority businesses. The provisions of Article XVIII shall not apply to Japan and Korea in contesting that award of contracts by United Kingdom entities, whose value is less than the threshold applied for the same category of contracts awarded by these Parties.

- 8. The following shall not be considered as covered procurement:

- a. procurement by procuring entities operating in the field of urban transport covered under this Annex of the following goods and services:
 - i. H.S. 44.06 Railway or tramway sleepers of (cross-ties) wood;
 - ii. H.S. 68.10 Railway or tramway sleepers of concrete and concrete guide-track sections for hovertrains;
 - iii. H.S. 73.02 Railway or tramway track construction material of iron or steel, the following: rails, check-rails and rack rails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for jointing or fixing rails;
 - iv. H.S. 85.30.10 Electrical signalling, safety or traffic control equipment for railways, tramways;
 - v. H.S. Chapter 86 - Railway or tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electro-mechanical) traffic signalling equipment of all kinds;
 - vi. Construction work for civil engineering for railways falling under CPC prov. 51310 (Construction work for civil engineering for highways (except elevated highways), streets, roads, railways and airfield runways) (as contained in document MTN/GNS/W/120);

- vii. Construction work for civil engineering for railway tunnels and subways falling under CPC prov. 51320 (Construction work for civil engineering for bridges, elevated highways, tunnels and subways) (as contained in document MTN/GNS/W/120);
- viii. Repair and maintenance services of locomotives (including reconditioning), rolling stock (including reconditioning), railway tracks, traffic signals and installation services of railway engines falling under CPC prov. 88680 (Repair services of other transport equipment, on a fee or contract basis) (as contained in document MTN/GNS/W/120);

in regard of suppliers and service providers from Japan, until such time as the United Kingdom has accepted that Japan has fully open its procurement of urban transport to United Kingdom suppliers, supplies, service providers and services.

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LIST OF TERRITORIAL UNITS

Territorial Unit 1	Territorial Unit 2	Territorial Unit 3
1. North East (England)	1.1. Tees Valley and Durham	1.1.1. Hartlepool and Stockton-on-Tees 1.1.2. South Teeside Teesside 1.1.3. Darlington 1.1.4. Durham County Council
	1.2. Northumberland and Tyne and Wear	1.2.1. Northumberland 1.2.2. Tyneside 1.2.3. Sunderland
2. North West (England)	2.1. Cumbria	2.1.1. West Cumbria 2.1.2. East Cumbria
	2.2. Cheshire	2.2.1. Warrington 2.2.2. Cheshire East 2.2.3. Cheshire West and Chester
	2.3. Greater Manchester	2.3.1. Greater Manchester South East 2.3.2. Greater Manchester South West 2.3.3. Greater Manchester North East 2.3.4. Greater Manchester North West 2.3.5. Manchester
	2.4. Lancashire	2.4.1. Blackburn with Darwen 2.4.2. Blackpool 2.4.3. Chorley and West Lancashire 2.4.4. East Lancashire 2.4.5. Mid Lancashire 2.4.6. Lancaster and Wyre
	2.5. Merseyside	2.5.1. East Merseyside 2.5.2. Liverpool 2.5.3. Sefton 2.5.4. Wirral
3. Yorkshire and the Humber	3.1. East Yorkshire and Northern Lincolnshire	3.1.1. City of Kingston upon Hull 3.1.2. East Riding of Yorkshire 3.1.3. North and North East Lincolnshire
	3.2. North Yorkshire	3.2.1. York 3.2.2. North Yorkshire County Council
	3.3. South Yorkshire	3.3.1. Barnsley, Doncaster and Rotherham 3.3.2. Sheffield
	3.4. West Yorkshire	3.4.1. Bradford 3.4.2. Leeds 3.4.3. Calderdale and Kirklees 3.4.4. Wakefield

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Territorial Unit 1	Territorial Unit 2	Territorial Unit 3
11. Wales	11.1. West Wales	11.1.1. Isle of Anglesey 11.1.2. Gwynedd 11.1.3. Conwy and Denbighshire 11.1.4. South West Wales 11.1.5. Central Valleys 11.1.6. Gwent Valleys 11.1.7. Bridgend and Neath Port Talbot 11.1.8. Swansea
	11.2. East Wales	11.2.1. Monmouthshire and Newport 11.2.2. Cardiff and Vale of Glamorgan 11.2.3. Flintshire and Wrexham 11.2.4. Powys
12. Northern Ireland	12.1. Northern Ireland	12.1.1. Belfast 12.1.2. Armagh City, Banbridge and Craigavon 12.1.3. Newry, Mourne and Down 12.1.4. Ards and North Down 12.1.5. Derry City and Strabane 12.1.6. Mid Ulster 12.1.7. Causeway Coast and Glens 12.1.8. Antrim and Newtonabbey Newtownabbey 12.1.9. Lisburn and Castlereagh Castlereagh 12.1.10. Mid and East Antrim 12.1.11. Fermanagh and Omagh

ATTACHMENT B

UNITED KINGDOM*

(Authentic in the English Language only)

ANNEX 1

CENTRAL GOVERNMENT ENTITIES

Thresholds:

Goods	SDR 130,000
Services	SDR 130,000
Construction Services	SDR 5,000,000

List of entities:**1 THE CENTRAL GOVERNMENT CONTRACTING AUTHORITIES OF THE UNITED KINGDOM**

1. For the goods, services, suppliers and service providers of the European Union, Liechtenstein, Switzerland, Iceland, Norway, The Netherlands with respect to Aruba, procurement by all central government contracting authorities of the United Kingdom. The list below is indicative.

