

4 avril 2022

(22-2688)

Page: 1/16

Comité des marchés publics

Original: anglais

**NOTIFICATION DE MODIFICATIONS ET RECTIFICATIONS PROJETÉES
DU CHAMP D'APPLICATION AU TITRE DE L'ACCORD SUR
LES MARCHÉS PUBLICS DE 2012**

COMMUNICATION PRÉSENTÉE PAR L'AUSTRALIE

*Modifications et rectifications projetées de l'Appendice I concernant l'Australie
au titre de l'AMP de 2012 notifiées conformément à
l'article XIX:1 de l'AMP de 2012*

La communication ci-après, datée du 4 avril 2022, est distribuée à la demande de la délégation de l'Australie.

Partie notifiante	AUSTRALIE
Fondement juridique	<input type="checkbox"/> Article XIX:1 a) de l'AMP de 2012 <input checked="" type="checkbox"/> Article XIX:1 b) de l'AMP de 2012
Annexe(s) de l'Appendice I concernée(s)	<ul style="list-style-type: none">Entités des gouvernements sous-centraux (Annexe 2)
Description de la (des) modification(s) projetée(s): ANNEXE 2 – ENTITÉS DES GOUVERNEMENTS SOUS-CENTRAUX NEW SOUTH WALES (NOUVELLE-GALLES DU SUD) a. remplacer "Department of Planning, Industry and the Environment" par "Department of Planning and Environment", en raison d'un changement de nom; (Voir l'entité n° 2.10 de l'annexe 2 de la pièce jointe B.) b. ajouter "Investment NSW", cette entité exerçant certaines fonctions qui relevaient auparavant du "Department of the Premier and Cabinet" et de "The Treasury"; (Voir l'entité n° 2.20 de l'annexe 2 de la pièce jointe B.) c. remplacer "Regional NSW" par "Department of Regional NSW", en raison d'un changement de nom; (Voir l'entité n° 2.12 de l'annexe 2 de la pièce jointe B.) d. réorganiser et renuméroter la Liste des entités en fonction des modifications ci-dessus. NORTHERN TERRITORY (TERRITOIRE DU NORD) a. supprimer "Office of the Commissioner for Public Employment", ses fonctions ayant été transférées au "Department of the Chief Minister and Cabinet"; d. réorganiser et renuméroter la Liste des entités en fonction des modifications ci-dessus.	

QUEENSLAND

- a. supprimer "Public Safety Business Agency", ses fonctions ayant été transférées au "Queensland Police Service" et au "Queensland Fire and Emergency Service" (ces deux organismes sont visés, car ils sont déclarés comme étant des départements conformément à l'article 14 de la *Loi sur la fonction publique de 2008 (Queensland)*);
- b. réorganiser et renuméroter la Liste des entités en fonction des modifications ci-dessus.

SOUTH AUSTRALIA (AUSTRALIE-MÉRIDIONALE)

- a. Remplacer "Department for Trade, Tourism and Investment" par "Department for Trade and Investment", en raison d'un changement de nom lié au transfert de la fonction "tourisme" au "Department of the Premier and Cabinet"; (Voir l'entité n° 5.13 de l'annexe 2 de la pièce jointe B.)
- b. remplacer "Department of Planning, Transport and Infrastructure" par "Department for Infrastructure and Transport", en raison d'un changement de nom lié au transfert de la fonction "planification" à l'"Attorney-General's Department"; (Voir l'entité n° 5.11 de l'annexe 2 de la pièce jointe B.)
- c. remplacer "Department of Primary Industries and Regions South Australia" par "Department of Primary Industries and Regions", en raison d'un changement de nom; (Voir l'entité n° 5.15 de l'annexe 2 de la pièce jointe B.)
- d. supprimer "Independent Gambling Authority", ses fonctions ayant été transférées à l'"Attorney-General's Department";
- e. supprimer "State Procurement Board", ses fonctions ayant été transférées au "Department of Treasury and Finance";
- f. réorganiser et renuméroter la Liste des entités en fonction des modifications ci-dessus.

TASMANIA (TASMANIE)

- a. remplacer "Department of Primary Industries, Parks, Water and Environment" par "Department of Natural Resources and Environment Tasmania", en raison d'un changement de nom; (Voir l'entité n° 6.5 de l'annexe 2 de la pièce jointe B.)
- b. ajouter "Environment Protection Authority", qui a été dissociée de l'ancien "Department of Primary Industries, Parks, Water and Environment"; (Voir l'entité n° 6.10 de l'annexe 2 de la pièce jointe B.)
- c. réorganiser et renuméroter la Liste des entités en fonction des modifications ci-dessus.

VICTORIA

- a. remplacer "Department of Health and Human Services" par "Department of Health" et "Department of Families, Fairness and Housing", cette entité ayant été divisée en deux entités; (Voir les entités n° 7.4 et 7.5 de l'annexe 2 de la pièce jointe B.)
- b. remplacer "Office of the Legal Services Commissioner" par "Office of the Victorian Legal Services Commissioner", ce nom ayant été corrigé; (Voir l'entité n° 7.21 de l'annexe 2 de la pièce jointe B.)
- c. réorganiser et renuméroter la Liste des entités en fonction des modifications ci-dessus.

