



Committee on Government Procurement

**ACCESSION OF THE UNITED KINGDOM TO THE AGREEMENT ON GOVERNMENT
PROCUREMENT IN ITS OWN RIGHT**

Decision of the Committee on Government Procurement of 27 February 2019

The Committee on Government Procurement,

Having regard to Article XXIV:2 of the Agreement on Government Procurement done at Marrakesh on 15 April 1994 (the "1994 Agreement"), and Article XXII:2 of the 1994 Agreement on Government Procurement as amended by the Protocol Amending the Agreement on Government Procurement, done at Geneva on 30 March 2012 (the "amended Agreement")¹;

Having regard to the Decision of the Committee on Government Procurement (the "Committee") on adoption of the text of the Protocol Amending the Agreement on Government Procurement, taken on 30 March 2012 (Appendix 1 to GPA/113 of 2 April 2012), and in particular its paragraphs 3 and 4;

Considering the United Kingdom's application for accession to the Agreement on Government Procurement in its own right, contained in document GPA/146 of 5 June 2018, the consultations held with the Parties to the Agreement on Government Procurement, and the additional documentation submitted by the United Kingdom and Parties in pursuance thereof;

Decides as follows:

1. It is acknowledged that the United Kingdom is covered by the Agreement on Government Procurement, as a member State of the European Union, until the date of its withdrawal from the European Union or, if the European Union and the United Kingdom conclude an agreement that provides for a transition period during which European Union law would apply to and in the United Kingdom, until the date of expiry of that transition period. The United Kingdom shall notify the Committee of the date of expiry of any such transition period during which the United Kingdom is treated as a member State of the European Union.
2. In accordance with the provisions of Article XXIV:2 of the 1994 Agreement and Article XXII:2 of the amended Agreement, the United Kingdom may accede to the Agreement on Government Procurement in its own right on the terms of this Decision including its attachments.
3. In the absence of an agreement between the United Kingdom and the European Union on a transition period as referred to in paragraph 1, the United Kingdom shall be allowed to submit its instrument of accession provided it does so:
 - a. no earlier than thirty days before the date on which the United Kingdom ceases to be a member State of the European Union; and
 - b. within six months of the date of this Decision, unless the period for submission of the instrument is extended by the Committee.
4. The Agreement on Government Procurement shall enter into force for the United Kingdom in its own right on the thirtieth day following the date of its accession, i.e. the date on which

¹ The 1994 Agreement and the amended Agreement are hereafter referred to together as the "Agreement on Government Procurement".

the United Kingdom's instrument of accession reproducing the terms of this Decision, including its Attachment A, has been received by the Director-General of the WTO. The deposit of the United Kingdom's instrument of accession with the Director-General shall be deemed not to have taken place within the meaning of Article XXIV:2 of the 1994 Agreement and Article XXII:2 of the amended Agreement if, within the thirty days following the deposit, the European Union notifies the Committee that the United Kingdom continues to be covered by the Agreement on Government Procurement as set out in paragraph 1.

5. Pursuant to paragraph 4 of the Decision of the Committee on adoption of the text of the Protocol Amending the Agreement on Government Procurement, taken on 30 March 2012 (Appendix 1 to GPA/113 of 2 April 2012), the United Kingdom shall be bound by the said Protocol in its own right from the date of entry into force of the Agreement on Government Procurement for it.

6. The United Kingdom shall provide access to all Parties to the Agreement on Government Procurement to the procurement that it covers under Appendix I as set out in Attachment A to this Decision, from the date of entry into force of the Agreement on Government Procurement for the United Kingdom in its own right. From such date, the terms set out in Attachment A shall become an integral part of the Agreement on Government Procurement.

7. Pursuant to Article XIX of the amended Agreement, the United Kingdom shall notify to the Committee proposed rectifications to the lists of entities in its Annexes 1 to 3 of Appendix I, within three months of the date on which the Agreement on Government Procurement shall enter into force for the United Kingdom in its own right.

8. The Appendix I Annexes of the European Union and Montenegro under the amended Agreement will apply subject to the terms set out in Attachment B to this Decision, from the date of entry into force of the Agreement on Government Procurement for the United Kingdom. From such date, the terms set out in Attachment B shall become an integral part of the Agreement on Government Procurement.

9. Switzerland's Appendix I Annexes to the 1994 Agreement shall apply as between the United Kingdom and Switzerland from the date of entry into force of the Agreement on Government Procurement for the United Kingdom in its own right until the Protocol Amending the Agreement on Government Procurement, done at Geneva on 30 March 2012, has entered into force for Switzerland. The Appendix I Annexes of Switzerland under the amended Agreement will apply subject to the terms set out in Attachment C to this Decision, from the date on which the Agreement on Government Procurement has entered into force for the United Kingdom in its own right and, in addition, the said Protocol has entered into force for Switzerland. From such date, the terms set out in Attachment C shall become an integral part of the Agreement on Government Procurement.

10. If there is an agreement between the United Kingdom and the European Union on a transition period as referred to in paragraph 1, the United Kingdom shall submit an updated set of Replies to the Checklist of Issues (GPA/132 of 14 October 2015) no later than three months prior to the expiration of transition period. The Committee will review the United Kingdom's updated Replies to the Checklist of Issues and consider an appropriate decision at that time.

