



4 de abril de 2022

(22-2688)

Página: 1/17

Comité de Contratación Pública

Original: inglés

**NOTIFICACIÓN DE PROPUESTAS DE MODIFICACIÓN Y RECTIFICACIÓN
DEL ÁMBITO DE APLICACIÓN EN EL MARCO DEL ACUERDO
SOBRE CONTRATACIÓN PÚBLICA DE 2012**

COMUNICACIÓN DE AUSTRALIA

*Propuestas de modificación y rectificación del Apéndice I de Australia
notificadas de conformidad con el artículo XIX.1 del ACP de 2012*

La siguiente comunicación, de fecha 4 de abril de 2022, se distribuye a petición de la delegación de Australia.

| | |
|--|---|
| Parte notificante | AUSTRALIA |
| Fundamento jurídico | <input type="checkbox"/> de conformidad con el artículo XIX.1 a) del ACP de 2012 <input checked="" type="checkbox"/> de conformidad con el artículo XIX.1 b) del ACP de 2012 |
| Anexo(s) del Apéndice I afectado(s) | <ul style="list-style-type: none">Entidades de los Gobiernos subcentrales (Anexo 2) |
| Descripción de las modificaciones propuestas: | |
| ANEXO 2 - ENTIDADES DE LOS GOBIERNOS SUBCENTRALES | |
| NUEVA GALES DEL SUR | |
| <ul style="list-style-type: none">a. Sustitúyase "Department of Planning, Industry and the Environment" por "Department of Planning and Environment", ya que la entidad ha cambiado de nombre; (véase la entidad Nº 2.10 del Anexo 2 del Suplemento B)b. Añádase "Investment NSW", ya que desempeña determinadas funciones anteriormente abarcadas por el "Department of the Premier and Cabinet" y "The Treasury"; (véase la entidad Nº 2.20 del Anexo 2 del Suplemento B)c. Sustitúyase "Regional NSW" por "Department of Regional NSW", ya que la entidad ha cambiado de nombre; (véase la entidad Nº. 2.12 del Anexo 2 del Suplemento B)d. Reordénese y vuélvase a numerar la lista de entidades en función de las modificaciones indicadas <i>supra</i>. | |
| TERRITORIO SEPTENTRIONAL | |
| <ul style="list-style-type: none">a. Elimínese "Office of the Commissioner for Public Employment", ya que sus funciones se han transferido al "Department of the Chief Minister and Cabinet"b. Reordénese y vuélvase a numerar la lista de entidades en función de las modificaciones indicadas <i>supra</i>. | |
| QUEENSLAND | |
| <ul style="list-style-type: none">a. Elimínese "Public Safety Business Agency", ya que sus funciones se han transferido a "Queensland Police Service" y "Queensland Fire and Emergency Service" (ambos | |

organismos están abarcados, ya que se trata de entidades declaradas como departamento de conformidad con el artículo 14 de la *Ley de la Función Pública de 2008 (Qld)*)

- b. Reordénese y vuélvase a numerar la lista de entidades en función de las modificaciones indicadas *supra*.

AUSTRALIA MERIDIONAL

- a. Sustitúyase "Department for Trade, Tourism and Investment" por "Department for Trade and Investment", ya que la entidad ha cambiado de nombre al haberse transferido la función "turismo" al "Department of the Premier and Cabinet"; (véase la entidad N° 5.13 del Anexo 2 del Suplemento B)
- b. Sustitúyase "Department of Planning, Transport and Infrastructure" por "Department for Infrastructure and Transport", ya que la entidad ha cambiado de nombre al haberse transferido la función "planificación" al "Attorney-General's Department". (Véase la entidad N° 5.11 del Anexo 2 del Suplemento B)
- c. Sustitúyase "Department of Primary Industries and Regions South Australia" por "Department of Primary Industries and Regions", ya que la entidad ha cambiado de nombre. (Véase la entidad N° 5.15 del Anexo 2 del Suplemento B)
- d. Elimínese "Independent Gambling Authority", ya que sus funciones se han transferido al "Attorney-General's Department"
- e. Elimínese "State Procurement Board", ya que sus funciones se han transferido al "Department of Treasury and Finance"
- f. Reordénese y vuélvase a numerar la lista de entidades en función de las modificaciones indicadas *supra*.

TASMANIA

- a. Sustitúyase "Department of Primary Industries, Parks, Water and Environment" por "Department of Natural Resources and Environment Tasmania", ya que la entidad ha cambiado de nombre.; (véase la entidad N° 6.5 del Anexo 2 del Suplemento B)
- b. Añádase "Environment Protection Authority", que se ha separado del antiguo "Department of Primary Industries, Parks, Water and Environment"; (véase la entidad N° 6.10 del Anexo 2 del Suplemento B)
- c. Reordénese y vuélvase a numerar la lista de entidades en función de las modificaciones indicadas *supra*.