WESTERN AUSTRALIA (AUSTRALIE-OCIDENTALE)

- a. ajouter "Child and Adolescent Health Service", "East Metropolitan Health Service", "Health Support Services", "North Metropolitan Health Service", "PathWest Laboratory Medicine WA", "Quadriplegic Centre", "South Metropolitan Health Service" et "WA Country Health Service", ces entités ayant été dissociées du "Department of Health"; (Voir les entités n° 8.2, 8.24, 8.30, 8.40, 8.47, 8.52, 8.58 et 8.62 de l'annexe 2 de la pièce jointe B.)
- b. remplacer "Corruption and Crime Commission (Western Australia)" par "Corruption and Crime Commission", en raison d'un changement de nom; (Voir l'entité n° 8.4 de l'annexe 2 de la pièce jointe B.)

- c. supprimer "Country High Schools Hostels Authority", ses fonctions ayant été transférées au "Department of Education";
- d. supprimer "Equal Opportunity Commission", ses fonctions ayant été transférées au "Department of Justice";
- e. ajouter "Disability Services Commission" et "Housing Authority", qui exercent des fonctions qui relevaient auparavant du "Department of Communities"; (Voir les entités n° 8.23 et 8.32 de l'annexe 2 de la pièce jointe B.)
- f. ajouter "Energy Policy WA", qui exerce des fonctions qui relevaient auparavant du "Department of Finance" et du "Department of Treasury"; (Voir l'entité n° 8.25 de l'annexe 2 de la pièce jointe B.)
- g. remplacer "Main Roads Western Australia" par "Commissioner of Main Roads", en raison d'un changement de nom; (Voir l'entité n° 8.3 de l'annexe 2 de la pièce jointe B.)
- h. remplacer "Office of the Parliamentary Commissioner for Administrative Investigations" par "Parliamentary Commissioner for Administrative Investigations", en raison d'un changement de nom; (Voir l'entité n° 8.45 de l'annexe 2 de la pièce jointe B.)
- i. remplacer "Public Transport Authority" par "Public Transport Authority of Western Australia", en raison d'un changement de nom; (Voir l'entité n° 8.51 de l'annexe 2 de la pièce jointe B.)
- j. ajouter "School Curriculum and Standards Authority", qui exerce des fonctions qui relevaient auparavant du "Department of Education"; (Voir l'entité n° 8.56 de l'annexe 2 de la pièce jointe B.)
- k. remplacer "State Library of Western Australia" par "The Library Board of Western Australia", en raison d'un changement de nom; (Voir l'entité n° 8.61 de l'annexe 2 de la pièce jointe B.) Remplacer "Western Australian Land Information Authority (Landgate)" par "Western Australian Land Information Authority", pour employer le nom de l'entité établi par la loi; (Voir l'entité n° 8.65 de l'annexe 2 de la pièce jointe B.)
- m. remplacer "Western Australian Sports Centre Trust (trading as VenuesWest)" par "Western Australian Sports Centre Trust", pour employer le nom de l'entité établi par la loi; (Voir l'entité n° 8.67 de l'annexe 2 de la pièce jointe B.)
- n. ajouter "Western Australian Tourism Commission", qui exerce des fonctions qui relevaient auparavant du "Department of Jobs, Tourism, Science and Innovation"; (Voir l'entité n° 8.68 de l'annexe 2 de la pièce jointe B.)
- o. modifier la note 8.60 de manière à remplacer "Department of Finance, Building Management and Works' Prequalification Scheme" par "Department of Finance 'Builders Prequalification Scheme", en raison d'un changement de nom du système concerné; (Voir la note 8.71 de l'annexe 2 de la pièce jointe B.)
- p. réorganiser et renuméroter la Liste des entités en fonction des modifications ci-dessus.

Renseignements concernant les conséquences probables de la modification pour le champ d'application mutuellement convenu prévu par l'Accord:

Les modifications ci-dessus n'ont aucun effet sur le champ d'application mutuellement convenu prévu à l'Appendice I concernant l'Australie au titre de l'AMP de 2012.

Pièces jointes¹:

- La pièce jointe A du présent document indique (en caractères gras, en texte barré ou en texte souligné) les modifications projetées des pages correspondantes de l'Annexe 2 de l'Appendice I concernant l'Australie au titre de l'AMP de 2012.
- La pièce jointe B contient les pages en question telles qu'elles se présenteront après l'entrée en vigueur des modifications.

¹ Les pièces jointes A et B sont en anglais seulement.

ATTACHMENT A**AUSTRALIA**

(Authentic in the English Language only)

ANNEX 2**SUB-CENTRAL GOVERNMENT ENTITIES****Thresholds:**

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

Goods	SDR 355,000
Services	SDR 355,000
Construction Services	SDR 5,000,000

List of Entities:**1 AUSTRALIAN CAPITAL TERRITORY**

- 1.1. ACT Audit Office;
- 1.2. ACT Gambling and Racing Commission;
- 1.3. ACT Health Directorate;
- 1.4. ACT Insurance Authority;
- 1.5. ACT Ombudsman;
- 1.6. Canberra Health Services;
- 1.7. Chief Minister, Treasury and Economic Development Directorate;
- 1.8. Community Services Directorate;
- 1.9. Cultural Facilities Corporation;
- 1.10. Education Directorate;
- 1.11. Environment, Planning and Sustainable Development Directorate;
- 1.12. Housing ACT;
- 1.13. Independent Competition and Regulatory Commission;
- 1.14. Justice and Community Safety Directorate;
- 1.15. Legal Aid ACT;
- 1.16. Major Projects Canberra;
- 1.17. Transport Canberra and City Services Directorate.

1.18. For the entities listed for the Australian Capital Territory, this Agreement does not cover the procurement of health and welfare services, education services, utility services or motor vehicles.