ATTACHMENT A**TERMS OF THE UNITED KINGDOM'S ACCESSION TO THE REVISED AGREEMENT ON
GOVERNMENT PROCUREMENT IN ITS OWN RIGHT****APPENDIX I***

(Authentic in the English Language)

ANNEX 1**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 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; and New Zealand, procurement by the following central government contracting authorities.

2 LIST OF CENTRAL GOVERNMENT CONTRACTING AUTHORITIES

- 2.1. Cabinet Office:
 - 2.1.1. Office of the Parliamentary Counsel.
- 2.2. Central Office of Information;
- 2.3. Charity Commission;
- 2.4. Crown Estate Commissioners - Vote Expenditure Only;
- 2.5. Crown Prosecution Service;
- 2.6. Department for Business, Energy and Regulatory Reform:
 - 2.6.1. Competition Commission;
 - 2.6.2. Gas and Electricity Consumers' Council;
 - 2.6.3. Office of Manpower Economics.
- 2.7. Department for Children, Schools and Families;
- 2.8. Department of Communities and Local Government:
 - 2.8.1. Rent Assessment Panels.
- 2.9. Department for Culture, Media and Sport:
 - 2.9.1. British Library;

* In English only.

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 (for sub-central contracting authorities, only for those functions).

- 2.9.2. 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 - English Heritage;
- 2.9.6. Imperial War Museum;
- 2.9.7. Museums, Libraries and Archives Council;
- 2.9.8. National Gallery;
- 2.9.9. National Maritime Museum;
- 2.9.10. National Portrait Gallery;
- 2.9.11. Natural History Museum;
- 2.9.12. Science Museum;
- 2.9.13. Tate Gallery;
- 2.9.14. Victoria and Albert Museum;
- 2.9.15. Wallace Collection.
- 2.10. Department for Environment, Food and Rural Affairs:
 - 2.10.1. Agricultural Dwelling House Advisory Committees;
 - 2.10.2. Agricultural Land Tribunals;
 - 2.10.3. Agricultural Wages Board and Committees;
 - 2.10.4. Cattle Breeding Centre;
 - 2.10.5. Countryside Agency;
 - 2.10.6. Plant Variety Rights Office;
 - 2.10.7. Royal Botanic Gardens, Kew;
 - 2.10.8. Royal Commission on Environmental Pollution.
- 2.11. Department of Health:
 - 2.11.1. Dentist Practice Board;
 - 2.11.2. National Health Service Strategic Health Authorities;
 - 2.11.3. NHS Trusts;
 - 2.11.4. Prescription Pricing Authority.
- 2.12. Department for Innovation, Universities and Skills:
 - 2.12.1. Higher Education Funding Council for England;
 - 2.12.2. National Weights and Measures Laboratory;
 - 2.12.3. Patent Office.
- 2.13. Department for International Development;
- 2.14. Department of the Procurator General and Treasury Solicitor:
 - 2.14.1. Legal Secretariat to the Law Officers.
- 2.15. Department for Transport:
 - 2.15.1. Maritime and Coastguard Agency.
- 2.16. 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. Social Security Advisory Committee.
- 2.17. Export Credits Guarantee Department;
- 2.18. Foreign and Commonwealth Office:
 - 2.18.1. Wilton Park Conference Centre.
- 2.19. Government Actuary's Department;
- 2.20. Government Communications Headquarters;
- 2.21. Home Office:
 - 2.21.1. HM Inspectorate of Constabulary.
- 2.22. House of Commons;
- 2.23. House of Lords;
- 2.24. Ministry of Defence:
 - 2.24.1. Defence Equipment & Support;
 - 2.24.2. Meteorological Office.
- 2.25. Ministry of Justice:
 - 2.25.1. Boundary Commission for England;

- 2.25.2. Combined Tax Tribunal;
- 2.25.3. Council on Tribunals;
- 2.25.4. Court of Appeal – Criminal;
- 2.25.5. Employment Appeals Tribunal;
- 2.25.6. Employment Tribunals;
- 2.25.7. HMCS Regions, Crown, County and Combined Courts - England and Wales;
- 2.25.8. Immigration Appellate Authorities;
- 2.25.9. Immigration Adjudicators;
- 2.25.10. Immigration Appeals Tribunal;
- 2.25.11. Lands Tribunal;
- 2.25.12. Law Commission;
- 2.25.13. Legal Aid Fund - England and Wales;
- 2.25.14. Office of the Social Security Commissioners;
- 2.25.15. Parole Board and Local Review Committees;
- 2.25.16. Pensions Appeal Tribunals;
- 2.25.17. Public Trust Office;
- 2.25.18. Supreme Court Group - England and Wales;
- 2.25.19. Transport Tribunal.
- 2.26. The National Archives;
- 2.27. National Audit Office;
- 2.28. National Savings and Investments;
- 2.29. National School of Government;
- 2.30. Northern Ireland Assembly Commission;
- 2.31. Northern Ireland Court Service:
 - 2.31.1. Coroners Courts;
 - 2.31.2. County Courts;
 - 2.31.3. Court of Appeal and High Court of Justice in Northern Ireland;
 - 2.31.4. Crown Court;
 - 2.31.5. Enforcement of Judgements Office;
 - 2.31.6. Legal Aid Fund;
 - 2.31.7. Magistrates' Courts;
 - 2.31.8. 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. Northern Ireland, Department of Agriculture and Rural Development;
- 2.36. 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. Northern Ireland, Department of Finance and Personnel;
- 2.41. Northern Ireland, Department of Health, Social Services and Public Safety;
- 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. Office of the Chief Electoral Officer for Northern Ireland;
 - 2.43.5. Police Service of Northern Ireland;
 - 2.43.6. Probation Board for Northern Ireland;
 - 2.43.7. State Pathologist Service.
- 2.44. Office of Fair Trading;
- 2.45. Office for National Statistics:
 - 2.45.1. National Health Service Central Register.
- 2.46. Office of the Parliamentary Commissioner for Administration and Health Service Commissioners;
- 2.47. Paymaster General's Office;
- 2.48. Postal Business of the Post Office;

