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Comité des marchés publics

Original: anglais

MODIFICATIONS PROJETÉES DE L'APPENDICE I CONCERNANT LA RÉPUBLIQUE DE CORÉE AU TITRE DE L'ACCORD SUR LES MARCHÉS PUBLICS RÉVISÉ

COMMUNICATION PRÉSENTÉE PAR LA RÉPUBLIQUE DE CORÉE

La communication ci-après, datée du 4 novembre 2020, est distribuée à la demande de la délégation de la République de Corée.

Conformément au paragraphe 1 de l'article XIX de l'Accord sur les marchés publics révisé (ci-après dénommé l'"Accord révisé"), la République de Corée notifie au Comité des marchés publics les modifications ci-après se rapportant aux Annexes 1 et 3 de l'Appendice I de l'Accord révisé concernant la République de Corée.

Partie notifiante	RÉPUBLIQUE DE CORÉE
Fondement juridique	<input type="checkbox"/> Article XIX:1 a) de l'Accord révisé <input checked="" type="checkbox"/> Article XIX:1 b) de l'Accord révisé
Annexe(s) de l'Appendice I concernés	<ul style="list-style-type: none"> Entités du gouvernement central (Annexe 1) Autres entités (Annexe 3)
Description des modifications projetées ANNEXE 1 – ENTITÉS DU GOUVERNEMENT CENTRAL a. remplacer "Ministry of Strategy and Finance" par "Ministry of Economy and Finance", l'appellation de cette entité ayant été modifiée; b. remplacer "Ministry of Science, ICT and Future Planning" par "Ministry of Science and ICT", l'appellation de cette entité ayant été modifiée et certaines de ses fonctions ayant été transférées au "Ministry of SMEs and Startups"; c. supprimer "Ministry of Public Safety and Security (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement)" étant donné que cette entité a été abolie, que la "National Fire Agency" et la "Korea Coast Guard" ont été créées à partir de cette entité, et que certaines de ses fonctions ont été transférées au "Ministry of the Interior and Safety"; d. remplacer "Ministry of the Interior" par "Ministry of the Interior and Safety" étant donné que certaines fonctions du "Ministry of Public Safety and Security" lui ont été transférées; e. ajouter "National Fire Agency" à la Liste des entités de l'Annexe 1; f. ajouter "Korea Coast Guard (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement)" à la Liste des entités de l'Annexe 1;	

- g. remplacer "Fair Trade Commission" par "Korea Fair Trade Commission", l'appellation de cette entité ayant été modifiée;
- h. remplacer "Small and Medium Business Administration" par "Ministry of SMEs and Startups", cette entité ayant été érigée en ministère et son appellation ayant été modifiée; et
- i. modifier l'ordre de la Liste des entités et renuméroter celles-ci en fonction des modifications ci-dessus.

ANNEXE 3 – AUTRES ENTITÉS

- a. remplacer "Korea Minting and Security Printing Corporation" par "Korea Minting, Security Printing and ID Card Operating Corporation", l'appellation de cette entité ayant été modifiée;
- b. remplacer "Korea Labor Welfare Corporation" par "Korea Workers' Compensation & Welfare Service", l'appellation de cette entité ayant été modifiée;
- c. remplacer "Incheon Metro" par "Incheon Transit Corporation", l'appellation de cette entité ayant été modifiée.

Renseignements concernant les conséquences probables du changement 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 la République de Corée au titre de l'Accord révisé.

Pièces jointes¹:

- La pièce jointe A du présent document indique (en caractères gras, en texte barré ou en texte souligné) les modifications projetées aux pages correspondantes des Annexes 1 et 3 de l'Appendice I concernant la République de Corée au titre de l'AMP révisé.
- La pièce jointe B contient les pages en question telles qu'elles se présenteront après les modifications.