2 NEW SOUTH WALES

- 2.1. Advocate for Children and Young People;
- 2.2. Children's Guardian and Office of Children's Guardian;
- 2.3. Commissioner of Fire and Rescue NSW and Fire and Rescue NSW;
- 2.4. Commissioner of the NSW Rural Fire Service and Office of the NSW Rural Fire Service;
- 2.5. Commissioner of the NSW State Emergency Service and Office of the NSW State Emergency Service;
- 2.6. Crown Solicitor and Crown Solicitor's Office;
- 2.7. Department of Communities and Justice;
- 2.8. Department of Customer Service;
- 2.9. Department of Education;
- 2.10. Department of Planning, Industry and Environment;**
- 2.11. Department of Premier and Cabinet;
- 2.12. Department of Regional NSW;**
- ~~2.12.~~ **2.13.** Director of Public Prosecutions and Office of the Director of Public Prosecutions;
- ~~2.13.~~ **2.14.** Environment Protection Authority and Environment Protection Authority Staff Agency;
- ~~2.14.~~ **2.15.** Health Care Complaints Commission and Health Care Complaints Commission Staff Agency;
- ~~2.15.~~ **2.16.** Independent Planning Commission and Office of the Independent Planning Commission;

APPENDIX I	AUSTRALIA	ANNEX 2	Page 2/6
------------	-----------	---------	----------

~~2.16.2.17.~~ Information Commissioner and Information and Privacy Commission (Note ~~2.40.2.41.c.~~);
~~2.17.2.18.~~ Inspector of the Law Enforcement Conduct Commission and Office of the Inspector of the Law Enforcement Conduct Commission;
~~2.18.2.19.~~ Insurance and Care NSW (icare);
2.20. Investment NSW;
~~2.19.2.21.~~ Law Enforcement Conduct Commission and Office of the Law Enforcement Conduct Commission;
~~2.20.2.22.~~ Legal Aid Commission of NSW and Legal Aid Commission Staff Agency (Legal Aid NSW);
~~2.21.2.23.~~ Ministry of Health;
~~2.22.2.24.~~ Multicultural NSW and Multicultural NSW Staff Agency;
~~2.23.2.25.~~ New South Wales Crime Commission and New South Wales Crime Commission Staff Agency;
~~2.24.2.26.~~ NSW Education Standards Authority (NESA) and NSW Education Standards Authority Staff Agency;
~~2.25.2.27.~~ New South Wales Electoral Commission and NSW Electoral Commission Staff Agency;
~~2.26.2.28.~~ NSW Food Authority;
~~2.27.2.29.~~ New South Wales Land and Housing Corporation (Housing NSW);
~~2.28.2.30.~~ New South Wales Rural Assistance Authority;
~~2.29.2.31.~~ Ombudsman and the Ombudsman's Office;
~~2.30.2.32.~~ Parliamentary Counsel and Parliamentary Counsel's Office;
~~2.31.2.33.~~ Place Management NSW;
~~2.32.2.34.~~ Public Service Commissioner and Public Service Commission;
~~2.33. Regional NSW;~~ **[renamed and moved to 2.12 above to maintain alphabetical order]**
~~3.34.2.35.~~ Resilience NSW;
~~2.35.2.36.~~ State Insurance Regulatory Authority;
~~2.36.2.37.~~ Sydney Olympic Park Authority;
~~2.37.2.38.~~ The Audit Office of New South Wales;
~~2.38.2.39.~~ The Treasury;
~~2.39.2.40.~~ Transport for NSW (Note ~~2.40.2.41.d.~~).

~~2.40.2.41.~~ For entities listed for New South Wales, this Agreement does not cover:

- a. procurement of health and welfare services, education services or motor vehicles;
- b. procurements undertaken by a covered entity on behalf of a non-covered entity;
- c. procurement related to the functions of the Privacy Commission by the Information and Privacy Commission; or
- d. procurement by Transport for NSW, related to the functions of the Transport Construction Authority, and The Country Rail Infrastructure Authority or its successor agencies, and Roads and Maritime Services.

3 NORTHERN TERRITORY

3.1. Aboriginal Areas Protection Authority;
3.2. Auditor General's Office;
3.3. Department of the Attorney-General and Justice;
3.4. Department of the Chief Minister and Cabinet;
3.5. Department of Environment, Parks and Water Security;
3.6. Department of Health;
3.7. Department of Industry, Tourism and Trade;
3.8. Department of the Legislative Assembly;
3.9. Department of Territory Families, Housing and Communities;
3.10. Department of Treasury and Finance;
3.11. Health and Community Services Complaints Commission;
3.12. Museum and Art Gallery of the Northern Territory;
3.13. Land Development Corporation;
3.14. Northern Territory Electoral Commission;

APPENDIX I	AUSTRALIA	ANNEX 2	Page 3/6
------------	-----------	---------	----------

3.15. Northern Territory Police, Fire and Emergency Services;
~~3.16. Office of the Commissioner for Public Employment;~~
~~3.17.3.16.~~ Ombudsman's Office;
~~3.18.3.17.~~ Racing Commission;
~~3.19.3.18.~~ Remuneration Tribunal;
~~3.20.3.19.~~ Strehlow Research Centre;
~~3.21.3.20.~~ Utilities Commission of the Northern Territory;
~~3.22.3.21.~~ Work Health Authority.

~~3.23.3.22.~~ For entities listed for the Northern Territory, this Agreement does not cover set-asides on behalf of the Charles Darwin University pursuant to Partnership Agreements between the Northern Territory Government and Charles Darwin University.

4 QUEENSLAND

4.1. Entities declared to be departments pursuant to section 14 of the *Public Service Act 2008 (Qld)*;
 4.2. Motor Accident Insurance Commission;
 4.3. Nominal Defendant;
~~4.4. Public Safety Business Agency;~~
~~4.5.4.4.~~ Public Service Commission;
~~4.6.4.5.~~ Public Trust Office.