- 2.49. Privy Council Office;
- 2.50. Public Record Office;
- 2.51. HM Revenue and Customs:
 - 2.51.1. The Revenue and Customs Prosecutions Office.
- 2.52. Royal Hospital, Chelsea;
- 2.53. Royal Mint;
- 2.54. Rural Payments Agency;
- 2.55. Scotland, Auditor-General;
- 2.56. Scotland, Crown Office and Procurator Fiscal Service;
- 2.57. Scotland, General Register Office;
- 2.58. Scotland, Queen's and Lord Treasurer's Remembrancer;
- 2.59. Scotland, Registers of Scotland;
- 2.60. The Scotland Office;
- 2.61. The Scottish Ministers:
 - 2.61.1. Architecture and Design Scotland;
 - 2.61.2. Crofters Commission;
 - 2.61.3. Deer Commission for Scotland;
 - 2.61.4. Lands Tribunal for Scotland;
 - 2.61.5. National Galleries of Scotland;
 - 2.61.6. National Library of Scotland;
 - 2.61.7. National Museums of Scotland;
 - 2.61.8. Royal Botanic Garden, Edinburgh;
 - 2.61.9. Royal Commission on the Ancient and Historical Monuments of Scotland;
 - 2.61.10. Scottish Further and Higher Education Funding Council;
 - 2.61.11. Scottish Law Commission;
 - 2.61.12. Community Health Partnerships;
 - 2.61.13. Special Health Boards;
 - 2.61.14. Health Boards;
 - 2.61.15. The Office of the Accountant of Court;
 - 2.61.16. High Court of Justiciary;
 - 2.61.17. Court of Session;
 - 2.61.18. HM Inspectorate of Constabulary;
 - 2.61.19. Parole Board for Scotland;
 - 2.61.20. Pensions Appeal Tribunals;
 - 2.61.21. Scottish Land Court;
 - 2.61.22. Sheriff Courts;
 - 2.61.23. Scottish Police Services Authority;
 - 2.61.24. Office of the Social Security Commissioners;
 - 2.61.25. The Private Rented Housing Panel and Private Rented Housing Committees;
 - 2.61.26. Keeper of the Records of Scotland.
- 2.62. The Scottish Parliamentary Body Corporate;
- 2.63. HM Treasury:
 - 2.63.1. Office of Government Commerce;
 - 2.63.2. United Kingdom Debt Management Office.
- 2.64. The Wales Office - Office of the Secretary of State for Wales;
- 2.65. The Welsh Ministers:
 - 2.65.1. Higher Education Funding Council for Wales;
 - 2.65.2. Local Government Boundary Commission for Wales;
 - 2.65.3. The Royal Commission on the Ancient and Historical Monuments of Wales;
 - 2.65.4. Valuation Tribunals - Wales;
 - 2.65.5. Welsh National Health Service Trusts and Local Health Boards;
 - 2.65.6. Welsh Rent Assessment Panels.

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 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.
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;
 - 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;
2. Health and Safety Executive;
3. National Research Development Corporation;
4. Public Health Laboratory Service Board;
5. Advisory, Conciliation and Arbitration Service;
6. Commission for the New Towns;
7. National Blood Authority;
8. National Rivers Authority;
9. Scottish Enterprise;
10. Ordnance Survey;
11. Financial Services 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 Authorities;
6. National Health Service Strategic Health Authorities;
7. Police Authorities;
8. New Town Development Corporations;
9. Urban Development Corporations.

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;
 - 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;

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 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.

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.

- 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.

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.

**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;
3. The Department for Regional Development (Northern Ireland).

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. SPTtransmission 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;
3. Highland and Islands Airports Limited;
4. An airport operator within the meaning of the Airports (Northern Ireland) Order 1994;
5. BAA Ltd.

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;
4. A harbour authority as defined by section 38(1) of the Harbours Act (Northern Ireland) 1970.

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

1. London Regional Transport;
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;
6. Greater Manchester Passenger Transport Executive;
7. Tyne and Wear Passenger Transport Executive;
8. Brighton Borough Council;
9. South Yorkshire Passenger Transport Executive;
10. South Yorkshire Supertram Limited;
11. Blackpool Transport Services Limited;
12. Conwy County Borough Council;

13. 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;
14. 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.

