

**PROCEDURES FOR THE CIRCULATION AND DERESTRICTION  
OF DOCUMENTS OF THE COMMITTEE ON GOVERNMENT PROCUREMENT**

Decision of 8 October 2002

The Committee on Government Procurement,

*Having regard to* the Decision on Procedures for the Circulation and Derestriiction of WTO Documents of 14 May 2002 (WT/L/452) and Article XXI of the Agreement on Government Procurement and Article II:3 of the Marrakesh Agreement Establishing the World Trade Organization,

*Considering* that there is a need to improve the current Procedures for the Circulation and Derestriiction of documents of the Committee on Government Procurement and align them with those of the WTO in WT/L/452,

*Emphasizing* the importance of greater transparency in the functioning of the Committee on Government Procurement,

*Decides as follows:*

1. All official documents of the Committee on Government Procurement and of any subsidiary body established by it<sup>1</sup> shall be unrestricted.
2. Notwithstanding the provisions of paragraph 1,
  - (a) any Party may submit a document as restricted, which shall be automatically derestricted after its first consideration by the relevant body or 60 days after the date of circulation, whichever is earlier, unless requested otherwise by that Party.<sup>2</sup> In the latter case, the document may remain restricted for further periods of 30 days, subject to renewed requests by that Party within each 30-day period. The Secretariat shall remind Parties of such deadlines, and derestrict the document upon receipt of a written instruction. Any document may be derestricted at any time during the restriction period at the request of the Parties concerned.
  - (b) The Committee and any subsidiary body established by it when requesting a document to be prepared by the Secretariat shall decide whether it shall be issued as restricted or unrestricted. Such documents which are issued as restricted shall automatically be derestricted 60 days after the date of circulation, unless requested otherwise by a Party.

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<sup>1</sup> For the purposes of this Decision, an official document shall be any document submitted by a Party or prepared by the Secretariat to be issued in any one of the following WTO document series: GPA-series.

<sup>2</sup> However, any document that contains only information that is publicly available or information that is required to be published under the provisions of Article XIX:1 of the Agreement on Government Procurement shall be unrestricted.

In the latter case, the document shall remain restricted for one additional period of 30 days after which it shall be derestricted;

- (c) minutes of meetings (including records, reports and notes) shall be restricted and shall be automatically derestricted 45 days after the date of circulation<sup>3</sup>;
- (d) documents relating to rectifications or modifications of Appendices I through IV pursuant to Article XXIV:6 of the Agreement on Government Procurement shall be restricted and automatically derestricted upon certification of such changes in the Appendices;
- (e) documents relating to any accession shall be restricted and shall be automatically derestricted upon the Committee decision on the accession of the WTO Member concerned.

3. Translation of official GPA documents in all three official WTO languages (English, French and Spanish) shall be completed expeditiously. Once translated in all three official WTO languages, all official GPA documents that are not restricted shall be made available via the WTO web-site to facilitate their dissemination to the public at large.<sup>4</sup>

4. The Decision of the Committee on Government Procurement of 19 March 1997 on the Circulation and Derestriction of the Documents of the Committee on Government Procurement, as contained in GPA/1/Add.2, shall be abrogated as of the date of adoption of the present decision, but will remain in effect for documents circulated prior to that date.

5. In the light of the experience gained from the operation of these procedures and changes in any other relevant procedures under the WTO, the Committee on Government Procurement will, at an appropriate time, review and if necessary modify the procedures.

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<sup>3</sup> It is understood that, normally, minutes (including records, reports and notes) of meetings shall be circulated within three weeks after a meeting of the Committee and not later than the notice convening the following meeting of the Committee.

<sup>4</sup> Notwithstanding paragraph 3, any document that contains information that is publicly available or information required to be published under Article XIX:1 of the Agreement on Government Procurement shall continue to be made available via the WTO web-site immediately in the original WTO language in which it is written.