~~4.7.4.6.~~ For the entities listed for Queensland this Agreement does not cover:

- a. procurement by covered entities on behalf of non-covered entities;
- b. procurement undertaken by departments, or parts of departments, which deliver health, education, training or arts services; or
- c. procurement of health services, education services, training services, arts services, welfare services, government advertising and motor vehicles.

~~4.8.4.7.~~ For the entities listed for Queensland, Article XVI.2 (Transparency of Procurement Information - Publication of Award Information) does not apply for a period of three years from the date of entry to force of the Agreement so as to allow time for the entities listed for Queensland to make the necessary modifications to electronic means to enable publication of such information.

5 SOUTH AUSTRALIA

5.1. Attorney-General's Department;
 5.2. Auditor-General's Department;
 5.3. Courts Administration Authority;
 5.4. Defence SA;
 5.5. Department for Child Protection;
 5.6. Department for Correctional Services;
 5.7. Department for Education;
 5.8. Department for Environment and Water;
 5.9. Department for Energy and Mining;
 5.10. Department for Health and Wellbeing;
~~5.11. Department for Infrastructure and Transport Department of Planning, Transport and Infrastructure;~~
~~5.11.5.12.~~ Department for Innovation and Skills;
~~5.12.5.13.~~ Department for Trade, ~~Tourism~~ and Investment;
~~5.13.5.14.~~ Department of Human Services;
~~5.14. Department of Planning, Transport and Infrastructure; [renamed and moved to 5.11 above to maintain alphabetical order]~~
 5.15. Department of Primary Industries and Regions ~~South Australia~~;
 5.16. Department of the Premier and Cabinet;

APPENDIX I	AUSTRALIA	ANNEX 2	Page 4/6
------------	-----------	---------	----------

5.17. Department of Treasury and Finance;
 5.18. Electoral Commission of South Australia;
 5.19. Environment Protection Authority;
~~5.20. Independent Gambling Authority;~~
 5.21. ~~5.20.~~ Parliament of South Australia;
 5.22. ~~5.21.~~ South Australia Country Fire Service;
 5.23. ~~5.22.~~ South Australia Police;
 5.24. ~~5.23.~~ South Australian Fire and Emergency Services Commission;
 5.25. ~~5.24.~~ South Australian Metropolitan Fire Service;
 5.26. ~~5.25.~~ South Australian Tourism Commission;
 5.27. ~~5.26.~~ State Emergency Service;
~~5.28. State Procurement Board;~~
 5.29. ~~5.27.~~ TAFE SA.

5.30. ~~5.28.~~ For the entities listed for South Australia, this Agreement does not cover the procurement of health and welfare services, education services, advertising services, or motor vehicles.

6 TASMANIA

6.1. Department of Communities Tasmania;
 6.2. Department of Education;
 6.3. Department of Health;
 6.4. Department of Justice;
~~6.5. Department of Natural Resources and Environment Tasmania~~ ~~Department of~~
~~Primary Industries, Parks, Water and Environment;~~
~~6.5.6.6.~~ Department of Police, Fire and Emergency Management;
~~6.6.6.7.~~ Department of Premier and Cabinet;
~~6.7. Department of Primary Industries, Parks, Water and Environment;~~ *[renamed and moved to 6.5 above to maintain alphabetical order]*
 6.8. Department of State Growth;
 6.9. Department of Treasury and Finance;
~~6.10. Environment Protection Authority;~~
~~6.10.6.11.~~ House of Assembly;
~~6.11.6.12.~~ Legislative Council;
~~6.12.6.13.~~ Legislature-General;
~~6.13.6.14.~~ Office of the Director of Public Prosecutions;
~~6.14.6.15.~~ Office of the Governor;
~~6.15.6.16.~~ Office of the Ombudsman;
~~6.16.6.17.~~ Tasmanian Audit Office;
~~6.17.6.18.~~ Tourism Tasmania.

6.18. ~~6.19.~~ For the entities listed for Tasmania, this Agreement does not cover procurement of health and welfare services, education services, or advertising services.

7 VICTORIA

7.1. Commission for Children and Young People;
 7.2. Department of Education and Training;
 7.3. Department of Environment, Land, Water and Planning;
~~7.4. Department of Families, Fairness and Housing;~~
~~7.4.7.5. Department of Health and Human Services;~~
~~7.5.7.6.~~ Department of Jobs, Precincts and Regions;
~~7.6.7.7.~~ Department of Justice and Community Safety;
~~7.7.7.8.~~ Department of Premier and Cabinet;
~~7.8.7.9.~~ Department of Transport (Note ~~7.28.7.29.c.~~);
~~7.9.7.10.~~ Department of Treasury and Finance;
~~7.10.7.11.~~ Essential Services Commission;
~~7.11.7.12.~~ Game Management Authority;
~~7.12.7.13.~~ Independent Broad-Based Anti-corruption Commission;
~~7.13.7.14.~~ Office of Public Prosecutions;
~~7.14.7.15.~~ Office of the Chief Commissioner of Police (Victoria Police);

~~7.15.~~ **7.16.** Office of the Commissioner for Environmental Sustainability;

~~7.16. Office of the Legal Services Commissioner;~~ **[renamed and moved to 7.21 below to maintain alphabetical order]**

~~7.17.~~ **7.17.** Office of the Ombudsman;

~~7.18.~~ **7.18.** Office of the Road Safety Camera Commissioner;

~~7.19.~~ **7.19.** Office of the Victorian Information Commissioner;