F. UTILITIES IN THE FIELD OF RAIL SERVICES

1. Network Rail plc;
2. Eurotunnel plc;
3. Northern Ireland Transport Holding Company;
4. Northern Ireland Railways Company Limited;
5. 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

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.

- 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.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;

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.

- 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;

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.

ANNEX 4**GOODS**

1. This Agreement covers the procurement of all goods procured by the entities listed in Annexes 1 through 3, unless otherwise specified in this Agreement.

2. This Agreement covers only the goods that are described in the Chapters of the 2017 Harmonized Commodity Description and Coding Systems (HS) specified below and that are procured by the Ministry of Defence and Agencies for defence or security activities in the United Kingdom:

HS Chapter	Description
1. Chapter 25:	Salt; sulphur; earths and stone; plastering materials, lime and cement;
2. Chapter 26:	Metallic ores, slag and ash;
3. Chapter 27:	Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes, except: special engine fuels.
a. ex 27.10:	
4. Chapter 28:	Inorganic chemicals; organic and inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes, except:
a. ex 28.09:	explosives;
b. ex 28.13:	explosives;
c. ex 28.14:	tear gas;
d. ex 28.28:	explosives;
e. ex 28.32:	explosives;
f. ex 28.39:	explosives;
g. ex 28.50:	toxic products;
h. ex 28.51:	toxic products;
i. ex 28.54:	explosives.
5. Chapter 29:	Organic chemicals, except:
a. ex 29.03:	explosives;
b. ex 29.04:	explosives;
c. ex 29.07:	explosives;
d. ex 29.08:	explosives;
e. ex 29.11:	explosives;
f. ex 29.12:	explosives;
g. ex 29.13:	toxic products;
h. ex 29.14:	toxic products;
i. ex 29.15:	toxic products;
j. ex 29.21:	toxic products;
k. ex 29.22:	toxic products;
l. ex 29.23:	toxic products;
m. ex 29.26:	explosives;
n. ex 29.27:	toxic products;
o. ex 29.29:	explosives.
6. Chapter 30:	Pharmaceutical products;
7. Chapter 31:	Fertilisers;
8. Chapter 32:	Tanning and dyeing extracts; tannings and their derivatives; dyes, colours, paints and varnishes, putty, fillers and stoppings, inks;
9. Chapter 33:	Essential oils and resinoids; perfumery, cosmetic or toilet preparations;

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HS Chapter	Description
10. Chapter 34:	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and "dental waxes";
11. Chapter 35:	Albuminoidal substances, glues, enzymes;
12. Chapter 37:	Photographic and cinematographic goods;
13. Chapter 38:	Miscellaneous chemical products, except:
a. ex 38.19:	toxic products.
14. Chapter 39:	Artificial resins and plastic materials, cellulose esters and esters, articles thereof except:
a. ex 39.03:	explosives.
15. Chapter 40:	Rubber, synthetic rubber, factices, and articles thereof except:
a. ex 40.11:	bullet-proof tyres.
16. Chapter 41:	Raw hides and skins (other than fur skins) and leather;
17. Chapter 42:	Articles of leather, saddlery and harness, travel goods, handbags and similar containers, articles of animal gut (other than silkworm gut);
18. Chapter 43:	Furskins and artificial fur, manufactures thereof;
19. Chapter 44:	Wood and articles of wood, wood charcoal;
20. Chapter 45:	Cork and articles of cork;
21. Chapter 46:	Manufactures of straw of esparto and of other plaiting materials, basket ware and wickerwork;
22. Chapter 47:	Paper-making material;
23. Chapter 48:	Paper and paperboard; articles of paper pulp, of paper or of paperboard;
24. Chapter 49:	Printed books, newspapers, pictures and other products of the printing industry, manuscripts, typescripts and plans;
25. Chapter 65:	Headgear and parts thereof;
26. Chapter 66:	Umbrellas, sunshades, walking-sticks, whips, riding-crops and parts thereof;
27. Chapter 67:	Prepared feathers and down and articles made of feathers or of down, artificial flowers, articles of human hair;
28. Chapter 68:	Articles of stone, of plaster, of cement, of asbestos, of mica and of similar materials;
29. Chapter 69:	Ceramic products;
30. Chapter 70:	Glass and glassware;
31. Chapter 71:	Pearls, precious or semi-precious stones, precious metals, rolled precious metals, and articles thereof; imitation jewellery;
32. Chapter 73:	Iron and steel and articles thereof;
33. Chapter 74:	Copper and articles thereof;
34. Chapter 75:	Nickel and articles thereof;
35. Chapter 76:	Aluminium and articles thereof;
36. Chapter 77:	Magnesium and beryllium and articles thereof;
37. Chapter 78:	Lead and articles thereof;
38. Chapter 79:	Zinc and articles thereof;
39. Chapter 80:	Tin and articles thereof;

