

Annex 13  
Referred to in Chapter 17 (Government Procurement)

GOVERNMENT PROCUREMENT

PART 1  
LIST OF AUSTRALIA

Section 1  
Central Government Entities

**Thresholds**

Unless otherwise specified, Chapter 17 (Government Procurement) covers procurement by entities listed in this Section, subject to the following thresholds:

- (a) for procurement of goods and services, 130,000 SDR; and
- (b) for procurement of construction services, 5,000,000 SDR.

**Procuring Entities**

Administrative Appeals Tribunal  
Attorney-General's Department  
Australian Aged Care Quality Agency  
Australian Bureau of Statistics  
Australian Centre for International Agricultural Research  
Australian Crime Commission  
Australian Customs and Border Protection Service  
Australian Electoral Commission  
Australian Federal Police  
Australian Institute of Criminology  
Australian Law Reform Commission  
Australian National Audit Office  
Australian Office of Financial Management (AOFM)  
Australian Public Service Commission  
Australian Radiation Protection and Nuclear Safety Agency (ARPANSA)  
Australian Research Council  
Australian Taxation Office  
Australian Trade Commission (Austrade)  
Australian Transaction Reports and Analysis Centre (AUSTRAC)

Bureau of Meteorology  
Commonwealth Grants Commission  
ComSuper  
CrimTrac Agency  
Defence Materiel Organisation  
Department of Agriculture  
Department of Communications  
Department of Defence  
Department of Education  
Department of Employment  
Department of Environment  
Department of Finance  
Department of Foreign Affairs and Trade  
Department of Health  
Department of Human Services  
Department of Immigration and Border Protection  
Department of Industry  
Department of Infrastructure and Regional Development  
Department of Parliamentary Services  
Department of Social Services  
Department of the House of Representatives  
Department of the Prime Minister and Cabinet  
Department of the Senate  
Department of the Treasury  
Department of Veterans' Affairs  
Fair Work Commission  
Family Court and Federal Circuit Court  
Federal Court of Australia  
Geoscience Australia  
Inspector-General of Taxation  
IP Australia  
Migration Review Tribunal and Refugee Review Tribunal  
National Archives of Australia  
National Blood Authority  
National Capital Authority  
National Competition Council  
Office of Parliamentary Counsel  
Office of the Australian Accounting Standards Board  
Office of the Australian Information Commissioner  
Office of the Commonwealth Ombudsman  
Office of the Director of Public Prosecutions  
Office of the Fair Work Ombudsman  
Office of the Inspector-General of Intelligence and Security  
Office of the Official Secretary to the Governor-General  
Productivity Commission  
Professional Services Review Scheme

Royal Australian Mint  
 Safe Work Australia  
 Seafarers Safety, Rehabilitation and Compensation Authority  
 (Seacare Authority)  
 Workplace Gender Equality Agency

**Notes to Section 1**

1. Chapter 17 (Government Procurement) covers only those entities specifically listed in this Schedule.
2. Chapter 17 (Government Procurement) does not cover the procurement of motor vehicles by any entity listed in this Section.
3. Department of Defence and Defence Materiel Organisation
  - (a) Chapter 17 (Government Procurement) does not cover Department of Defence and Defence Materiel Organisation procurement of the following goods due to paragraph 1 of Article 17.20 (Government Procurement - Exceptions):

	Approximately equivalent to: <hr style="width: 100%;"/>
Weapons	FSC 10
Fire Control Equipment	FSC 12
Ammunition and Explosives	FSC 13
Guided Missiles	FSC 14
Aircraft and Airframe Structural Components	FSC 15
Aircraft Components and Accessories	FSC 16
Aircraft Launching, Landing, and Ground Handling Equipment	FSC 17
Space Vehicles	FSC 18
Ships, Small Craft, Pontoons and Floating Docks	FSC 19
Ship and Marine Equipment	FSC 20
Ground Effect Vehicles, Motor Vehicles, Trailers, and Cycles	FSC 23
Engines, Turbines, and Components	FSC 28
Engines Accessories	FSC 29
Bearings	FSC 31

Water Purification and Sewage Treatment Equipment	FSC 46
Valves	FSC 48
Maintenance and Repair Shop Equipment	FSC 49
Prefabricated Structures and Scaffolding	FSC 54
Communication, Detection, and Coherent Radiation Equipment	FSC 58
Electrical and Electronic Equipment Components	FSC 59
Fiber Optics Materials, Components, Assemblies, and Accessories	FSC 60
Electric Wire, and Power and Distribution Equipment	FSC 61
Alarm, Signal and Security Detection Systems	FSC 63
Instruments and Laboratory Equipment	FSC 66
Specialty Metals	No Code

Note: Whether a good is included within the scope of this Note shall be determined solely according to the descriptions provided in the left column above. U.S. Federal Supply Codes are provided for reference purposes only. (For a complete listing of the United States Federal Supply Codes, to which the Australian categories are approximately equivalent, see <http://www.fbo.gov>.)