~~7.20.~~ **7.20.** Office of the Victorian Inspectorate;

APPENDIX I	AUSTRALIA	ANNEX 2	Page 5/6
------------	-----------	---------	----------

7.21. Office of the **Victorian** Legal Services Commissioner;

~~7.21.~~ **7.22.** Commercial Passenger Vehicle Commission;

~~7.22.~~ **7.23.** Victorian Auditor-General's Office;

~~7.23.~~ **7.24.** Victorian Commission for Gambling and Liquor Regulation;

~~7.24.~~ **7.25.** Victorian Electoral Commission;

~~7.25.~~ **7.26.** Victorian Equal Opportunity and Human Rights Commission;

~~7.26.~~ **7.27.** Victorian Public Sector Commission;

~~7.27.~~ **7.28.** Victorian Responsible Gambling Foundation.

~~7.28.~~ **7.29.** For the entities listed for Victoria, this Agreement does not cover:

- a. the procurement of motor vehicles;
- b. procurement by covered entities on behalf of non-covered entities; or
- c. procurement by Department of Transport, related to the functions of Public Transport Victoria and VicRoads.

8 WESTERN AUSTRALIA

8.1. Botanic Gardens and Parks Authority;

8.2. Child and Adolescent Health Service;

8.3. Commissioner of Main Roads ~~Main Roads Western Australia;~~

~~8.2.~~ **8.4.** Corruption and Crime Commission ~~(Western Australia);~~

8.3. Country High Schools Hostels Authority;

~~8.4.~~ **8.5.** Department of Biodiversity, Conservation and Attractions;

~~8.5.~~ **8.6.** Department of Communities;

~~8.6.~~ **8.7.** Department of Education;

~~8.7.~~ **8.8.** Department of Fire and Emergency Services;

~~8.8.~~ **8.9.** Department of Finance (Note ~~8.60.~~ **8.71.**);

~~8.9.~~ **8.10.** Department of Health;

~~8.10.~~ **8.11.** Department of Jobs, Tourism, Science and Innovation;

~~8.11.~~ **8.12.** Department of Justice;

~~8.12.~~ **8.13.** Department of Local Government, Sport and Cultural Industries;

~~8.13.~~ **8.14.** Department of Mines, Industry Regulation and Safety;

~~8.14.~~ **8.15.** Department of Planning, Lands and Heritage;

~~8.15.~~ **8.16.** Department of Primary Industries and Regional Development;

~~8.16.~~ **8.17.** Department of Training and Workforce Development;

~~8.17.~~ **8.18.** Department of Transport;

~~8.18.~~ **8.19.** Department of Treasury;

~~8.19.~~ **8.20.** Department of the Premier and Cabinet;

~~8.20.~~ **8.21.** Department of the Registrar Western Australian Industrial Relations Commission;

~~8.21.~~ **8.22.** Department of Water and Environmental Regulation;

8.22. Equal Opportunity Commission;

8.23. Disability Services Commission;

8.24. East Metropolitan Health Service;

8.25. Energy Policy WA;

~~8.23.~~ **8.26.** Gascoyne Development Commission;

~~8.24.~~ **8.27.** Goldfields Esperance Development Commission;

~~8.25.~~ **8.28.** Governor's Establishment;

~~8.26.~~ **8.29.** Great Southern Development Commission;

8.30. Health Support Services;

~~8.27.~~ **8.31.** Heritage Council of Western Australia;

8.32. Housing Authority;

~~8.28.~~ **8.33.** Kimberley Development Commission;

~~8.29.~~ **8.34.** Law Reform Commission of Western Australia;

~~8.30.~~ **8.35.** Legislative Assembly;

APPENDIX I	AUSTRALIA	ANNEX 2	Page 6/6
------------	-----------	---------	----------

~~8.31.8.36.~~ Legislative Council;
~~8.32.8.32.~~ ~~Main Roads Western Australia~~; *[renamed and moved to 8.3 above to maintain alphabetical order]*
~~8.33.8.37.~~ Mid West Development Commission;
~~8.34.8.38.~~ Minerals Research Institute of Western Australia;
~~8.35.8.39.~~ National Trust of Australia (WA);
8.40. North Metropolitan Health Service;
~~8.36.8.41.~~ Office of the Auditor General;
~~8.37.8.42.~~ Office of the Director of Public Prosecutions;
~~8.38.8.43.~~ Office of the Information Commissioner;
~~8.39.8.44.~~ Office of the Inspector of Custodial Services;
~~8.40.8.45.~~ ~~Office of the~~ Parliamentary Commissioner for Administrative Investigations;
~~8.41.8.46.~~ Parliamentary Services Department;
8.47. PathWest Laboratory Medicine WA;
~~8.42.8.48.~~ Peel Development Commission;
~~8.43.8.49.~~ Pilbara Development Commission;
~~8.44.8.50.~~ Public Sector Commission;
~~8.45.8.51.~~ Public Transport Authority **of Western Australia;**
8.52. Quadriplegic Centre;
~~8.46.8.53.~~ Rottnest Island Authority;
~~8.47.8.54.~~ Rural Business Development Corporation;
~~8.48.8.55.~~ Salaries and Allowances Tribunal;
8.56. School Curriculum and Standards Authority;
~~8.49.8.57.~~ Small Business Development Corporation;
8.58. South Metropolitan Health Service;
~~8.50.8.59.~~ South West Development Commission;
~~8.51.8.60.~~ ~~State Library of Western Australia~~; *[renamed and moved to 8.61 below to maintain alphabetical order]*
~~8.52.8.60.~~ Swan River Trust;
8.61. The Library Board of Western Australia ~~State Library of Western Australia;~~
8.62. WA Country Health Service;
~~8.53.8.63.~~ Western Australia Police;
~~8.54.8.64.~~ Western Australian Electoral Commission;
~~8.55.8.65.~~ Western Australian Land Information Authority (~~Landgate~~);
~~8.56.8.66.~~ Western Australian Planning Commission;
~~8.57.8.67.~~ Western Australian Sports Centre Trust (~~trading as VenuesWest~~);
8.68. Western Australian Tourism Commission;
~~8.58.8.69.~~ Wheatbelt Development Commission;
~~8.59.8.70.~~ Zoological Parks Authority.