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

ATTACHMENT A**ANNEX 1****CENTRAL GOVERNMENT ENTITIES****Thresholds:**

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

List of Entities:

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

38. National Police Agency (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement);

39. National Fire Agency;

~~3940~~. Cultural Heritage Administration;

~~4041~~. Rural Development Administration;

~~4142~~. Korea Forest Service;

43. Korean Intellectual Property Office;

44. Korea Meteorological Administration;

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

~~4546~~. National Agency for Administrative City Construction.

Notes to Annex 1

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

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

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

ANNEX 3

OTHER ENTITIES

Thresholds:

Goods	SDR 400,000
Services	SDR 400,000
Construction Services	SDR 15,000,000

List of Entities:

1. Korea Development Bank;
2. Industrial Bank of Korea;
3. ~~Korea Minting and Security Printing Corporation~~ **Korea Minting, Security Printing and ID Card Operating Corporation;**
4. Korea Electric Power Corporation (except purchases of products in the categories of HS Nos. 8504, 8535, 8537 and 8544) (Note 3);
5. Korea Coal Corporation;
6. Korea Resources Corporation;
7. Korea National Oil Corporation;
8. Korea Trade-Investment Promotion Agency;
9. Korea Expressway Corporation;
10. Korea Land and Housing Corporation;
11. Korea Water Resources Corporation;
12. Korea Rural Community Corporation;
13. Korea Agro-Fisheries Trade Corporation;
14. Korea Tourism Organization;
15. ~~Korea Labor Welfare Corporation~~ **Korea Workers' Compensation & Welfare Service;**
16. Korea Gas Corporation (Note 3);
17. Korea Railroad Corporation;
18. Korea Rail Network Authority (Note 4);
19. Seoul Metro;
20. ~~Incheon Metro~~ **Incheon Transit Corporation;**
21. Busan Transportation Corporation;
22. Daegu Metropolitan Transit Corporation;
23. Daejeon Metropolitan Express Transit Corporation;
24. Gwangju Metropolitan Rapid Transit Corporation.

Notes to Annex 3

1. This Agreement does not apply to any set-asides for small- and medium-sized businesses according to the Act on the Management of Public Institutions, the Rule on Contract Business of Public Institutions and Quasi-governmental Institutions, the Local Public Enterprises Act and the Enforcement Regulations of the Local Public Enterprises Act.
2. This Agreement does not cover procurement of the transportation services that form a part of, or are incidental to, a procurement contract.

ATTACHMENT B**ANNEX 1****CENTRAL GOVERNMENT ENTITIES****Thresholds:**

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

List of Entities:

1. Board of Audit and Inspection;
2. Office for Government Policy Coordination;
3. Prime Minister's Secretariat;
4. Ministry of Economy and Finance;
5. Ministry of Education;
6. Ministry of Science and ICT;
7. Ministry of Foreign Affairs;
8. Ministry of Unification;
9. Ministry of Justice;
10. Ministry of National Defense;
11. Ministry of the Interior and Safety;
12. Ministry of Culture, Sports and Tourism;
13. Ministry of Agriculture, Food and Rural Affairs;
14. Ministry of Trade, Industry and Energy;
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16. Ministry of Environment;
17. Ministry of Employment and Labor;
18. Ministry of Gender Equality and Family;
19. Ministry of Land, Infrastructure and Transport;
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21. Ministry of SMEs and Startups;
22. Korea Fair Trade Commission;
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25. Korea Communications Commission;
26. National Human Rights Commission;
27. Ministry of Personnel Management;
28. Ministry of Government Legislation;
29. Ministry of Patriots and Veterans Affairs;
30. Ministry of Food and Drug Safety;
31. National Tax Service;
32. Korea Customs Service;
33. Public Procurement Service (Note 3);
34. Statistics Korea;
35. Supreme Prosecutors' Office;
36. Military Manpower Administration;
37. Defense Acquisition Program Administration;

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38. National Police Agency (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement);
39. National Fire Agency;
40. Cultural Heritage Administration;
41. Rural Development Administration;
42. Korea Forest Service;
43. Korean Intellectual Property Office;
44. Korea Meteorological Administration;
45. Korea Coast Guard (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement);
46. National Agency for Administrative City Construction.

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