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Page: 1/8

Committee on Government Procurement

Original: English

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

COMMUNICATION FROM THE REPUBLIC OF KOREA

The following communication, dated 4 November 2020, is being circulated at the request of the Delegation of the Republic of Korea.

Pursuant to paragraph 1 of Article XIX of the revised Agreement on Government Procurement (hereinafter "the revised Agreement"), the Republic of Korea hereby notifies the Committee on Government Procurement of the following modifications to its Annexes 1 and 3, Appendix I of the revised Agreement.

Notifying Party	THE REPUBLIC OF KOREA
Legal Basis	<input type="checkbox"/> Article XIX:1(a) of the revised GPA <input checked="" type="checkbox"/> Article XIX:1(b) of the revised GPA
Annex(es) of Appendix I affected	<ul style="list-style-type: none">• Central Government Entities (Annex 1)• Other entities (Annex 3)
Description of the proposed modification(s):	
ANNEX 1 - CENTRAL GOVERNMENT ENTITIES	
a. Change "Ministry of Strategy and Finance" to "Ministry of Economy and Finance" as it has been renamed;	
b. Change "Ministry of Science, ICT and Future Planning" to "Ministry of Science and ICT" as it has been renamed and some of its functions moved to the "Ministry of SMEs and Startups";	
c. Remove "Ministry of Public Safety and Security (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement)" as the entity was abolished and "National Fire Agency" and "Korea Coast Guard" have been re-established from it and some of its functions have been amalgamated with the "Ministry of the Interior and Safety";	
d. Change "Ministry of the Interior" to "Ministry of the Interior and Safety" as it has amalgamated with some of the functions of the "Ministry of Public Safety and Security";	
e. Add "National Fire Agency" to the List of Entities in Annex 1;	
f. Add "Korea Coast Guard (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement)" to the List of Entities in Annex 1;	
g. Change "Fair Trade Commission" to "Korea Fair Trade Commission" as it has been renamed;	

h. Change "Small and Medium Business Administration" to "Ministry of SMEs and Startups" as it has been elevated and renamed; and

i. Reorder and renumber the List of Entities thereto following the changes above.

ANNEX 3 - OTHER ENTITIES

a. Replace "Korea Minting and Security Printing Corporation" with "Korea Minting, Security Printing and ID Card Operating Corporation" as it has been renamed;

b. Replace "Korea Labor Welfare Corporation" with "Korea Workers' Compensation & Welfare Service" as it has been renamed;

c. Replace "Incheon Metro" with "Incheon Transit Corporation" as it has been renamed.

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

The above modifications do not affect the mutually agreed coverage provided in Appendix I of the Republic of Korea under the revised Agreement.

Attachments¹:

- Attachment A to this document shows (in bold, strikeout or underlining) the proposed modifications to the corresponding pages of Annexes 1 and 3 to Appendix I of the Republic of Korea under the revised GPA.
- 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
Build-operate-transfer (BOT)	SDR 5,000,000

List of Entities:

1. Board of Audit and Inspection;
2. Office for Government Policy Coordination;
3. Prime Minister's Secretariat;
4. Ministry of ~~Strategy~~ **Economy** and Finance;
5. Ministry of Education;
6. Ministry of Science, ~~and~~ **ICT and Future Planning**;
7. Ministry of Foreign Affairs;
8. Ministry of Unification;
9. Ministry of Justice;
10. Ministry of National Defense;
11. Ministry of the Interior ~~and~~ **Safety**;
12. Ministry of Culture, Sports and Tourism;
13. Ministry of Agriculture, Food and Rural Affairs;
14. Ministry of Trade, Industry and Energy;
15. Ministry of Health and Welfare;
16. Ministry of Environment;
17. Ministry of Employment and Labor;
18. Ministry of Gender Equality and Family;
19. Ministry of Land, Infrastructure and Transport;
20. Ministry of Oceans and Fisheries;
- ~~4221. Small and Medium Business Administration~~ **Ministry of SMEs and Startups**;
- ~~2122. Korea Fair Trade Commission~~;
- ~~2223. Financial Services Commission~~;
- ~~2324. Anti-corruption and Civil Rights Commission~~;
- ~~2425. Korea Communications Commission~~;
- ~~2526. National Human Rights Commission~~;
- ~~26. Ministry of Public Safety and Security (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement);~~
27. Ministry of Personnel Management;
28. Ministry of Government Legislation;
29. Ministry of Patriots and Veterans Affairs;
30. Ministry of Food and Drug Safety;
31. National Tax Service;
32. Korea Customs Service;
33. Public Procurement Service (Note 3);
34. Statistics Korea;
35. Supreme Prosecutors' Office;
36. Military Manpower Administration;
37. Defense Acquisition Program Administration;