~~8.60.8.71.~~ For greater certainty, consistent with Article IX.11, in relation to procurements from the Department of Finance, ~~'Building Management and Works'~~ **'Builders'** Prequalification Scheme'; and Main Road's 'National Prequalification System for Civil (Road and Bridge) Construction Contracts' Scheme, requests for participation in a procurement from suppliers not already prequalified at the time of tender release will not be considered due to the time and complexity involved in assessing requests. This does not preclude suppliers from applying at any time to become prequalified. Prequalification ensures the financial security of building and construction contractors and does not discriminate between local suppliers and the suppliers of other Parties.

Note to Annex 2

This Agreement only covers those entities listed in this Annex.

ATTACHMENT B**ANNEX 2****SUB-CENTRAL GOVERNMENT ENTITIES****Thresholds:**

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

Goods	SDR 355,000
Services	SDR 355,000
Construction Services	SDR 5,000,000

List of Entities:**1 AUSTRALIAN CAPITAL TERRITORY**

- 1.1. ACT Audit Office;
- 1.2. ACT Gambling and Racing Commission;
- 1.3. ACT Health Directorate;
- 1.4. ACT Insurance Authority;
- 1.5. ACT Ombudsman;
- 1.6. Canberra Health Services;
- 1.7. Chief Minister, Treasury and Economic Development Directorate;
- 1.8. Community Services Directorate;
- 1.9. Cultural Facilities Corporation;
- 1.10. Education Directorate;
- 1.11. Environment, Planning and Sustainable Development Directorate;
- 1.12. Housing ACT;
- 1.13. Independent Competition and Regulatory Commission;
- 1.14. Justice and Community Safety Directorate;
- 1.15. Legal Aid ACT;
- 1.16. Major Projects Canberra;
- 1.17. Transport Canberra and City Services Directorate.

1.18. For the entities listed for the Australian Capital Territory, this Agreement does not cover the procurement of health and welfare services, education services, utility services or motor vehicles.

2 NEW SOUTH WALES

- 2.1. Advocate for Children and Young People;
- 2.2. Children's Guardian and Office of Children's Guardian;
- 2.3. Commissioner of Fire and Rescue NSW and Fire and Rescue NSW;
- 2.4. Commissioner of the NSW Rural Fire Service and Office of the NSW Rural Fire Service;
- 2.5. Commissioner of the NSW State Emergency Service and Office of the NSW State Emergency Service;
- 2.6. Crown Solicitor and Crown Solicitor's Office;
- 2.7. Department of Communities and Justice;
- 2.8. Department of Customer Service;
- 2.9. Department of Education;
- 2.10. Department of Planning and Environment;
- 2.11. Department of Premier and Cabinet;
- 2.12. Department of Regional NSW;
- 2.13. Director of Public Prosecutions and Office of the Director of Public Prosecutions;
- 2.14. Environment Protection Authority and Environment Protection Authority Staff Agency;
- 2.15. Health Care Complaints Commission and Health Care Complaints Commission Staff Agency;
- 2.16. Independent Planning Commission and Office of the Independent Planning Commission;

APPENDIX I	AUSTRALIA	ANNEX 2	Page 2/6
------------	-----------	---------	----------

- 2.17. Information Commissioner and Information and Privacy Commission (Note 2.41.c.);
- 2.18. Inspector of the Law Enforcement Conduct Commission and Office of the Inspector of the Law Enforcement Conduct Commission;
- 2.19. Insurance and Care NSW (icare);
- 2.20. Investment NSW;
- 2.21. Law Enforcement Conduct Commission and Office of the Law Enforcement Conduct Commission;
- 2.22. Legal Aid Commission of NSW and Legal Aid Commission Staff Agency (Legal Aid NSW);
- 2.23. Ministry of Health;
- 2.24. Multicultural NSW and Multicultural NSW Staff Agency;
- 2.25. New South Wales Crime Commission and New South Wales Crime Commission Staff Agency;
- 2.26. NSW Education Standards Authority (NESA) and NSW Education Standards Authority Staff Agency;
- 2.27. New South Wales Electoral Commission and NSW Electoral Commission Staff Agency;
- 2.28. NSW Food Authority;
- 2.29. New South Wales Land and Housing Corporation (Housing NSW);
- 2.30. New South Wales Rural Assistance Authority;
- 2.31. Ombudsman and the Ombudsman's Office;
- 2.32. Parliamentary Counsel and Parliamentary Counsel's Office;
- 2.33. Place Management NSW;
- 2.34. Public Service Commissioner and Public Service Commission;
- 2.35. Resilience NSW;
- 2.36. State Insurance Regulatory Authority;
- 2.37. Sydney Olympic Park Authority;
- 2.38. The Audit Office of New South Wales;
- 2.39. The Treasury;
- 2.40. Transport for NSW (Note 2.41.d.).
- 2.41. For entities listed for New South Wales, this Agreement does not cover:
 - a. procurement of health and welfare services, education services or motor vehicles;
 - b. procurements undertaken by a covered entity on behalf of a non-covered entity;
 - c. procurement related to the functions of the Privacy Commission by the Information and Privacy Commission; or
 - d. procurement by Transport for NSW, related to the functions of the Transport Construction Authority, and The Country Rail Infrastructure Authority or its successor agencies, and Roads and Maritime Services.

