

12 de noviembre de 2020

(20-8130)

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Comité de Contratación Pública

Original: inglés

**MODIFICACIONES PROPUESTAS DEL APÉNDICE I DE LA REPÚBLICA DE COREA
EN EL MARCO DEL ACUERDO SOBRE CONTRATACIÓN PÚBLICA REVISADO**

COMUNICACIÓN DE LA REPÚBLICA DE COREA

La siguiente comunicación, de fecha 4 de noviembre de 2020, se distribuye a petición de la delegación de la República de Corea.

De conformidad con el párrafo 1 del artículo XIX del Acuerdo sobre Contratación Pública revisado (en adelante el "Acuerdo revisado"), la República de Corea notifica por la presente al Comité de Contratación Pública las siguientes modificaciones de sus Anexos 1 y 3 del Apéndice I del Acuerdo revisado.

| Parte notificante | REPÚBLICA DE COREA |
|--|---|
| Fundamento jurídico | <input type="checkbox"/> Artículo XIX.1 a) del ACP revisado <input checked="" type="checkbox"/> Artículo XIX.1 b) del ACP revisado |
| Anexo(s) del Apéndice I afectado(s) | <ul style="list-style-type: none">Entidades del Gobierno central (Anexo 1)Otras entidades (Anexo 3) |
| Descripción de las modificaciones propuestas: | |
| ANEXO 1 - ENTIDADES DEL GOBIERNO CENTRAL | |
| <p>a. Sustitúyase "Ministry of Strategy and Finance" por "Ministry of Economy and Finance", ya que ha cambiado de nombre;</p> <p>b. Sustitúyase "Ministry of Science, ICT and Future Planning" por "Ministry of Science and ICT" ya que ha cambiado de nombre y algunas de sus funciones se han transferido al "Ministry of SMEs and Startups";</p> <p>c. Elimínese "Ministry of Public Safety and Security (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement)" ya que la entidad se ha suprimido, que la "National Fire Agency" y la "Korea Coast Guard" se han creado a partir de dicha entidad y que algunas de sus funciones se han transferido al "Ministry of the Interior and Safety";</p> <p>d. Sustitúyase "Ministry of the Interior" por "Ministry of the Interior and Safety" ya que algunas funciones del "Ministry of Public Safety and Security" se han transferido a dicha entidad;</p> <p>e. Añádase "National Fire Agency" a la lista de entidades del Anexo 1;</p> <p>f. Añádase "Korea Coast Guard (except purchases for the purpose of maintaining public order, as provided in Article III of the Agreement)" a la lista de entidades del Anexo 1;</p> <p>g. Sustitúyase "Fair Trade Commission" por "Korea Fair Trade Commission" ya que ha cambiado de nombre;</p> | |

- h. Sustitúyase "Small and Medium Business Administration" por "Ministry of SMEs and Startups" ya que dicha entidad se ha promovido y su nombre se ha cambiado; y
- i. Reordénese y vuélvase a enumerar la lista de entidades en función de las modificaciones indicadas *supra*.

ANEXO 3 - OTRAS ENTIDADES

- a. Sustitúyase "Korea Minting and Security Printing Corporation" por "Korea Minting, Security Printing and ID Card Operating Corporation" ya que ha cambiado de nombre;
- b. Sustitúyase "Korea Labor Welfare Corporation" por "Korea Workers' Compensation & Welfare Service" ya que ha cambiado de nombre;
- c. Sustitúyase "Incheon Metro" por "Incheon Transit Corporation" ya que ha cambiado de nombre.

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 la República de Corea en el marco del Acuerdo revisado.

Suplementos¹:

- El suplemento A del presente documento muestra (en negrita, tachado o subrayado) las modificaciones propuestas de las páginas correspondientes de los Anexos 1 y 3 del Apéndice I de la República de Corea en el marco del ACP revisado.
- En el suplemento B se indica cómo quedarían las páginas pertinentes una vez aplicadas las modificaciones propuestas.

¹ Los suplementos A y B están en inglés solamente.

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;
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;
21. Ministry of SMEs and Startups;
22. Korea Fair Trade Commission;
23. Financial Services Commission;
24. Anti-corruption and Civil Rights Commission;
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.

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.
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| Services | SDR 400,000 |
| Construction Services | SDR 15,000,000 |

List of Entities:

1. Korea Development Bank;
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3. 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);
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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 Workers' Compensation & Welfare Service;
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2. This Agreement does not cover procurement of the transportation services that form a part of, or are incidental to, a procurement contract.