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HS Chapter	Description
40. Chapter 81:	Other base metals employed in metallurgy and articles thereof;
41. Chapter 82:	Tools, implements, cutlery, spoons and forks, of base metal, parts thereof of base metal, except:
a. ex 82.05:	tools;
b. ex 82.07:	tools, parts.
42. Chapter 83:	Miscellaneous articles of base metal;
43. Chapter 84:	Boilers, machinery and mechanical appliances, parts thereof, except:
a. ex 84.06:	engines;
b. ex 84.08:	other engines;
c. ex 84.45:	machinery;
d. ex 84.53:	automatic data-processing machines;
e. ex 84.55:	parts of machines under heading No 84.53;
f. ex 84.59:	nuclear reactors.
44. Chapter 85:	Electrical machinery and equipment, parts thereof, except:
a. ex 85.13:	telecommunication equipment;
b. ex 85.15:	transmission apparatus.
45. Chapter 86:	Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway tracks fixtures and fittings, traffic signalling equipment of all kinds (not electrically powered), except:
a. ex 86.02:	armoured locomotives, electric;
b. ex 86.03:	other armoured locomotives;
c. ex 86.05:	armoured wagons;
d. ex 86.06:	repair wagons;
e. ex 86.07:	wagons.
46. Chapter 87:	Vehicles, other than railway or tramway rolling-stock, and parts thereof, except:
a. ex 87.08:	tanks and other armoured vehicles;
b. ex 87.01:	tractors;
c. ex 87.02:	military vehicles;
d. ex 87.03:	breakdown lorries;
e. ex 87.09:	motorcycles;
f. ex 87.14:	trailers.
47. Chapter 89:	Ships, boats and floating structures, except:
a. ex 89.01 A:	warships.
48. Chapter 90:	Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus, parts and accessories thereof, except:
a. ex 90.05:	binoculars;
b. ex 90.13:	miscellaneous instruments, lasers;
c. ex 90.14:	telemeters;
d. ex 90.28:	electrical and electronic measuring instruments;
e. ex 90.11:	microscopes;
f. ex 90.17:	medical instruments;
g. ex 90.18:	mechano-therapy appliances;
h. ex 90.19:	orthopaedic appliances;
i. ex 90.20:	X-ray apparatus.
49. Chapter 91:	Manufacture of watches and clocks;

HS Chapter	Description
50. Chapter 92:	Musical instruments, sound recorders or reproducers, television image and sound recorders or reproducers, parts and accessories of such articles;
51. Chapter 94:	Furniture and parts thereof; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings, except: aircraft seats.
a. ex 94.01 A:	
52. Chapter 95:	Articles and manufactures of carving or moulding material;
53. Chapter 96:	Brooms, brushes, powder-puffs and sieves;
54. Chapter 98:	Miscellaneous manufactured articles.

ANNEX 5**SERVICES**

This Agreement covers the following services, which are identified in accordance with the United Nations Provisional Central Product Classification (CPC Prov.) as contained in document MTN.GNS/W/120¹:

Description	CPC Prov. Reference No.
1. Maintenance and repair services	6112, 6122, 633, 886
2. Land transport services, including armoured car services, and courier services, except transport of mail	712 (except 71235), 7512, 87304
3. Air transport services of passengers and freight, except transport of mail	73 (except 7321)
4. Transport of mail by land, except rail, and by air	71235, 7321
5. Telecommunications services	752
6. Financial services	ex 81
a. Insurance services	812, 814
b. Banking and investments services ²	
7. Computer and related services	84
8. Accounting, auditing and bookkeeping services	862
9. Market research and public opinion polling services	864
10. Management consulting services and related services	865, 866 ³
11. Architectural services; engineering services and integrated engineering services, urban planning and landscape architectural services; related scientific and technical consulting services; technical testing and analysis services	867
12. Advertising services	871

¹ Except for services which entities have to procure from another entity pursuant to an exclusive right established by a published law, regulation or administrative provision.

² Except for the procurement or acquisition of fiscal agency or depository services, liquidation, and management services for regulated financial institutions or services related to the sale, redemption and distribution of public debt, including loans and government bonds, notes and other securities.

³ Except arbitration and conciliation services.

Description	CPC Prov. Reference No.
13. Building-cleaning services and property management services	874, 82201-82206
14. Publishing and printing services on a fee or contract basis	88442
15. Sewage and refuse disposal; sanitation and similar services	94

Note to Annex 5

Procurement by procuring entities covered under Annexes 1, 2 and 3 of any of the services covered under this Annex is a covered procurement in regard of a particular Party's provider of service only to the extent that such Party has covered that service under its Annex 5.

ANNEX 6

CONSTRUCTION SERVICES AND WORKS CONCESSIONS

List of Construction Services (Division 51, CPC Prov.):**1 CONSTRUCTION SERVICES**

All services listed in Division 51, as contained in document MTN/GNS/W/120.

2 WORKS CONCESSIONS

Works concessions contracts, when awarded by Annex 1 and 2 entities, are included under the national treatment regime for the construction service providers of the European Union, Iceland, Liechtenstein, Norway, the Kingdom of the Netherlands with respect to Aruba, Switzerland and Montenegro, provided their value equals or exceeds 5,000,000 SDR and for the construction service providers of Korea; provided their value equals or exceeds 15,000,000 SDR.