APPENDIX I	KOREA	ANNEX 1	Page 2/2
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38. National Police Agency (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement);

39. National Fire Agency;

~~39~~**40.** Cultural Heritage Administration;

~~40~~**41.** Rural Development Administration;

~~41~~**42.** Korea Forest Service;

43. Korean Intellectual Property Office;

44. Korea Meteorological Administration;

45. Korea Coast Guard (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement);

~~45~~**46.** National Agency for Administrative City Construction.

Notes to Annex 1

1. The above central government entities cover their "subordinate linear organizations", "special local administrative agencies" and "attached organs", as prescribed in the relevant provisions of the Government Organization Act of the Republic of Korea. Any entity with a separate legal personality that is not listed in this Annex is not covered.

2. This Agreement does not apply to any set-asides for small- and medium-sized businesses according to the Act Relating to Contracts to Which the State is a Party and its Presidential Decree, and the procurement of agricultural, fishery and livestock products according to the Grain Management Act, the Act on Distribution and Price Stabilization of Agricultural and Fishery Products, and the Livestock Industry Act.

3. Where the Public Procurement Service conducts procurement on behalf of an entity listed in Annex 2 or Annex 3, the scope of coverage and threshold for such entity applies.

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~~ **Korea Minting, Security Printing and ID Card Operating 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~~ **Korea Workers' Compensation & Welfare Service;**
16. Korea Gas Corporation (Note 3);
17. Korea Railroad Corporation;
18. Korea Rail Network Authority (Note 4);
19. Seoul Metro;
20. ~~Incheon Metro~~ **Incheon Transit Corporation;**
21. Busan Transportation Corporation;
22. Daegu Metropolitan Transit Corporation;
23. Daejeon Metropolitan Express Transit Corporation;
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 1****CENTRAL GOVERNMENT ENTITIES****Thresholds:**

Goods	SDR 130,000
Services	SDR 130,000
Construction Services	SDR 5,000,000
Build-operate-transfer (BOT)	SDR 5,000,000

List of Entities:

1. Board of Audit and Inspection;
2. Office for Government Policy Coordination;
3. Prime Minister's Secretariat;
4. Ministry of Economy and Finance;
5. Ministry of Education;
6. Ministry of Science and ICT;
7. Ministry of Foreign Affairs;
8. Ministry of Unification;
9. Ministry of Justice;
10. Ministry of National Defense;
11. Ministry of the Interior and Safety;
12. Ministry of Culture, Sports and Tourism;
13. Ministry of Agriculture, Food and Rural Affairs;
14. Ministry of Trade, Industry and Energy;
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20. Ministry of Oceans and Fisheries;
21. Ministry of SMEs and Startups;
22. Korea Fair Trade Commission;
23. Financial Services Commission;
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25. Korea Communications Commission;
26. National Human Rights Commission;
27. Ministry of Personnel Management;
28. Ministry of Government Legislation;
29. Ministry of Patriots and Veterans Affairs;
30. Ministry of Food and Drug Safety;
31. National Tax Service;
32. Korea Customs Service;
33. Public Procurement Service (Note 3);
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35. Supreme Prosecutors' Office;
36. Military Manpower Administration;
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APPENDIX I	KOREA	ANNEX 1	Page 2/2
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42. Korea Forest Service;
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44. Korea Meteorological Administration;
45. Korea Coast Guard (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement);
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