2. For the goods, services, suppliers and service providers of Israel; Montenegro; the Republic of Moldova; Ukraine; the United States; Canada; Japan; Hong Kong, China, Singapore; Korea; Armenia; the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu; New Zealand and Australia, procurement by the following central government contracting authorities.

2 LIST OF CENTRAL GOVERNMENT CONTRACTING AUTHORITIES

1. Attorney General's Office:
 - 1.1. Government Legal Department.
2. Cabinet Office:
 - 2.1. Office of the Parliamentary Counsel;
 - 2.2. Boundary Commission for England;
 - 2.3. Crown Commercial Service.
3. Charity Commission;
4. Crown Estate – Vote Expenditure Only;
5. Crown Prosecution Service;
6. Department for Business, Energy and Industrial Strategy:
 - 6.1. Competition Appeal Tribunal;
 - 6.2. Competition and Markets Authority;
 - 6.3. Competition Service;
 - 6.4. Intellectual Property Office;
 - 6.5. Nuclear Decommissioning Authority;
 - 6.6. Meteorological Office (known as "Met Office");
 - 6.7. Office of Manpower Economics;
 - 6.8. Oil and Gas Authority;
 - 6.9. UK Research and Innovation.
7. Department for Education:
 - 7.1. Office for Students.
8. Ministry of Housing, Communities and Local Government;
9. Department for Digital, Culture, Media and Sport:
 - 9.1. Arts Council England;
 - 9.2. British Library;
 - 9.3. British Museum;
 - 9.4. The Gambling Commission;
 - 9.5. Historic Buildings and Monuments Commission for England (known as "Historic England");

* In English only.

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	<ul style="list-style-type: none"> 9.6. Imperial War Museum; 9.7. National Gallery; 9.8. National Maritime Museum; 9.9. National Portrait Gallery; 9.10. Natural History Museum; 9.11. Board of Trustees of the Science Museum (known as "Science Museum Group"); 9.12. Tate Gallery; 9.13. Victoria and Albert Museum; 9.14. Wallace Collection. 		
10.	Department for Environment, Food and Rural Affairs:		
	<ul style="list-style-type: none"> 10.1. Natural England; 10.2. Plant Variety Rights Office; 10.3. Royal Botanic Gardens, Kew. 		
11.	Department of Health and Social Care:		
	<ul style="list-style-type: none"> 11.1. NHS Business Services Authority; 11.2. NHS Commissioning Board (known as "NHS England"); 11.3. NHS Trusts; 11.4. NHS Foundation Trusts. 		
12.	Department for International Trade;		
13.	Department for Transport:		
	<ul style="list-style-type: none"> 13.1. Maritime and Coastguard Agency; 13.2. Highways England Company Ltd (known as "Highways England"). 		
14.	Department for Work and Pensions:		
	<ul style="list-style-type: none"> 14.1. Office for Nuclear Regulation; 14.2. Pensions Regulator; 14.3. Social Security Advisory Committee. 		
15.	Export Credits Guarantee Department (known as "UK Export Finance");		
16.	Foreign, Commonwealth and Development Office:		
	<ul style="list-style-type: none"> 16.1. Wilton Park. 		
17.	Government Actuary's Department;		
18.	Government Communications Headquarters;		
19.	Home Office:		
	<ul style="list-style-type: none"> 19.1. HM Inspectorate of Constabulary and Fire & Rescue Services. 		
20.	Corporate Officer of the House of Commons;		
21.	Corporate Officer of the House of Lords;		
22.	Ministry of Defence:		
	<ul style="list-style-type: none"> 22.1. Defence Equipment & Support. 		
23.	Ministry of Justice:		
	<ul style="list-style-type: none"> 23.1. Court of Appeal (England and Wales); 23.2. Employment Appeals Tribunal; 23.3. Employment Tribunals; 23.4. First-tier Tribunal; 23.5. Her Majesty's Courts and Tribunals Service; 23.6. Law Commission; 23.7. Legal Aid Agency – England and Wales; 23.8. Office of the Official Solicitor to the Senior Courts and the Public Trustee; 23.9. Office of the Public Guardian; 23.10. Parole Board; 23.11. UK Supreme Court; 23.12. Upper Tribunal. 		
24.	The National Archives;		
25.	National Audit Office;		
26.	National Savings and Investments;		
27.	Northern Ireland Assembly Commission;		
28.	Northern Ireland Ministers:		
	<ul style="list-style-type: none"> 28.1. Agricultural Wages Board for Northern Ireland; 28.2. Attorney General for Northern Ireland; 28.3. Department of Agriculture, Environment and Rural Affairs; 28.4. Department for Communities; 		