- (b) for Australia, Chapter 17 (Government Procurement) does not cover the following services, as elaborated in the Common Classification System and the WTO system of classification - MTN.GNS/W/120, due to paragraph 1 of Article 17.20 (Government Procurement - Exceptions). (For a complete listing of Common Classification System, see: <http://www.sice.oas.org/trade/nafta/chap-105.asp>.)
- (i) design, development, integration, test, evaluation, maintenance, repair, modification, rebuilding and installation of military systems and equipment (approximately equivalent to relevant parts of U.S. Product Service Codes A & J);

- (ii) operation of Government-owned Facilities (approximately equivalent to U.S. Product Service Code M);
  - (iii) space services (AR, B4 & V3); and
  - (iv) services in support of military forces overseas.
- (c) Chapter 17 (Government Procurement) does not cover the procurement of goods and services by, or on behalf of, the Australian Signals Directorate, the Defence Imagery and Geospatial Organisation, or the Defence Intelligence Organisation.
- (d) in respect of Article 17.3 (Government Procurement - National Treatment and Non-Discrimination) the Australian Government reserves the right, pursuant to paragraph 1 of Article 17.20 (Government Procurement - Exceptions), to maintain the Australian industry capability program and its successor programs and policies.

Section 2  
Sub-Central Government Entities

**Thresholds**

Unless otherwise specified, Chapter 17 (Government Procurement) covers procurement by entities listed in this Section, subject to the following thresholds:

- (a) for procurement of goods and services, 355,000 SDR; and
- (b) for procurement of construction services, 5,000,000 SDR.

**Procuring Entities and Notes to Section 2**

Chapter 17 (Government Procurement) covers only those entities specifically listed in this Schedule.

**Australian Capital Territory**

ACT Gambling and Racing Commission  
ACT Insurance Authority  
ACTION  
ACT Auditor-General  
Chief Minister and Treasury Directorate  
Commerce and Works Directorate  
Community Services Directorate  
Cultural Facilities Corporation  
Economic Development Directorate  
Education and Training Directorate  
Environment and Sustainable Development Directorate  
Health Directorate  
Housing ACT  
Independent Competition and Regulatory Commission  
Justice and Community Safety Directorate  
Legal Aid Commission  
Ombudsman of the ACT  
Territory and Municipal Services Directorate

## Notes to Section 2

1. For the entities listed for the Australian Capital Territory, Chapter 17 (Government Procurement) does not cover the procurement of health and welfare services, education services, utility services, or motor vehicles.

### New South Wales

Commission for Children and Young People  
Community Relations Commission  
Department of Attorney General and Justice  
Department of Education and Communities  
Department of Family and Community Services  
Department of Finance and Services  
Department of Planning and Infrastructure  
Department of Premier and Cabinet  
Department of Trade and Investment, Regional Infrastructure and Services  
Fire and Rescue NSW  
Health Care Complaints Commission  
Information and Privacy Commission (for the Information and Privacy Commission, Chapter 17 (Government Procurement) does not cover procurement related to the functions of the Privacy Commission)  
Legal Aid NSW  
Ministry for Police and Emergency Services  
Ministry of Health  
Motor Accidents Authority of NSW  
New South Wales Crime Commission  
New South Wales Electoral Commission  
New South Wales Ombudsman  
New South Wales Rural Fire Service  
NSW Food Authority  
NSW Rural Assistance Authority  
Office of the Board of Studies  
Office of the Director of Public Prosecutions NSW  
Office of the Environment Protection Authority  
Police Integrity Commission  
Public Service Commission  
State Emergency Service  
Sydney Harbour Foreshore Authority  
Sydney Olympic Park Authority  
Transport for NSW (for Transport for NSW, Chapter 17 (Government Procurement) does not cover procurement related to the functions of The Transport Construction Authority, and The Country Rail Infrastructure Authority)

The Audit Office of New South Wales  
The Treasury  
WorkCover NSW

## **Notes to Section 2**

1. For the entities listed for New South Wales, Chapter 17 (Government Procurement) does not cover the procurement of health and welfare services, education services, or motor vehicles.

2. For the entities listed for New South Wales, Chapter 17 (Government Procurement) does not apply to procurements undertaken by a covered entity on behalf of a non-covered entity.

