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Comité de Contratación Pública

Original: inglés

**MODIFICACIONES PROPUESTAS DEL APÉNDICE I DE NUEVA ZELANDIA EN
EL MARCO DEL ACUERDO SOBRE CONTRATACIÓN PÚBLICA REVISADO**

**COMUNICACIÓN DE NUEVA ZELANDIA DE CONFORMIDAD CON EL PÁRRAFO 1 DEL
ARTÍCULO XIX¹ DEL ACUERDO SOBRE CONTRATACIÓN PÚBLICA REVISADO**

La siguiente comunicación, de fecha 20 de abril de 2018, se distribuye a petición de la delegación de Nueva Zelanda.

1. De conformidad con el párrafo 1 del artículo XIX del Acuerdo sobre Contratación Pública revisado (en adelante, el "Acuerdo revisado"), Nueva Zelanda notifica por la presente al Comité de Contratación Pública las siguientes modificaciones a su Anexo 3 del Apéndice I del Acuerdo revisado:

- a. elimíñese la "New Zealand Fire Service Commission" de la lista de entidades del Anexo 3, ya que se ha disuelto;
- b. añádase "Fire and Emergency New Zealand" a la lista de entidades del Anexo 3 en sustitución de la "New Zealand Fire Service Commission"; y
- c. añádase la siguiente nota al Anexo 3: "Fire and Emergency New Zealand: This Agreement only covers procurement that was previously covered by the New Zealand Fire Service Commission. For the avoidance of doubt, the following procurements are excluded from cover: any procurement by Fire and Emergency New Zealand that was previously conducted by Rural Fire Authorities, Rural Fire Committees and/or Territorial Authorities (for the purposes of their functions under the Forest and Rural Fires Act 1977)". (Fire and Emergency New Zealand: El presente Acuerdo solo abarca la contratación que anteriormente abarcaba la New Zealand Fire Service Commission. Para evitar dudas, se excluyen de la cobertura las siguientes contrataciones: cualquier contratación de Fire and Emergency New Zealand que antes realizaran las autoridades de lucha contra los incendios rurales, los comités de lucha contra los incendios rurales y/o las autoridades territoriales (a los efectos de sus funciones previstas en la Ley de Lucha contra Incendios Forestales y Rurales de 1977).

2. La modificación antes mencionada obedece a lo siguiente:

- a. El 1º de julio de 2017, se constituyó Fire and Emergency New Zealand (FENZ) de conformidad con el artículo 8 de la Ley de Incendios y Emergencias de Nueva Zelanda de 2017.

¹ El párrafo 1 del artículo XIX dice lo siguiente: *Notificación de propuestas de modificación* Toda Parte notificará al Comité las rectificaciones propuestas, las transferencias de una entidad de un Anexo a otro, el retiro de una entidad, u otras modificaciones de sus Anexos del Apéndice I (las que se denominan en adelante "modificación"). La Parte que proponga la modificación (denominada en adelante "Parte modificante") incluirá en la notificación: a) en caso de que proponga el retiro de una entidad de sus Anexos del Apéndice I, en ejercicio de sus derechos, por haberse eliminado efectivamente el control o la influencia del gobierno sobre las contrataciones abarcadas que realice esa entidad, las pruebas de esa eliminación; o b) en caso de que proponga cualquier otra modificación, información sobre las probables consecuencias del cambio en la cobertura mutuamente convenida prevista en el presente Acuerdo.

- b. FENZ sustituyó la Fire Service Commission y concentró determinadas funciones, activos, derechos y responsabilidades y varias entidades, que incluían varios comités de lucha contra incendios rurales, autoridades de lucha contra incendios rurales y autoridades territoriales.
- 3. Estas modificaciones no alteran el nivel de cobertura mutuamente convenido previsto en el Apéndice I de Nueva Zelanda.

En el suplemento A del presente documento se muestra (tachado y subrayado) las modificaciones propuestas por Nueva Zelanda de las páginas correspondientes del Anexo 3 del Apéndice I. En el suplemento B se indica cómo quedarían dichas páginas una vez aceptadas las modificaciones propuestas.²

² Los suplementos A y B están en inglés solamente.

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ATTACHMENT A**ANNEX 3****OTHER ENTITIES**

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

Thresholds:

Goods	SDR 400,000
Services	SDR 400,000
Construction Services	SDR 5,000,000

List of entities:

1. Accident Compensation Corporation (Note 1);
2. Civil Aviation Authority of New Zealand;
3. Energy Efficiency and Conservation Authority;
4. Housing New Zealand Corporation;
5. Maritime New Zealand;
6. New Zealand Antarctic Institute;
7. ~~New Zealand Fire Service Commission~~ Fire and Emergency New Zealand (Note 5);
8. New Zealand Qualifications Authority;
9. New Zealand Tourism Board;
10. New Zealand Trade and Enterprise;
11. New Zealand Transport Agency;
12. Ōtākaro Limited (Note 4);
13. Sport New Zealand (Note 2);
14. Tertiary Education Commission;
15. Education New Zealand;
16. Airways Corporation of New Zealand Limited;
17. Meteorological Service of New Zealand Limited;
18. KiwiRail Holdings Limited;
19. Transpower New Zealand Limited (Note 3).

Notes to Annex 3

1. Accident Compensation Corporation: This Agreement does not cover procurement of pension fund management, public insurance and fund placements, investments and financial services related to securities or trading on an exchange.
2. Sport New Zealand: The Agreement does not apply to the procurement of goods and services containing confidential information related to enhancing competitive sport performance.
3. Transpower New Zealand Limited: The following procurements are excluded from cover:
 - a. Electrical stringing services (part of the total range of activities covered by CPC Prov. 5134);
 - b. Tower painting services (part of the total range of activities covered by CPC Prov. 5173);
 - c. For greater certainty, projects funded directly by private sector customers where those projects would not be undertaken except for the funding provided by those customers.

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4. Ōtākaro Limited: All obligations in the Agreement specifically relating to Annex 1 entities shall apply. For greater certainty, the thresholds are SDR 130,000 for Goods and Services and SDR 5,000,000 for Construction Services, and all agencies subordinate to Ōtākaro are covered.

5. Fire and Emergency New Zealand: This Agreement only covers procurement that was previously covered by the New Zealand Fire Service Commission. For the avoidance of doubt, the following procurements are excluded from cover: any procurement by Fire and Emergency New Zealand that was previously conducted by Rural Fire Authorities, Rural Fire Committees and/or Territorial Authorities (for the purposes of their functions under the Forest and Rural Fires Act 1977).

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ATTACHMENT B**ANNEX 3****OTHER ENTITIES**

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

Thresholds:

Goods	SDR 400,000
Services	SDR 400,000
Construction Services	SDR 5,000,000

List of entities:

1. Accident Compensation Corporation (Note 1);
2. Civil Aviation Authority of New Zealand;
3. Energy Efficiency and Conservation Authority;
4. Housing New Zealand Corporation;
5. Maritime New Zealand;
6. New Zealand Antarctic Institute;
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10. New Zealand Trade and Enterprise;
11. New Zealand Transport Agency;
12. Ōtākaro Limited (Note 4);
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