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28.5.	Department for the Economy: 28.5.1 Consumer Council Northern Ireland (with respect only to the functions transferred from the National Consumer Council which were themselves transferred from the Gas and Electricity Consumer Council).		
28.6.	Department of Education;		
28.7.	Department of Finance;		
28.8.	Department of Health;		
28.9.	Department for Infrastructure;		
28.10.	Department of Justice: 28.10.1. Coroners Service; 28.10.2. County Courts; 28.10.3. Court of Appeal and High Court of Justice in Northern Ireland; 28.10.4. Crown Court; 28.10.5. Enforcement of Judgements Office; 28.10.6. Forensic Science Northern Ireland; 28.10.7. Legal Service Agency Northern Ireland; 28.10.8. Magistrates' Courts; 28.10.9. Pensions Appeals Tribunals (Northern Ireland); 28.10.10. Police Service of Northern Ireland; 28.10.11. Probation Board for Northern Ireland; 28.10.12. Office of the Social Security Commissioners and Child Support Commissioners (Northern Ireland); 28.10.13. State Pathologist's Department.		
28.11.	Executive Office.		
29.	Northern Ireland Office: 29.1. Office of the Chief Electoral Officer for Northern Ireland; 29.2. Public Prosecution Service for Northern Ireland.		
30.	Office for National Statistics: 30.1. National Health Service Central Register.		
31.	Parliamentary Works Sponsor Body;		
32.	Parliamentary and Health Service Ombudsman;		
33.	Postal business of the Post Office;		
34.	Privy Council Office;		
35.	Restoration and Renewal Delivery Authority Ltd;		
36.	HM Revenue and Customs;		
37.	Royal Hospital, Chelsea;		
38.	Royal Mint;		
39.	Rural Payments Agency;		
40.	Scotland, Auditor-General;		
41.	Scotland, Crown Office and Procurator Fiscal Service;		
42.	Scotland, National Records of Scotland;		
43.	Scotland, Queen's and Lord Treasurer's Remembrancer;		
44.	Scotland, Registers of Scotland;		
45.	The Scotland Office;		
46.	The Scottish Ministers: 46.1. Architecture and Design Scotland; 46.2. Crofting Commission; 46.3. Lands Tribunal for Scotland; 46.4. National Galleries of Scotland; 46.5. National Library of Scotland; 46.6. National Museums of Scotland; 46.7. Royal Botanic Garden, Edinburgh; 46.8. Scottish Courts and Tribunals Service; 46.9. Scottish Further and Higher Education Funding Council; 46.10. Scottish Law Commission; 46.11. Special Health Boards; 46.12. Health Boards; 46.13. The Office of the Accountant of Court; 46.14. High Court of Justiciary; 46.15. Court of Session;		

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46.16.	HM Inspectorate of Constabulary;		
46.17.	Parole Board for Scotland;		
46.18.	Pensions Appeal Tribunals (Scotland);		
46.19.	Scottish Land Court;		
46.20.	Sheriff Courts;		
46.21.	Scottish Natural Heritage;		
46.22.	Scottish Police Authority;		
46.23.	First-tier Tribunal for Scotland;		
46.24.	Upper Tribunal for Scotland;		
46.25.	Historic Environment Scotland.		
47.	The Scottish Parliamentary Corporate Body;		
48.	HM Treasury:		
48.1.	United Kingdom Debt Management Office.		
49.	The Wales Office - Office of the Secretary of State for Wales;		
50.	The Welsh Ministers:		
50.1.	Agricultural Dwelling House Advisory Committees (Wales);		
50.2.	Agricultural Land Tribunal for Wales;		
50.3.	Higher Education Funding Council for Wales;		
50.4.	Local Democracy and Boundary Commission for Wales;		
50.5.	Rent Assessment Committee (Wales);		
50.6.	The Royal Commission on the Ancient and Historical Monuments of Wales;		
50.7.	Valuation Tribunal for Wales;		
50.8.	Welsh National Health Service Trusts and Local Health Boards.		

Notes to Annex 1

1. The following shall not be considered as covered procurement:

- a. procurement by procuring entities covered under this Annex of air traffic control equipment in regard of suppliers and service providers from the United States;
- b. procurement by procuring entities covered under this Annex of good or service components of procurement which are not themselves covered by this Agreement in regard of suppliers and services providers from the United States and Canada;

until such time as the United Kingdom has accepted that the Parties concerned provide satisfactory reciprocal access for the United Kingdom goods, suppliers, services and service providers to their own procurement markets.

