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Committee on Government Procurement

Original: English

**PROPOSED MODIFICATIONS TO APPENDIX I OF THE REPUBLIC OF KOREA UNDER THE  
REVISED AGREEMENT ON GOVERNMENT PROCUREMENT**

**COMMUNICATION FROM THE REPUBLIC OF KOREA PURSUANT TO ARTICLE XIX:1<sup>1</sup> OF THE  
REVISED AGREEMENT ON GOVERNMENT PROCUREMENT**

The following communication, dated 3 June 2019, is being circulated at the request of the Delegation of the Republic of Korea.

1. Pursuant to Article XIX, paragraph 1(b) of the revised Agreement on Government Procurement as amended by the Protocol Amending the Agreement on Government Procurement (hereinafter referred to as "the revised Agreement"), the Government of the Republic of Korea hereby notifies the Committee on Government Procurement of the following proposed modifications relating to its Annex 3 of Appendix I of the revised Agreement:

- a. Delete "20. Seoul Metropolitan Rapid Transit Corporation;" from List of Entities; and
- b. Renumber the other entities accordingly.

2. The above modifications are based on the fact that Seoul Metropolitan Rapid Transit Corporation's functions have been moved to Seoul Metro from 31 May 2017. All activities (including rights and duties) of the former entities are conducted by the Seoul Metro.

3. The modifications that the Republic of Korea is proposing do not affect the mutually agreed coverage provided under the revised Agreement.

4. Attachment A to this document shows (in bold, strikeout or underlining) the proposed modifications by the Republic of Korea to page 1/2 of Annex 3 to Appendix I. Attachment B indicates how this page would appear after the proposed modifications have been made.<sup>2</sup>

<sup>1</sup> Article XIX:1 reads as follows: *Notification of Proposed Modification* A Party shall notify the Committee of any proposed rectification, transfer of an entity from one annex to another, withdrawal of an entity or other modification of its annexes to Appendix I (any of which is hereinafter referred to as "modification"). The Party proposing the modification (hereinafter referred to as "modifying Party") shall include in the notification: (a) for any proposed withdrawal of an entity from its annexes to Appendix I in exercise of its rights on the grounds that government control or influence over the entity's covered procurement has been effectively eliminated, evidence of such elimination; or (b) for any other proposed modification, information as to the likely consequences of the change for the mutually agreed coverage provided for in this Agreement.

<sup>2</sup> Attachments A and B are in English only.

**ATTACHMENT A****ANNEX 3****OTHER ENTITIES****Thresholds:**

Goods	SDR 400,000
Services	SDR 400,000
Construction Services	SDR 15,000,000

**List of Entities:**

1. Korea Development Bank;
2. Industrial Bank of Korea;
3. Korea Minting and Security Printing Corporation;
4. Korea Electric Power Corporation (except purchases of products in the categories of HS Nos. 8504, 8535, 8537 and 8544) (Note 3);
5. Korea Coal Corporation;
6. Korea Resources Corporation;
7. Korea National Oil Corporation;
8. Korea Trade-Investment Promotion Agency;
9. Korea Expressway Corporation;
10. Korea Land and Housing Corporation;
11. Korea Water Resources Corporation;
12. Korea Rural Community Corporation;
13. Korea Agro-Fisheries Trade Corporation;
14. Korea Tourism Organization;
15. Korea Labor Welfare Corporation;
16. Korea Gas Corporation (Note 3);
17. Korea Railroad Corporation;
18. Korea Rail Network Authority (Note 4);
19. Seoul Metro;
- ~~20. Seoul Metropolitan Rapid Transit Corporation;~~
- ~~21~~20. Incheon Metro;
- ~~22~~21. Busan Transportation Corporation;
- ~~23~~22. Daegu Metropolitan Transit Corporation;
- ~~24~~23. Daejeon Metropolitan Express Transit Corporation;
- ~~25~~24. Gwangju Metropolitan Rapid Transit Corporation.

**Notes to Annex 3**

1. This Agreement does not apply to any set-asides for small- and medium-sized businesses according to the Act on the Management of Public Institutions, the Rule on Contract Business of Public Institutions and Quasi-governmental Institutions, the Local Public Enterprises Act and the Enforcement Regulations of the Local Public Enterprises Act.
2. This Agreement does not cover procurement of the transportation services that form a part of, or are incidental to, a procurement contract.

**ATTACHMENT B****ANNEX 3**

## OTHER ENTITIES

**Thresholds:**

Goods	SDR 400,000
Services	SDR 400,000
Construction Services	SDR 15,000,000

**List of Entities:**

1. Korea Development Bank;
2. Industrial Bank of Korea;
3. Korea Minting and Security Printing Corporation;
4. Korea Electric Power Corporation (except purchases of products in the categories of HS Nos. 8504, 8535, 8537 and 8544) (Note 3);
5. Korea Coal Corporation;
6. Korea Resources Corporation;
7. Korea National Oil Corporation;
8. Korea Trade-Investment Promotion Agency;
9. Korea Expressway Corporation;
10. Korea Land and Housing Corporation;
11. Korea Water Resources Corporation;
12. Korea Rural Community Corporation;
13. Korea Agro-Fisheries Trade Corporation;
14. Korea Tourism Organization;
15. Korea Labor Welfare Corporation;
16. Korea Gas Corporation (Note 3);
17. Korea Railroad Corporation;
18. Korea Rail Network Authority (Note 4);
19. Seoul Metro;
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