3 NORTHERN TERRITORY

- 3.1. Aboriginal Areas Protection Authority;
- 3.2. Auditor General's Office;
- 3.3. Department of the Attorney-General and Justice;
- 3.4. Department of the Chief Minister and Cabinet;
- 3.5. Department of Environment, Parks and Water Security;
- 3.6. Department of Health;
- 3.7. Department of Industry, Tourism and Trade;
- 3.8. Department of the Legislative Assembly;
- 3.9. Department of Territory Families, Housing and Communities;
- 3.10. Department of Treasury and Finance;
- 3.11. Health and Community Services Complaints Commission;
- 3.12. Museum and Art Gallery of the Northern Territory;
- 3.13. Land Development Corporation;
- 3.14. Northern Territory Electoral Commission;

APPENDIX I	AUSTRALIA	ANNEX 2	Page 3/6
------------	------------------	---------	----------

- 3.15. Northern Territory Police, Fire and Emergency Services;
- 3.16. Ombudsman's Office;
- 3.17. Racing Commission;
- 3.18. Remuneration Tribunal;
- 3.19. Strehlow Research Centre;
- 3.20. Utilities Commission of the Northern Territory;
- 3.21. Work Health Authority.

3.22. For entities listed for the Northern Territory, this Agreement does not cover set-asides on behalf of the Charles Darwin University pursuant to Partnership Agreements between the Northern Territory Government and Charles Darwin University.

4 QUEENSLAND

- 4.1. Entities declared to be departments pursuant to section 14 of the *Public Service Act 2008 (Qld)*;
- 4.2. Motor Accident Insurance Commission;
- 4.3. Nominal Defendant;
- 4.4. Public Service Commission;
- 4.5. Public Trust Office.

4.6. For the entities listed for Queensland this Agreement does not cover:

- a. procurement by covered entities on behalf of non-covered entities;
- b. procurement undertaken by departments, or parts of departments, which deliver health, education, training or arts services; or
- c. procurement of health services, education services, training services, arts services, welfare services, government advertising and motor vehicles.

4.7. For the entities listed for Queensland, Article XVI.2 (Transparency of Procurement Information - Publication of Award Information) does not apply for a period of three years from the date of entry to force of the Agreement so as to allow time for the entities listed for Queensland to make the necessary modifications to electronic means to enable publication of such information.

5 SOUTH AUSTRALIA

- 5.1. Attorney-General's Department;
- 5.2. Auditor-General's Department;
- 5.3. Courts Administration Authority;
- 5.4. Defence SA;
- 5.5. Department for Child Protection;
- 5.6. Department for Correctional Services;
- 5.7. Department for Education;
- 5.8. Department for Environment and Water;
- 5.9. Department for Energy and Mining;
- 5.10. Department for Health and Wellbeing;
- 5.11. Department for Infrastructure and Transport;
- 5.12. Department for Innovation and Skills;
- 5.13. Department for Trade and Investment;
- 5.14. Department of Human Services;
- 5.15. Department of Primary Industries and Regions;
- 5.16. Department of the Premier and Cabinet;

APPENDIX I	AUSTRALIA	ANNEX 2	Page 4/6
------------	-----------	---------	----------

- 5.17. Department of Treasury and Finance;
- 5.18. Electoral Commission of South Australia;
- 5.19. Environment Protection Authority;
- 5.20. Parliament of South Australia;
- 5.21. South Australia Country Fire Service;
- 5.22. South Australia Police;
- 5.23. South Australian Fire and Emergency Services Commission;
- 5.24. South Australian Metropolitan Fire Service;
- 5.25. South Australian Tourism Commission;
- 5.26. State Emergency Service;
- 5.27. TAFE SA.

5.28. For the entities listed for South Australia, this Agreement does not cover the procurement of health and welfare services, education services, advertising services, or motor vehicles.

6 TASMANIA

- 6.1. Department of Communities Tasmania;
- 6.2. Department of Education;
- 6.3. Department of Health;
- 6.4. Department of Justice;
- 6.5. Department of Natural Resources and Environment Tasmania;
- 6.6. Department of Police, Fire and Emergency Management;
- 6.7. Department of Premier and Cabinet;
- 6.8. Department of State Growth;
- 6.9. Department of Treasury and Finance;
- 6.10. Environment Protection Authority;
- 6.11. House of Assembly;
- 6.12. Legislative Council;
- 6.13. Legislature-General;
- 6.14. Office of the Director of Public Prosecutions;
- 6.15. Office of the Governor;
- 6.16. Office of the Ombudsman;
- 6.17. Tasmanian Audit Office;
- 6.18. Tourism Tasmania.

6.19. For the entities listed for Tasmania, this Agreement does not cover procurement of health and welfare services, education services, or advertising services.