2. The provisions of Article XVIII shall not apply to suppliers and service providers of Japan, Korea, the US and Australia in contesting the award of contracts to a supplier or service provider of Parties other than those mentioned, which are small or medium sized enterprises as defined in Regulation 112(4) of the Public Contracts Regulations 2015, until such time as the United Kingdom accepts that they no longer operate discriminatory measures in favour of certain domestic small and minority businesses.
3. "Contracting authorities of the United Kingdom" covers also any subordinated entity of any contracting authority of the United Kingdom provided it does not have separate legal personality.
4. As far as procurement by entities in the field of defence and security is concerned, only non-sensitive and non-warlike materials contained in the list attached to Annex 4 are covered.

ANNEX 2

SUB-CENTRAL GOVERNMENT ENTITIES

Thresholds:

Goods	SDR 200,000
Services	SDR 200,000
Construction Services	SDR 5,000,000

List of Entities:

1. All regional or local contracting authorities.
 - a. All contracting authorities of the administrative units falling under Territorial Units 1, 2 and 3 as described in Note 3 of the General Notes in Annex 7.
 - b. For the purposes of the Agreement, "Regional contracting authorities" shall be understood as contracting authorities of the administrative units falling under Territorial Units 1 and 2 as described in Note 3 of the General Notes in Annex 7.
 - c. For the purposes of the Agreement, "Local contracting authorities" shall be understood as contracting authorities of the administrative units falling under Territorial Unit 3 as described in Note 3 of the General Notes in Annex 7 and smaller administrative units.
2. All contracting authorities which are bodies governed by public law, for England, Wales and Northern Ireland, as defined by the Public Contracts Regulations 2015 and, for Scotland, the Public Contracts (Scotland) Regulations 2015.
 - a. "Bodies governed by public law" as defined by the Public Contracts Regulations 2015 means any bodies that have all of the following characteristics:
 - i. they are established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;
 - ii. they have legal personality; and
 - iii. they have any of the following characteristics:
 - a) they are financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law;
 - b) they are subject to management supervision by those authorities or bodies; or
 - c) they have an administrative, managerial or supervisory board; more than half of whose members are appointed by the State, regional or local authorities or by other bodies governed by public law.
 - b. "Body governed by public law" as defined by the Public Contracts (Scotland) Regulations 2015 means a body that has legal personality, is established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character and which:
 - i. is financed for the most part by the State, regional or local authorities, or by any other body governed by public law;

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- ii. is subject to management supervision by any such authority or body; or
- iii. has an administrative, managerial or supervisory board more than half the members of which were appointed by any body referred to in sub-paragraph i.
- c. An indicative list of contracting authorities which are bodies governed by public law follows.

INDICATIVE LISTS OF CONTRACTING AUTHORITIES WHICH ARE BODIES GOVERNED BY PUBLIC LAW

Bodies:

1. Health and Safety Executive;
2. Advisory, Conciliation and Arbitration Service;
3. Homes England;
4. NHS Blood and Transplant Service;
5. Environment Agency;
6. Scottish Enterprise;
7. Ordnance Survey Limited;
8. Financial Conduct Authority.

Categories:

1. Maintained schools;
2. Universities and colleges financed for the most part by other contracting authorities;
3. National Museums and Galleries;
4. Fire and Rescue Authorities;
5. Clinical Commissioning Groups;
6. Police Authorities;
7. Police and Crime Commissioners;
8. New Town Development Corporations;
9. Urban Development Corporations;
10. Local authorities including unitary authorities, county councils, district councils, metropolitan district councils, London boroughs and the City of London;
11. National Park Authorities;
12. Registered providers of social housing.

Notes to Annex 2

1. The following shall not be considered as covered procurement:
 - a. procurement by procuring entities covered under this Annex in regard of suppliers, services and service providers from the United States;
 - b. procurement by procuring entities covered under this Annex of air traffic control equipment in regard of suppliers and service providers from the United States;
 - c. procurement by cities-regions listed under Territorial Units 1 and 2 as described in Note 3 of the General Notes in Annex 7, local procuring entities and bodies governed by public law covered under this Annex in regard of goods, services, suppliers and service providers from Canada;
 - d. procurement by procuring entities covered under this Annex of good or service components of procurement which are not themselves covered by this Agreement in regard of suppliers and service providers from the United States and Canada;

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- e. procurement between 200,000 SDR and 355,000 SDR by procuring entities covered under this Annex of goods and services for suppliers and service providers from Canada;
- f. procurement by local contracting authorities (contracting authorities of administrative units listed under Territorial Unit 3 as described in Note 3 of the General Notes in Annex 7 and smaller administrative units) in regard of goods, services, suppliers and service providers from New Zealand;
- g. procurement by contracting authorities of administrative units listed under Territorial Units 1 and 2 as described in Note 3 of the General Notes in Annex 7, in regard of goods, services, suppliers and service providers from New Zealand, unless their procurement is covered under the United Kingdom Annex 3;
- h. procurement by regional and local contracting authorities (contracting authorities of administrative units listed under Territorial Units 2 and 3 as described in Note 3 of the General Notes in Annex 7 and smaller administrative units) in regard of goods, services, suppliers and service providers from Australia;
- i. procurement between 200,000 SDR and 355,000 SDR by regional contracting authorities and between 200,000 SDR and 400.000 SDR for bodies governed by public law covered under this Annex of goods and services for suppliers and service providers from Australia;
- j. procurement by procuring entities covered under this Annex of:
 - i. motor vehicles, as described in the Chapters of the Combined Nomenclature (CN) specified below:

CN Chapter	Description
1. 8702	Motor vehicles for the transport of ten or more persons, including the driver;
2. 8703	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 8702), including station wagons and racing cars;
3. 8704	Motor vehicles for the transport of goods;
4. 8705	Special purpose motor vehicles, other than those principally designed for the transport of persons or goods (for example, breakdown lorries, crane lorries, fire fighting vehicles, concrete-mixer lorries, road sweeper lorries, spraying lorries, mobile workshops, mobile radiological units);
5. 8711	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side cars;
6. 8713	Carriages for disabled persons, whether or not motorised or otherwise mechanically propelled.

- ii. components for motor vehicles, as described in the Chapters of the Combined Nomenclature (CN) specified below:

CN Chapter	Description
1. 8706 00	Chassis fitted with engines, for the motor vehicles of headings 8701 to 8705;
2. 8707	Bodies (including cabs), for the motor vehicles of headings 8701 to 8705;

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CN Chapter**Description**

- | | |
|---------|--|
| 3. 8708 | Parts and accessories of the motor vehicles of headings 8701 to 8705; |
| 4. 8714 | Parts and accessories of vehicles of headings 8711 to 8713; |
| 5. 8716 | Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof. |

in regard of suppliers and service providers from Australia.

until such time as the United Kingdom has accepted that the Parties concerned provide satisfactory reciprocal access to United Kingdom goods, suppliers, services and service providers to their own procurement markets.

2. The provisions of Article XVIII shall not apply to suppliers and service providers of Japan, Korea, the US and Australia in contesting the award of contracts to a supplier or service provider of Parties other than those mentioned, which are small or medium sized enterprises as defined in Regulation 112(4) of the Public Contracts Regulations 2015, until such time as the United Kingdom accepts that they no longer operate discriminatory measures in favour of certain domestic small and minority businesses.
3. The provisions of Article XVIII shall not apply to Japan and Korea in contesting the award of contracts by entities listed under Annex 2 paragraph 2, until such time as the United Kingdom accepts that they have completed coverage of sub-central entities.
4. The provisions of Article XVIII shall not apply to Japan and Korea in contesting that award of contracts by United Kingdom entities, whose value is less than the threshold applied for the same category of contracts awarded by these Parties.

ANNEX 3

OTHER ENTITIES

Thresholds:

Goods	SDR 400,000
Services	SDR 400,000
Construction Services	SDR 5,000,000

List of Entities:

1. All utilities whose procurement is covered by the Utilities Contracts Regulations 2016 and the Utilities Contracts (Scotland) Regulations 2016 which are contracting authorities (e.g. those covered under Annex 1 and Annex 2) or public undertakings¹ and which have as one of their activities any of those referred to below or any combination thereof:
 - a. the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of drinking water or the supply of drinking water to such networks;
 - b. the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of electricity or the supply of electricity to such networks;
 - c. the provision of airport or other terminal facilities to carriers by air;
 - d. the provision of maritime or inland port or other terminal facilities to carriers by sea or inland waterway;
 - e. the provision or operation of networks² providing a service to the public in the field of transport by urban railway, automated systems, tramway, trolley bus, bus or cable;

¹ According to the Utilities Contracts Regulations 2016, a "public undertaking" means any undertaking over which contracting authorities may exercise directly or indirectly a dominant influence by virtue of:

- a) their ownership of that undertaking;
- b) their financial participation in that undertaking; or
- c) the rules which govern that undertaking.

According to the Utilities Contracts (Scotland) Regulations 2016, a "public undertaking" means a person over which one or more contracting authorities are able to exercise, directly or indirectly, a dominant influence by virtue of one or more of the following:

- a) their ownership of that person;
- b) their financial participation in that person;
- c) the rights accorded to them by the rules which govern that person.

According to both the Utilities Contracts Regulations 2016 and the Utilities Contracts (Scotland) Regulations 2016, a dominant influence on the part of contracting authorities is presumed in any of the following cases in which those authorities, directly or indirectly:

- a) hold the majority of the undertaking's subscribed capital;
- b) control the majority of the votes attaching to shares issued by the undertaking;
- c) can appoint more than half of the undertaking's administrative, management or supervisory body.

² As regards transport services, a network shall be considered to exist where the service is provided under operating conditions laid down by a competent authority of the United Kingdom such as conditions on the routes to be served, the capacity to be made available or the frequency of the service.

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- f. the provision or operation of networks providing a service to the public in the field of transport by railways.³
2. Indicative lists of contracting authorities and public undertakings fulfilling the criteria set out above follow.