Note to Annex 6

Procurement by procuring entities covered under Annexes 1, 2 and 3 of any of the construction services covered under this Annex is a covered procurement in regard of a particular Party's provider of service only to the extent that such Party has covered that service under its Annex 6.

LIST OF DIVISION 51, CPC PROV.

Group	Class	Subclass	Title	Corresponding ISCI
SECTION 5			CONSTRUCTION WORK AND CONSTRUCTIONS: LAND	
DIVISION 51			CONSTRUCTION WORK	
511			Pre-erection work at construction sites	
	5111	51110	Site investigation work	4510
	5112	51120	Demolition work	4510
	5113	51130	Site formation and clearance work	4510
	5114	51140	Excavating and earthmoving work	4510
	5115	51150	Site preparation work for mining	4510
	5116	51160	Scaffolding work	4520
512			Construction work for buildings	
	5121	51210	For one- and two-dwelling buildings	4520
	5122	51220	For multi-dwelling buildings	4520
	5123	51230	For warehouses and industrial buildings	4520
	5124	51240	For commercial buildings	4520
	5125	51250	For public entertainment buildings	4520
	5126	51260	For hotel, restaurant and similar buildings	4520
	5127	51270	For educational buildings	4520
	5128	51280	For health buildings	4520
	5129	51290	For other buildings	4520
513			Construction work for civil engineering	
	5131	51310	For highways (except elevated highways), street, roads, railways and airfield runways	4520
	5132	51320	For bridges, elevated highways, tunnels and subways	4520
	5133	51330	For waterways, harbours, dams and other water works	4520
	5134	51340	For long distance pipelines, communication and power lines (cables)	4520
	5135	51350	For local pipelines and cables; ancillary works	4520
	5136	51360	For constructions for mining and manufacturing	4520
	5137		For constructions for sport and recreation	
		51371	For stadia and sports grounds	4520
		51372	For other sport and recreation installations (e.g. swimming pools, tennis courts, golf courses)	4520
	5139	51390	For engineering works n.e.c.	4520
514	5140	51400	Assembly and erection of prefabricated constructions	4520
515			Special trade construction work	
	5151	51510	Foundation work, including pile driving	4520
	5152	51520	Water well drilling	4520
	5153	51530	Roofing and water proofing	4520
	5154	51540	Concrete work	4520
	5155	51550	Steel bending and erection (including welding)	4520
	5156	51560	Masonry work	4520
	5159	51590	Other special trade construction work	4520
516			Installation work	
	5161	51610	Heating, ventilation and air conditioning work	4530
	5162	51620	Water plumbing and drain laying work	4530
	5163	51630	Gas fitting construction work	4530
	5164		Electrical work	
		51641	Electrical wiring and fitting work	4530
		51642	Fire alarm construction work	4530
		51643	Burglar alarm system construction work	4530
		51644	Residential antenna construction work	4530
		51649	Other electrical construction work	4530
	5165	51650	Insulation work (electrical wiring, water, heat, sound)	4530
	5166	51660	Fencing and railing construction work	4530
	5169		Other installation work	
		51691	Lift and escalator construction work	4530

Group	Class	Subclass	Title	Corresponding ISCI
		51699	Other installation work n.e.c.	4530
517			Building completion and finishing work	
	5171	51710	Glazing work and window glass installation work	4540
	5172	51720	Plastering work	4540
	5173	51730	Painting work	4540
	5174	51740	Floor and wall tiling work	4540
	5175	51750	Other floor laying, wall covering and wall papering work	4540
	5176	51760	Wood and metal joinery and carpentry work	4540
	5177	51770	Interior fitting decoration work	4540
	5178	51780	Ornamentation fitting work	4540
	5179	51790	Other building completion and finishing work	4540
518	5180	51800	Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator	4550

ANNEX 7

GENERAL NOTES

1. This Agreement does not cover:
 - a. procurement of agricultural products made in furtherance of agricultural support programmes and human feeding programmes (e.g. food aid including urgent relief aid); and
 - b. procurement for the acquisition, development, production or co-production of programme material by broadcasters and contracts for broadcasting time.
2. Procurement by procuring entities covered under Annexes 1 and 2 in connection with activities in the fields of drinking water, energy, transport and the postal sector are not covered by this Agreement, unless covered under Annex 3.
3. The Territorial Units for the purpose of paragraph 1 in Annex 2, Note 1 in the Notes to Annex 2 and Note 6 to the Notes in Annex 3 follow.