7 VICTORIA

- 7.1. Commission for Children and Young People;
- 7.2. Department of Education and Training;
- 7.3. Department of Environment, Land, Water and Planning;
- 7.4. Department of Families, Fairness and Housing;
- 7.5. Department of Health;
- 7.6. Department of Jobs, Precincts and Regions;
- 7.7. Department of Justice and Community Safety;
- 7.8. Department of Premier and Cabinet;
- 7.9. Department of Transport (Note 7.29.c.);
- 7.10. Department of Treasury and Finance;
- 7.11. Essential Services Commission;
- 7.12. Game Management Authority;
- 7.13. Independent Broad-Based Anti-corruption Commission;
- 7.14. Office of Public Prosecutions;
- 7.15. Office of the Chief Commissioner of Police (Victoria Police);
- 7.16. Office of the Commissioner for Environmental Sustainability;
- 7.17. Office of the Ombudsman;
- 7.18. Office of the Road Safety Camera Commissioner;
- 7.19. Office of the Victorian Information Commissioner;
- 7.20. Office of the Victorian Inspectorate;
- 7.21. Office of the Victorian Legal Services Commissioner;

APPENDIX I	AUSTRALIA	ANNEX 2	Page 5/6
------------	-----------	---------	----------

- 7.22. Commercial Passenger Vehicle Commission;
- 7.23. Victorian Auditor-General's Office;
- 7.24. Victorian Commission for Gambling and Liquor Regulation;
- 7.25. Victorian Electoral Commission;
- 7.26. Victorian Equal Opportunity and Human Rights Commission;
- 7.27. Victorian Public Sector Commission;
- 7.28. Victorian Responsible Gambling Foundation.
- 7.29. For the entities listed for Victoria, this Agreement does not cover:
 - a. the procurement of motor vehicles;
 - b. procurement by covered entities on behalf of non-covered entities; or
 - c. procurement by Department of Transport, related to the functions of Public Transport Victoria and VicRoads.

8 WESTERN AUSTRALIA

- 8.1. Botanic Gardens and Parks Authority;
- 8.2. Child and Adolescent Health Service;
- 8.3. Commissioner of Main Roads;
- 8.4. Corruption and Crime Commission;
- 8.5. Department of Biodiversity, Conservation and Attractions;
- 8.6. Department of Communities;
- 8.7. Department of Education;
- 8.8. Department of Fire and Emergency Services;
- 8.9. Department of Finance (Note 8.71.);
- 8.10. Department of Health;
- 8.11. Department of Jobs, Tourism, Science and Innovation;
- 8.12. Department of Justice;
- 8.13. Department of Local Government, Sport and Cultural Industries;
- 8.14. Department of Mines, Industry Regulation and Safety;
- 8.15. Department of Planning, Lands and Heritage;
- 8.16. Department of Primary Industries and Regional Development;
- 8.17. Department of Training and Workforce Development;
- 8.18. Department of Transport;
- 8.19. Department of Treasury;
- 8.20. Department of the Premier and Cabinet;
- 8.21. Department of the Registrar Western Australian Industrial Relations Commission;
- 8.22. Department of Water and Environmental Regulation;
- 8.23. Disability Services Commission;
- 8.24. East Metropolitan Health Service;
- 8.25. Energy Policy WA;
- 8.26. Gascoyne Development Commission;
- 8.27. Goldfields Esperance Development Commission;
- 8.28. Governor's Establishment;
- 8.29. Great Southern Development Commission;
- 8.30. Health Support Services;
- 8.31. Heritage Council of Western Australia;
- 8.32. Housing Authority;
- 8.33. Kimberley Development Commission;
- 8.34. Law Reform Commission of Western Australia;
- 8.35. Legislative Assembly;
- 8.36. Legislative Council;
- 8.37. Mid West Development Commission;
- 8.38. Minerals Research Institute of Western Australia;
- 8.39. National Trust of Australia (WA);

APPENDIX I	AUSTRALIA	ANNEX 2	Page 6/6
------------	-----------	---------	----------

- 8.40. North Metropolitan Health Service;
- 8.41. Office of the Auditor General;
- 8.42. Office of the Director of Public Prosecutions;
- 8.43. Office of the Information Commissioner;
- 8.44. Office of the Inspector of Custodial Services;
- 8.45. Parliamentary Commissioner for Administrative Investigations;
- 8.46. Parliamentary Services Department;
- 8.47. PathWest Laboratory Medicine WA;
- 8.48. Peel Development Commission;
- 8.49. Pilbara Development Commission;
- 8.50. Public Sector Commission;
- 8.51. Public Transport Authority of Western Australia;
- 8.52. Quadriplegic Centre;
- 8.53. Rottnest Island Authority;
- 8.54. Rural Business Development Corporation;
- 8.55. Salaries and Allowances Tribunal;
- 8.56. School Curriculum and Standards Authority;
- 8.57. Small Business Development Corporation;
- 8.58. South Metropolitan Health Service;
- 8.59. South West Development Commission;
- 8.60. Swan River Trust;
- 8.61. The Library Board of Western Australia;
- 8.62. WA Country Health Service;
- 8.63. Western Australia Police;
- 8.64. Western Australian Electoral Commission;
- 8.65. Western Australian Land Information Authority;
- 8.66. Western Australian Planning Commission;
- 8.67. Western Australian Sports Centre Trust;
- 8.68. Western Australian Tourism Commission;
- 8.69. Wheatbelt Development Commission;
- 8.70. Zoological Parks Authority.

8.71. For greater certainty, consistent with Article IX.11, in relation to procurements from the Department of Finance 'Builders Prequalification Scheme'; and Main Road's 'National Prequalification System for Civil (Road and Bridge) Construction Contracts' Scheme, requests for participation in a procurement from suppliers not already prequalified at the time of tender release will not be considered due to the time and complexity involved in assessing requests. This does not preclude suppliers from applying at any time to become prequalified. Prequalification ensures the financial security of building and construction contractors and does not discriminate between local suppliers and the suppliers of other Parties.

Note to Annex 2

This Agreement only covers those entities listed in this Annex.