INDICATIVE LISTS OF CONTRACTING AUTHORITIES AND PUBLIC UNDERTAKINGS FULFILLING THE CRITERIA LAID DOWN UNDER ANNEX 3

A. PRODUCTION, TRANSPORT OR DISTRIBUTION OF DRINKING WATER

1. A company holding an appointment as a water undertaker or a sewerage undertaker under the Water Industry Act. 1991;
2. Scottish Water;
3. Northern Ireland Water.

B. PRODUCTION, TRANSPORT OR DISTRIBUTION OF ELECTRICITY

1. A person licensed under section 6 of the Electricity Act 1989;
2. A person licensed under Article 10(1) of the Electricity (Northern Ireland) Order 1992.

C. AIRPORT INSTALLATIONS

1. A local authority which exploits a geographical area for the purpose of providing airport or other terminal facilities to carriers by air;
2. Highland and Islands Airports Limited;
3. London Luton Airport Operations Limited;
4. Manchester Airports Holdings Limited;
5. Cornwall Airport Limited.

D. MARITIME OR INLAND PORT OR OTHER TERMINAL FACILITIES

1. A local authority which exploits a geographical area for the purpose of providing maritime or inland port or other terminal facilities to carriers by sea or inland waterway;
2. A harbour authority within the meaning of section 57 of the Harbours Act 1964;
3. A harbour authority as defined by section 38(1) of the Harbours Act (Northern Ireland) 1970.

E. CONTRACTING ENTITIES IN THE FIELD OF URBAN RAILWAY, TRAMWAY, TROLLEYBUS OR BUS SERVICES

1. London Bus Services Limited;
2. London Underground Limited;
3. Transport for London;
4. A subsidiary of Transport for London within the meaning of section 424(1) of the Greater London Authority Act 1999;
5. Strathclyde Partnership for Transport;
6. Transport for Greater Manchester;
7. Tyne and Wear Passenger Transport (trading as "Nexus");
8. Brighton and Hove City Council;
9. South Yorkshire Passenger Transport Executive;
10. Blackpool Transport Services Limited;
11. Conwy County Borough Council;
12. A person who provides a London local service as defined in section 179(1) of the Greater London Authority Act 1999 (a bus service) in pursuance of an agreement entered into by Transport for London under section 156(2) of that Act or in pursuance of a transport subsidiary's agreement as defined in section 169 of that Act;

³ E.g. the provision or operation of networks (within the meaning of footnote 2) providing a service to the public in the field of transport by high-speed or conventional trains.

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13. Northern Ireland Transport Holding Company;
14. A person who holds a bus operator's licence under section 4(1) of the Transport Act Northern Ireland) 1967 which authorises him to provide a regular service within the meaning of that licence.

F. CONTRACTING ENTITIES IN THE FIELD OF RAIL SERVICES

1. Network Rail plc;
2. Northern Ireland Transport Holding Company;
3. Northern Ireland Railways Company Limited;
4. Providers of rail services which operate on the basis of special or exclusive rights granted by the Department of Transport or any other competent authority.

Notes to Annex 3

1. Procurement for the pursuit of an activity listed above when exposed to competitive forces in the market concerned are not covered by this Agreement.
2. This Agreement does not cover procurement by procuring entities included in this Annex:
 - a. for the purchase of water and for the supply of energy or of fuels for the production of energy;
 - b. for purposes other than the pursuit of their activities as listed in this Annex or for the pursuit of such activities outside of the United Kingdom;
 - c. for purposes of re-sale or hire to third parties, provided that the procuring entity enjoys no special or exclusive right to sell or hire the subject of such contracts and other entities are free to sell or hire it under the same conditions as the procuring entity.
3. The supply of drinking water or electricity to networks which provide a service to the public by a procuring entity other than a contracting authority shall not be considered as an activity within the meaning of paragraphs (a) or (b) of this Annex where:
 - a. the production of drinking water or electricity by the entity concerned takes place because its consumption is necessary for carrying out an activity other than that referred to in paragraphs (a) to (f) of this Annex; and
 - b. supply to the public network depends only on the entity's own consumption and has not exceeded 30 per cent of the entity's total production of drinking water or energy, having regard to the average for the preceding three years, including the current year.
4. I. Provided that the conditions in paragraph II are met, this Agreement does not cover procurement:
 - a. by a procuring entity to an affiliated undertaking⁴; or
 - b. by a joint venture, formed exclusively by a number of procuring entities for the purpose of carrying out activities within the meaning of paragraphs (a) to (f) of this Annex, to an undertaking which is affiliated with one of these procuring entities.

II. Paragraph I shall apply to services or supplies contracts provided that at least 80 per cent of the average turnover of the affiliated undertaking with respect to services or supplies for the preceding three years derives respectively from the provision of such services

⁴ "affiliated undertaking" means any undertaking over which the procuring entity may exercise, directly or indirectly, a dominant influence, or which may exercise a dominant influence over the procuring entity, or which, in common with the procuring entity, is subject to the dominant influence of another undertaking by virtue of ownership, financial participation, or the rules which govern it.