VICTORIA

- a. Sustitúyase "Department of Health and Human Services" por "Department of Health" y "Department of Families, Fairness and Housing", ya que se ha dividido en dos entidades; (véanse las entidades N°s 7.4 y 7.5 del Anexo 2 del Suplemento B)
- b. Sustitúyase "Office of the Legal Services Commissioner" por "Office of the Victorian Legal Services Commissioner", ya que se ha corregido el nombre; (véase la entidad N° 7.21 del Anexo 2 del Suplemento B)
- c. Reordénese y vuélvase a numerar la lista de entidades en función de las modificaciones indicadas *supra*.

AUSTRALIA OCCIDENTAL

- a. Añádanse "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", y "WA Country Health Service" - ya que estas entidades se han separado del "Department of Health"; (véanse las entidades N°s. 8.2, 8.24, 8.30, 8.40, 8.47, 8.52, 8.58, y 8.62 del Anexo 2 del Suplemento B)
- b. Sustitúyase "Corruption and Crime Commission (Western Australia)" por "Corruption and Crime Commission", ya que la entidad ha cambiado de nombre; (véase la entidad N° 8.4 del Anexo 2 del Suplemento B)

- c. Elimínese "Country High Schools Hostels Authority", ya que sus funciones se han transferido al "Department of Education"
- d. Elimínese "Equal Opportunity Commission", ya que sus funciones se han transferido al "Department of Justice"
- e. Añádase "Disability Services Commission" y "Housing Authority", que desempeñan funciones anteriormente abarcadas por el "Department of Communities"; (véanse las entidades N^{os}. 8.23 y 8.32 del Anexo 2 del Suplemento B)
- f. Añádase "Energy Policy WA", que desempeña funciones anteriormente abarcadas por el "Department of Finance" y el "Department of Treasury"; (véase la entidad N^o 8.25 del Anexo 2 del Suplemento B)
- g. Sustitúyase "Main Roads Western Australia" por "Commissioner of Main Roads", ya que la entidad ha cambiado de nombre; (véase la entidad N^o 8.3 del Anexo 2 del Suplemento B)
- h. Sustitúyase "Office of the Parliamentary Commissioner for Administrative Investigations" por "Parliamentary Commissioner for Administrative Investigations", ya que la entidad ha cambiado de nombre; (véase la entidad N^o 8.45 del Anexo 2 del Suplemento B)
- i. Sustitúyase "Public Transport Authority" por "Public Transport Authority of Western Australia", ya que la entidad ha cambiado de nombre; (véase la entidad N^o 8.51 del Anexo 2 del Suplemento B)
- j. Añádase "School Curriculum and Standards Authority", que desempeña funciones anteriormente abarcadas por el "Department of Education"; (véase la entidad N^o 8.56 del Anexo 2 del Suplemento B)
- k. Sustitúyase "State Library of Western Australia" por "The Library Board of Western Australia", ya que la entidad ha cambiado de nombre; (véase la entidad N^o 8.61 del Anexo 2 del Suplemento B).
- l. Sustitúyase "Western Australian Land Information Authority (Landgate)" por "Western Australian Land Information Authority", para reflejar el nombre legal de la entidad; (véase la entidad N^o 8.65 del Anexo 2 del Suplemento B)
- m. Sustitúyase "Western Australian Sports Centre Trust (trading as VenuesWest)" por "Western Australian Sports Centre Trust", para reflejar el nombre legal de la entidad; (véase la entidad N^o 8.67 del Anexo 2 del Suplemento B)
- n. Añádase "Western Australian Tourism Commission", que desempeña funciones anteriormente abarcadas por el "Department of Jobs, Tourism, Science and Innovation"; (véase la entidad N^o 8.68 del Anexo 2 del Suplemento B)
- o. Modifíquese la nota 8.60 para sustituir "Department of Finance, Building Management and Works' Prequalification Scheme" por "Department of Finance 'Builders Prequalification Scheme'", ya que ha cambiado el nombre del programa pertinente; (véase la nota 8.71 del Anexo 2 del Suplemento B)
- p. Reordénese y vuélvase a numerar la lista de entidades en función de las modificaciones indicadas *supra*.

Información sobre las probables consecuencias del cambio en la cobertura mutuamente convenida prevista en el presente Acuerdo:

Estas modificaciones no afectan a la cobertura mutuamente convenida prevista en el Apéndice I de Australia en el marco del ACP de 2012.

Suplementos¹:

- En el Suplemento A del presente documento se muestran (en negrita, tachado o subrayado) las modificaciones propuestas de las páginas correspondientes del Anexo 2 del Apéndice I de Australia en el marco del ACP de 2012.
- En el Suplemento B se indica cómo quedarían las páginas pertinentes una vez aplicadas las modificaciones propuestas.

¹ Los Suplementos A y B existen únicamente en inglés.

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]**
~~2.34.~~**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.