

**THE EUROPEAN UNION\*****ANNEX 1****CENTRAL GOVERNMENT ENTITIES****Thresholds:**

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

**List of entities:****1 EUROPEAN UNION ENTITIES**

1. The Council of the European Union;
2. The European Commission;
3. European External Action Service (EEAS).

**2 THE CENTRAL GOVERNMENT CONTRACTING AUTHORITIES OF EU MEMBER STATES**

1. For the goods, services, suppliers and service providers of Liechtenstein, Switzerland, Iceland, Norway, The Netherlands with respect to Aruba, the United Kingdom and North Macedonia, procurement by all central government contracting authorities of EU member States. The list below is indicative.
2. For the goods, services, suppliers and service providers of Israel, Montenegro, the Republic of Moldova and Ukraine, procurement by the following central government contracting authorities.
3. For the goods, services, suppliers and service providers of 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, provided they are not marked by an asterisk.
4. Without prejudice to item 3., for the goods, services, suppliers and service providers of the United States, Japan and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, procurement by the following central government contracting authorities of EU Member States provided that they are marked by a double asterisk.

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\*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.

**ANNEX 6**

## CONSTRUCTION SERVICES AND WORKS CONCESSIONS

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

All services listed in Division 51.

**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 Iceland, Liechtenstein, Norway, the Netherlands on behalf of Aruba, Switzerland, Montenegro, the United Kingdom and North Macedonia, 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.

**ANNEX 6**

## CONSTRUCTION SERVICES

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

All services listed in Division 51.

**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 EU, the United Kingdom, Iceland, Liechtenstein, Norway, the Netherlands on behalf of Aruba, North Macedonia 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.

***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.

**ANNEXE 7****NOTES GENERALES****1 DÉROGATIONS SPÉCIFIQUES PAR PAYS**

1.1. La Suisse n'étendra pas le bénéfice des dispositions du présent Accord:

- a. 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, de la Macédoine du Nord, de la République de Moldavie, du Monténégro, du Royaume-Uni et de l'Ukraine;
- b. en ce qui concerne les marchés passés par les entités mentionnées à l'Annexe 3 dans les secteurs suivants:
  - i. eau: aux fournisseurs de produits et de services de l'Australie, du Canada, des Etats-Unis d'Amérique et du Singapour;
  - ii. électricité: aux fournisseurs de produits et de services de l'Australie, du Canada, du Japon et du Singapour;
  - iii. aéroports: aux fournisseurs de produits et de services de l'Australie, du Canada, de la Corée et des Etats-Unis d'Amérique;
  - iv. ports: aux fournisseurs de produits et de services de l'Australie et du Canada;
  - v. transports urbains: aux fournisseurs de produits et de services de l'Australie, du Canada, d'Israël, du Japon et des Etats-Unis d'Amérique;

tant qu'elle n'aura pas constaté que les Parties concernées assurent aux entreprises suisses un accès comparable et effectif aux marchés considérés.

1.2. Les dispositions de l'article XVIII ne sont pas applicables aux fournisseurs de produits et de services des pays suivants:

- a. Israël et Corée en ce qui concerne les recours intentés contre l'adjudication de marchés par les organismes mentionnés dans la note relative à l'Annexe 2, tant que la Suisse n'a pas constaté que ces pays ont complété la liste des entités des gouvernements sous-centraux;
- b. Japon, Corée, Etats-Unis d'Amérique et Australie en ce qui concerne les recours intentés contre l'adjudication de marchés à un fournisseur de produits ou de services d'autres Parties au présent Accord, lorsque ledit fournisseur est une entreprise petite ou moyenne au sens du droit suisse, tant que la Suisse n'aura pas constaté que ces pays n'appliquent plus de mesures discriminatoires pour favoriser certaines petites entreprises nationales ou certaines entreprises nationales détenues par les minorités;
- c. Israël, Japon, Corée et Australie en ce qui concerne les recours intentés contre l'adjudication par des entités suisses de marchés dont la valeur est inférieure au seuil appliqué à la même catégorie de marchés par lesdites Parties.

**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 and North Macedonia, 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.

**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, Montenegro and North Macedonia, 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.