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 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	
4. East Midlands (England)	4.1. Derbyshire and Nottinghamshire	4.1.1. Derby 4.1.2. East Derbyshire 4.1.3. South and West Derbyshire 4.1.4. Nottingham 4.1.5. North Nottinghamshire 4.1.6. South Nottinghamshire	
	4.2. Leicestershire, Rutland and Northamptonshire	4.2.1. Leicester 4.2.2. Leicestershire County Council and Rutland 4.2.3. West Northamptonshire 4.2.4. North Northamptonshire	
	4.3. Lincolnshire	4.3.1. Lincolnshire	
5. West Midlands (England)	5.1. Herefordshire, Worcestershire and Warwickshire	5.1.1. County of Herefordshire 5.1.2. Worcestershire 5.1.3. Warwickshire	
	5.2. Shropshire and Staffordshire	5.2.1. Telford and Wrekin 5.2.2. Shropshire County Council 5.2.3. Stoke-on-Trent 5.2.4. Staffordshire County Council	
	5.3. West Midlands	5.3.1. Birmingham 5.3.2. Solihull 5.3.3. Coventry 5.3.4. Dudley 5.3.5. Walsall 5.3.6. Sandwell 5.3.7. Wolverhampton	
6. East of England	6.1. East Anglia	6.1.1. Norwich and East Norfolk 6.1.2. North and West Norfolk 6.1.3. Breckland and South Norfolk 6.1.4. Peterborough 6.1.5. Suffolk 6.1.6. Cambridgeshire County Council	
	6.2. Bedfordshire and Hertfordshire	6.2.1. Luton 6.2.2. Bedford 6.2.3. Central Bedfordshire 6.2.4. Hertfordshire	
	6.3. Essex	6.3.1. Heart of Essex 6.3.2. Essex Thames Gateway 6.3.3. Essex Haven Gateway 6.3.4. West Essex 6.3.5. Southend-on-Sea 6.3.6. Thurrock	

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Territorial Unit 1	Territorial Unit 2	Territorial Unit 3
7. London	7.1. Inner London - West	7.1.1. Camden and City of London 7.1.2. Kensington & Chelsea and Hammersmith & Fulham 7.1.3. Wandsworth 7.1.4. Westminster
	7.2. Inner London - East	7.2.1. Haringey and Islington 7.2.2. Hackney and Newham 7.2.3. Lambeth 7.2.4. Lewisham and Southwark
	7.3. Outer London – East and North East	7.3.1. Tower Hamlets 7.3.2. Bexley and Greenwich 7.3.3. Enfield 7.3.4. Redbridge and Waltham Forest
	7.4. Outer London - South	7.4.1. Bromley 7.4.2. Croydon 7.4.3. Merton, Kingston upon Thames and Sutton
	7.5. Outer London – West and North West	7.5.1. Barnet 7.5.2. Brent 7.5.3. Ealing 7.5.4. Harrow and Hillingdon 7.5.5. Hounslow and Richmond upon Thames
8. South East (England)	8.1. Berkshire, Buckinghamshire and Oxfordshire	8.1.1. Berkshire 8.1.2. Milton Keynes 8.1.3. Buckinghamshire County Council 8.1.4. Oxfordshire
	8.2. Surrey, East and West Sussex	8.2.1. Brighton and Hove 8.2.2. East Surrey 8.2.3. East Sussex County Council 8.2.4. West Surrey 8.2.5. West Sussex (North East) 8.2.6. West Sussex (South West)
	8.3. Hampshire and Isle of Wight	8.3.1. Portsmouth 8.3.2. Southampton 8.3.3. Isle of Wight 8.3.4. Central Hampshire 8.3.5. South Hampshire 8.3.6. North Hampshire
	8.4. Kent	8.4.1. Kent Thames Gateway 8.4.2. Mid Kent 8.4.3. West Kent 8.4.4. East Kent 8.4.5. Medway

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Territorial Unit 1	Territorial Unit 2	Territorial Unit 3
9. South West (England)	9.1. Gloucestershire, Wiltshire and Bristol/Bath area	9.1.1. City of Bristol 9.1.2. Bath and North East Somerset and South Gloucestershire 9.1.3. Gloucestershire 9.1.4. Swindon 9.1.5. Wiltshire County Council
	9.2. Dorset and Somerset	9.2.1. Bournemouth and Poole 9.2.2. Dorset County Council 9.2.3. Somerset
	9.3. Cornwall and Isles of Scilly	9.3.1. Cornwall and Isles of Scilly
	9.4. Devon	9.4.1. Plymouth 9.4.2. Torbay 9.4.3. Devon County Council
10. Scotland	10.1. Eastern Scotland	10.1.1. Angus and Dundee City 10.1.2. Clackmannanshire and Fife 10.1.3. East Lothian and Midlothian 10.1.4. Scottish Borders 10.1.5. City of Edinburgh 10.1.6. Falkirk 10.1.7. Perth & Kinross and Stirling 10.1.8. West Lothian
	10.2. Highlands and Islands	10.2.1. Caithness & Sutherland and Ross & Cromarty 10.2.2. Inverness & Nairn and Moray, Badenoch & Strathspey 10.2.3. Lochaber, Skye & Loachals, Arran & Cumbrae and Argyll & Bute 10.2.4. Eilean Siar (Western Isles) 10.2.5. Orkney Islands 10.2.6. Shetland Islands
	10.3. North Eastern Scotland	10.3.1. Aberdeen City and Aberdeenshire
	10.4. Western Scotland	10.4.1. East Dunbartonshire, West Dunbartonshire and Helensburgh & Lomond 10.4.2. Glasgow City 10.4.3. Inverclyde, East Renfrewshire and Renfrewshire 10.4.4. North Lanarkshire
	10.5. Southern Scotland	10.5.1. Dumfries & Galloway 10.5.2. East Ayrshire and North Ayrshire mainland 10.5.3. South Ayrshire 10.5.4. South Lanarkshire