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of such services or supplies to undertakings with which it is affiliated.⁵

5. This Agreement does not cover procurement:

- a. by a joint venture, formed exclusively by a number of procuring entities for the purposes of carrying out activities within the meaning of paragraphs (a) to (f) of this Annex, to one of these procuring entities; or
- b. by a procuring entity to such a joint venture of which it forms part, provided that the joint venture has been set up to carry out the activity concerned over a period of at least three years and the instrument setting up the joint venture stipulates that the procuring entities, which form it, will be part thereof for at least the same period.

6. The following shall not be considered as covered procurement:

- a. procurement by procuring entities operating in the fields of:
 - i. production, transport or distribution of drinking water covered under this Annex;
 - ii. production, transport or distribution of electricity covered under this Annex;
 - iii. airport facilities covered under this Annex;
 - iv. maritime or inland port or other terminal facilities covered under this Annex; and
 - v. urban railway, tramway, trolley bus or bus services covered under this Annex in regard of supplies, services, suppliers and service providers from Canada.
- b. procurement by procuring entities operating in the field of production, transport or distribution of drinking water covered under this Annex in regard of suppliers and service providers from the United States;
- c. procurement by procuring entities operating in the field of maritime or inland port or other terminal facilities covered under this Annex of dredging services or related to shipbuilding in regard of suppliers and service providers from the United States;
- d. procurement by procuring entities covered under this Annex of air traffic control equipment in regard of suppliers and service providers from the United States;
- e. procurement by procuring entities operating in the field of airport facilities covered under this Annex in regard of suppliers and service providers from the United States and Korea;
- f. procurement by procuring entities operating in the field of urban railway, tramway, trolleybus or bus services covered under this Annex in regard of suppliers and service providers from the United States;
- g. procurement by procuring entities operating in the field of urban railway covered under this Annex in regard of suppliers and service providers from Japan;
- h. procurement by procuring entities operating in the field of railways covered under this Annex in regard of goods, suppliers, services and service providers from Armenia; Canada; Japan; the United States; Hong Kong, China; Singapore and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu;

⁵ When, because of the date on which an affiliated undertaking was created or commenced activities, the turnover is not available for the preceding three years, it will be sufficient for that undertaking to show that the turnover referred to in this paragraph is credible, in particular by means of business projections.

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- i. procurement by procuring entities operating in the field of high-speed railways and high-speed railways infrastructure in regard of goods, suppliers, services and service providers from Korea;
- j. procurement by procuring entities covered under this Annex of good or service components of procurement which are not themselves covered procurement in regard of suppliers and service providers from the United States;
- k. procurement by procuring entities operating in the field of production, transport or distribution of electricity covered under this Annex in regard of suppliers and services providers from Japan;
- l. procurement by procuring entities operating in the field of production, transport and distribution of electricity covered under this Annex of HS Nos. 8504, 8535, 8537 and 8544 (electrical transformers, plugs, switches and insulated cables) in regard of suppliers from Korea;
- m. procurement by procuring entities operating in the field of production, transport and distribution of electricity covered under this Annex of HS Nos. 85012099, 85015299, 85015199, 85015290, 85014099, 85015390, 8504, 8535, 8536, 8537, and 8544 in regard of suppliers from Israel;
- n. procurement by procuring entities operating in the field of bus services covered under this Annex in regard of suppliers and service providers from Israel;
- o. procurement by procuring entities operating in the field of production, transport or distribution of drinking water covered under this Annex in regard of supplies, services and service providers from New Zealand;
- p. procurement by procuring entities operating in the field of airport facilities covered under this Annex in regard of supplies, services, and service providers from New Zealand;
- q. procurement by procuring entities operating in the field of the provision of maritime or inland port or other terminal facilities covered under this Annex in regard of supplies, services, and service providers from New Zealand;
- r. procurement by regional or local contracting authorities operating in the fields covered by this Annex, in regard of supplies, services, and service providers from New Zealand, with the exception of procurement by contracting authorities of administrative units listed under Territorial Units 1 and 2 as described in Note 3 of the General Notes in Annex 7 operating in the field of transport by urban railway, automatic systems, tramway, trolley bus, bus and cable;
- s. procurement by procuring entities operating in the fields of:
 - i. production, transport or distribution of drinking water covered under this Annex;
 - ii. production, transport or distribution of electricity covered under this Annex;
 - iii. airport facilities covered under this Annex;
 - iv. maritime or inland port or other terminal facilities covered under this Annex;
 - v. urban railway, tramway, trolley bus or bus services covered under this Annex; and
 - vi. transport by railways covered under this Annex.

in regard of supplies, services, suppliers and service providers from Australia.

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until such time, the United Kingdom has accepted that the Parties concerned provide satisfactory reciprocal access to United Kingdom goods, suppliers, services and service providers to their own procurement markets.

