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Page: 1/3

Committee on Government Procurement

Original: English

**PROPOSED MODIFICATIONS TO APPENDIX I OF NEW ZEALAND UNDER THE REVISED  
AGREEMENT ON GOVERNMENT PROCUREMENT**

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

The following communication, dated 24 November 2017, is being circulated at the request of the Delegation of New Zealand.

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1. Pursuant to paragraph 1 of Article XIX of the revised Agreement on Government Procurement (hereinafter "the revised Agreement"), New Zealand hereby notifies the Committee on Government Procurement of the following modification to its Appendix I of the revised Agreement:

- a. Remove "Careers New Zealand" from the List of Entities in Annex 3.

2. The above modification arises from the following:

- a. Careers New Zealand was disestablished as a government entity on 1 July 2017 under the Education (Update) Amendment Act 2017, with its functions transferring to the Tertiary Education Commission. The Tertiary Education Commission is a listed entity in Annex 3 in New Zealand's market access offer.

3. The above modification does not alter the level of mutually agreed coverage provided in New Zealand's Appendix 1.

4. Attachment A to this document shows (in bold, strikeout or underlining) the proposed modification by New Zealand to the corresponding page of Appendix I. Attachment B indicates how this page would appear after the proposed modification has been accepted.

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<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.

**ATTACHMENT A****ANNEX 3****OTHER ENTITIES**

Unless otherwise specified, this Agreement covers procurement by entities listed in this Annex, subject to the following thresholds:

**Thresholds:**

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

**List of entities:**

1. Accident Compensation Corporation (Note 1);
- ~~2. Careers New Zealand;~~
- ~~32.~~ Civil Aviation Authority of New Zealand;
- ~~43.~~ Energy Efficiency and Conservation Authority;
- ~~54.~~ Housing New Zealand Corporation;
- ~~65.~~ Maritime New Zealand;
- ~~76.~~ New Zealand Antarctic Institute;
- ~~87.~~ New Zealand Fire Service Commission;
- ~~98.~~ New Zealand Qualifications Authority;
- ~~109.~~ New Zealand Tourism Board;
- ~~1110.~~ New Zealand Trade and Enterprise;
- ~~1211.~~ New Zealand Transport Agency;
- ~~1312.~~ Ōtākaro Limited (Note 4);
- ~~1413.~~ Sport New Zealand (Note 2);
- ~~1514.~~ Tertiary Education Commission;
- ~~1615.~~ Education New Zealand;
- ~~1716.~~ Airways Corporation of New Zealand Limited;
- ~~1817.~~ Meteorological Service of New Zealand Limited;
- ~~1918.~~ KiwiRail Holdings Limited;
- ~~2019.~~ Transpower New Zealand Limited (Note 3).

**Notes to Annex 3**

1. Accident Compensation Corporation: This Agreement does not cover procurement of pension fund management, public insurance and fund placements, investments and financial services related to securities or trading on an exchange.

2. Sport New Zealand: The Agreement does not apply to the procurement of goods and services containing confidential information related to enhancing competitive sport performance.

3. Transpower New Zealand Limited: The following procurements are excluded from cover:

- a. Electrical stringing services (part of the total range of activities covered by CPC Prov. 5134);
- b. Tower painting services (part of the total range of activities covered by CPC Prov. 5173);
- c. For greater certainty, projects funded directly by private sector customers where those projects would not be undertaken except for the funding provided by those customers.

**ATTACHMENT B****ANNEX 3****OTHER ENTITIES**

Unless otherwise specified, this Agreement covers procurement by entities listed in this Annex, subject to the following thresholds:

**Thresholds:**

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

**List of entities:**

1. Accident Compensation Corporation (Note 1);
2. Civil Aviation Authority of New Zealand;
3. Energy Efficiency and Conservation Authority;
4. Housing New Zealand Corporation;
5. Maritime New Zealand;
6. New Zealand Antarctic Institute;
7. New Zealand Fire Service Commission;
8. New Zealand Qualifications Authority;
9. New Zealand Tourism Board;
10. New Zealand Trade and Enterprise;
11. New Zealand Transport Agency;
12. Ōtākaro Limited (Note 4);
13. Sport New Zealand (Note 2);
14. Tertiary Education Commission;
15. Education New Zealand;
16. Airways Corporation of New Zealand Limited;
17. Meteorological Service of New Zealand Limited;
18. KiwiRail Holdings Limited;
19. Transpower New Zealand Limited (Note 3).

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- b. Tower painting services (part of the total range of activities covered by CPC Prov. 5173);
- c. For greater certainty, projects funded directly by private sector customers where those projects would not be undertaken except for the funding provided by those customers.