APPENDIX I	THE UNITED KINGDOM	ANNEX 7	Page 6/6
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 12.1.9. Lisburn and Castlereagh 12.1.10. Mid and East Antrim 12.1.11. Fermanagh and Omagh	

APPENDIX II

ELECTRONIC OR PAPER MEDIA UTILIZED BY PARTIES FOR THE PUBLICATION OF LAWS, REGULATIONS, JUDICIAL DECISIONS, ADMINISTRATIVE RULINGS OF GENERAL APPLICATION, STANDARD CONTRACT CLAUSES, AND PROCEDURES REGARDING GOVERNMENT PROCUREMENT COVERED BY THIS AGREEMENT PURSUANT TO ARTICLE VI

UNITED KINGDOM

[To be provided]

APPENDIX III

ELECTRONIC OR PAPER MEDIA UTILIZED BY PARTIES FOR THE PUBLICATION OF NOTICES REQUIRED BY ARTICLES VII, IX:7 AND XVI:2 PURSUANT TO ARTICLE VI

UNITED KINGDOM

[To be provided]

APPENDIX IV

WEBSITE ADDRESS OR ADDRESSES WHERE PARTIES PUBLISH PROCUREMENT STATISTICS PURSUANT TO ARTICLE XVI:5 AND NOTICES CONCERNING AWARDED CONTRACTS PURSUANT TO ARTICLE XVI:6

UNITED KINGDOM

[To be provided]

ATTACHMENT B

PART 1

EUROPEAN UNION'S TERMS OF UNITED KINGDOM'S ACCESSION TO THE AGREEMENT ON GOVERNMENT PROCUREMENT IN ITS OWN RIGHT

Upon the entry into force of the Agreement on Government Procurement for the United Kingdom in its own right:

1. Point 1 of Section 2 ("The Central Government Contracting Authorities of EU member States") of Annex 1 to Appendix I of the European Union under the revised Agreement shall read as follows:

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

2. Section 2 of Annex 6 to Appendix I of the European Union under the revised Agreement shall read as follows:

"Works concessions contracts, when awarded by Annex 1 and 2 entities, are included under the national treatment regime for the construction service providers of Iceland, Liechtenstein, Norway, the Netherlands on behalf of Aruba, Switzerland, Montenegro and the United Kingdom, provided their value equals or exceeds 5,000,000 SDR and for the construction service providers of Korea; provided their value equals or exceeds 15,000,000 SDR".

3. Footnote to the title "The European Union" to Appendix I Annexes of the European Union under the revised Agreement and to the title "European Union" under the 1994 Agreement shall include the following footnote:

"All the references to the contracting authorities and contracting entities of the United Kingdom currently contained in the European Union's Appendix I Annexes are obsolete".

PART 2

**MONTENEGRO'S TERMS OF UNITED KINGDOM'S ACCESSION TO THE AGREEMENT ON
GOVERNMENT PROCUREMENT IN ITS OWN RIGHT**

Upon the entry into force of the Agreement on Government Procurement for the United Kingdom in its own right:

1. Section 2 of Annex 6 to Appendix I of Montenegro under the revised Agreement shall read as follows:

"Works concessions contracts, when awarded by Annex 1 and 2 entities, are included under the national treatment regime for the construction service providers of the EU, the United Kingdom, Iceland, Liechtenstein, Norway, the Netherlands on behalf of Aruba and Switzerland, provided their value equals or exceeds SDR 5,000,000 and for the construction service providers of Korea; provided their value equals or exceeds SDR 15,000,000."

ATTACHMENT C

SWITZERLAND'S TERMS OF THE UNITED KINGDOM'S ACCESSION TO THE AGREEMENT ON GOVERNMENT IN ITS OWN RIGHT¹

1. Upon the United Kingdom's accession to the Agreement on Government Procurement in its own right and, in addition, the entry into force for Switzerland of the Protocol Amending the Agreement on Government Procurement, done at Geneva on 30 March 2012, line 1 of Note 1 of section A ("Dérogations spécifiques par pays") of Annex 7 to Appendix I of Switzerland under the amended Agreement shall read as follows²:

"- en ce qui concerne les marchés passés par les entités mentionnées au chiffre 2 de l'Annexe 2 à tous les membres de l'AMP, à l'exception de ceux de l'Union Européenne, des membres de l'Association Européenne de Libre-Echange (AELE), de l'Arménie et du Royaume-Uni. "

¹ Switzerland's terms of the United Kingdom's accession to the Agreement on Government Procurement in its own right are subject to Switzerland's relevant internal procedures. In case the Government Procurement Agreement enters into force for the United Kingdom before the Protocol Amending the Agreement on Government Procurement, done at Geneva on 30 March 2012, enters into force for Switzerland, Switzerland's Appendix I Annexes to the 1994 Agreement shall apply as between the United Kingdom and Switzerland. For purposes of clarity, Switzerland will extend the benefits of the provisions of the Government Procurement Agreement to the United Kingdom for procurement by authorities and bodies governed by public law at the district and communal level.

² In French only.