7. The provisions of Article XVIII shall not apply to suppliers and service providers of Japan, Korea and the US in contesting the award of contracts to a supplier or service provider of Parties other than those mentioned, which are small or medium sized enterprises as defined in Regulation 112(4) of the Public Contracts Regulations 2015, until such time as the United Kingdom accepts that they no longer operate discriminatory measures in favour of certain domestic small and minority businesses. The provisions of Article XVIII shall not apply to Japan and Korea in contesting that award of contracts by United Kingdom entities, whose value is less than the threshold applied for the same category of contracts awarded by these Parties.
8. The following shall not be considered as covered procurement:
 - a. procurement by procuring entities operating in the field of urban transport covered under this Annex of the following goods and services:
 - i. H.S. 44.06 Railway or tramway sleepers of (cross-ties) wood;
 - ii. H.S. 68.10 Railway or tramway sleepers of concrete and concrete guide-track sections for hovertrains;
 - iii. H.S. 73.02 Railway or tramway track construction material of iron or steel, the following: rails, check-rails and rack rails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for jointing or fixing rails;
 - iv. H.S. 85.30.10 Electrical signalling, safety or traffic control equipment for railways, tramways;
 - v. H.S. Chapter 86 - Railway or tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electro-mechanical) traffic signalling equipment of all kinds;
 - vi. Construction work for civil engineering for railways falling under CPC prov. 51310 (Construction work for civil engineering for highways (except elevated highways), streets, roads, railways and airfield runways) (as contained in document MTN/GNS/W/120);
 - vii. Construction work for civil engineering for railway tunnels and subways falling under CPC prov. 51320 (Construction work for civil engineering for bridges, elevated highways, tunnels and subways) (as contained in document MTN/GNS/W/120);
 - viii. Repair and maintenance services of locomotives (including reconditioning), rolling stock (including reconditioning), railway tracks, traffic signals and installation services of railway engines falling under CPC prov. 88680 (Repair services of other transport equipment, on a fee or contract basis) (as contained in document MTN/GNS/W/120);

in regard of suppliers and service providers from Japan, until such time as the United Kingdom has accepted that Japan has fully open its procurement of urban transport to United Kingdom suppliers, supplies, service providers and services.

LIST OF TERRITORIAL UNITS

Territorial Unit 1	Territorial Unit 2	Territorial Unit 3
1. North East (England)	1.1. Tees Valley and Durham	1.1.1. Hartlepool and Stockton-on-Tees 1.1.2. South Teesside 1.1.3. Darlington 1.1.4. Durham County Council
	1.2. Northumberland and Tyne and Wear	1.2.1. Northumberland 1.2.2. Tyneside 1.2.3. Sunderland
2. North West (England)	2.1. Cumbria	2.1.1. West Cumbria 2.1.2. East Cumbria
	2.2. Cheshire	2.2.1. Warrington 2.2.2. Cheshire East 2.2.3. Cheshire West and Chester
	2.3. Greater Manchester	2.3.1. Greater Manchester South East 2.3.2. Greater Manchester South West 2.3.3. Greater Manchester North East 2.3.4. Greater Manchester North West 2.3.5. Manchester
	2.4. Lancashire	2.4.1. Blackburn with Darwen 2.4.2. Blackpool 2.4.3. Chorley and West Lancashire 2.4.4. East Lancashire 2.4.5. Mid Lancashire 2.4.6. Lancaster and Wyre
	2.5. Merseyside	2.5.1. East Merseyside 2.5.2. Liverpool 2.5.3. Sefton 2.5.4. Wirral
3. Yorkshire and the Humber	3.1. East Yorkshire and Northern Lincolnshire	3.1.1. City of Kingston upon Hull 3.1.2. East Riding of Yorkshire 3.1.3. North and North East Lincolnshire
	3.2. North Yorkshire	3.2.1. York 3.2.2. North Yorkshire County Council
	3.3. South Yorkshire	3.3.1. Barnsley, Doncaster and Rotherham 3.3.2. Sheffield
	3.4. West Yorkshire	3.4.1. Bradford 3.4.2. Leeds 3.4.3. Calderdale and Kirklees 3.4.4. Wakefield

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Territorial Unit 1	Territorial Unit 2	Territorial Unit 3	
11. Wales	11.1. West Wales	11.1.1. Isle of Anglesey 11.1.2. Gwynedd 11.1.3. Conwy and Denbighshire 11.1.4. South West Wales 11.1.5. Central Valleys 11.1.6. Gwent Valleys 11.1.7. Bridgend and Neath Port Talbot 11.1.8. Swansea	
	11.2. East Wales	11.2.1. Monmouthshire and Newport 11.2.2. Cardiff and Vale of Glamorgan 11.2.3. Flintshire and Wrexham 11.2.4. Powys	
12. Northern Ireland	12.1. Northern Ireland	12.1.1. Belfast 12.1.2. Armagh City, Banbridge and Craigavon 12.1.3. Newry, Mourne and Down 12.1.4. Ards and North Down 12.1.5. Derry City and Strabane 12.1.6. Mid Ulster 12.1.7. Causeway Coast and Glens 12.1.8. Antrim and Newtownabbey 12.1.9. Lisburn and Castlereagh 12.1 10. Mid and East Antrim 12.1.11. Fermanagh and Omagh	