## **Northern Territory**

Aboriginal Areas Protection Authority  
Auditor-General's Office  
Central Australian Hospital Network  
Department of Arts and Museums  
Department of the Attorney-General and Justice  
Department of Business  
Department of Correctional Services  
Department of Health  
Department of Housing  
Department of Land Resource Management  
Department of Lands, Planning and the Environment  
Department of Local Government  
Department of Mines and Energy  
Department of Primary Industry and Fisheries  
Department of Regional Development and Women's Policy  
Department of Sport and Recreation  
Department of Treasury and Finance  
Department of the Chief Minister  
Department of the Legislative Assembly  
Health and Community Services Complaints Commission  
Land Development Corporation  
Museum and Art Galleries Board  
Northern Territory Electoral Commission  
Northern Territory Emergency Service  
Northern Territory Employment and Training Authority  
Northern Territory Fire and Rescue Service  
Northern Territory Licensing Commission  
Office of the Commissioner for Public Employment  
Ombudsman's Office



Parks and Wildlife Commission of the Northern Territory  
Police Force of the Northern Territory  
Racing Commission  
Remuneration Tribunal  
Strehlow Research Centre Board  
Top End Hospital Network  
Tourism NT  
Utilities Commission of the Northern Territory  
Work Health Authority

#### **Notes to Section 2**

1. For the entities listed for the Northern Territory, Chapter 17 (Government Procurement) 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.

#### **Queensland**

Entities declared to be departments pursuant to section 14 of the *Public Service Act 2008* (Qld)  
Motor Accident Insurance Commission  
Nominal Defendant  
Public Service Commission  
Public Trust Office

#### **Notes to Section 2**

1. For the entities listed for Queensland, Chapter 17 (Government Procurement) does not apply to procurements by covered entities on behalf of non-covered entities.

2. For the entities listed for Queensland, Chapter 17 (Government Procurement) does not apply to procurements undertaken by departments, or parts of departments, which deliver health, education, training and/or arts services.

3. For the entities listed for Queensland, Chapter 17 (Government Procurement) does not cover the procurement of health services, education services, training services, arts services, welfare services, government advertising and motor vehicles.

#### **South Australia**

Aboriginal Affairs and Reconciliation Division

Arts SA  
Attorney-General's Department  
Auditor-General's Department  
Country Fire Service  
Courts Administration Authority  
Defence SA  
Department for Communities and Social Inclusion  
Department for Correctional Services  
Department of Education and Child Development  
Department of Environment, Water and Natural Resources  
Department of Further Education, Employment, Science and  
Technology  
Department of Health and Ageing  
Department for Manufacturing, Innovation, Trade, Resources  
and Energy  
Department of Planning, Transport and Infrastructure  
Department of Primary Industries and Regions of South  
Australia  
Department of the Premier and Cabinet  
Department of Treasury and Finance  
Electoral Commission SA  
Environment Protection Authority  
Independent Gambling Authority  
Legal Services Commission  
Office for State / Local Government Relations  
Parliament of South Australia  
South Australian Fire and Emergency Services Commission  
South Australian Metropolitan Fire Services  
South Australia Police  
South Australian Tourism Commission  
State Emergency Services  
State Procurement Board  
TAFE SA

## **Notes to Section 2**

1. For the entities listed for South Australia, Chapter 17 (Government Procurement) does not cover the procurement of health and welfare services, education services, advertising services, or motor vehicles.

## **Tasmania**

Department of Economic Development, Tourism and the Arts  
Department of Education  
Department of Health and Human Services  
Department of Infrastructure, Energy and Resources

Department of Justice  
Department of Police and Emergency Management  
Department of Premier and Cabinet  
Department of Primary Industries, Parks, Water and Environment  
Department of Treasury and Finance  
House of Assembly  
Legislative Council  
Legislature-General  
Office of the Director of Public Prosecutions  
Office of the Governor  
Office of the Ombudsman  
Tasmanian Audit Office  
Tasmanian Health Organisation - North  
Tasmanian Health Organisation - North West  
Tasmanian Health Organisation - South

## **Notes to Section 2**

1. For the entities listed for Tasmania, Chapter 17 (Government Procurement) does not cover the procurement of health and welfare services, education services, or advertising services.

## **Victoria**

Commissioner for Environmental Sustainability  
Department of Education, Early Childhood and Development  
Department of Environment and Primary Industries  
Department of Health  
Department of Human Services  
Department of Justice  
Department of Premier and Cabinet  
Department of State Development, Business and Innovation  
Department of Transport, Planning and Local Infrastructure  
Department of Treasury and Finance  
Independent Broad-based Anti-corruption Commission  
Office of the Chief Commissioner of Police (Victoria Police)  
Office of the Commission for Children and Young People  
Office of the Essential Services Commission  
Office of the Fire Services Levy Monitor  
Office of the Legal Services Commissioner  
Office of the Ombudsman  
Office of the Privacy Commissioner  
Office of Public Prosecutions  
Office of the Road Safety Camera Commissioner

Office of the Taxi Service Commission  
Office of the Victorian Commission for Gambling and Liquor  
Regulation  
Office of the Victorian Responsible Gambling Foundation  
State Services Authority  
Victorian Auditor-General's Office  
Victorian Electoral Commission  
Victorian Equal Opportunity and Human Rights Commission  
Victorian Inspectorate

## **Notes to Section 2**

1. For the entities listed for Victoria, Chapter 17 (Government Procurement) does not cover the procurement of motor vehicles.
2. For the entities listed for Victoria, Chapter 17 (Government Procurement) does not apply to procurements by covered entities on behalf of non-covered entities.

## **Western Australia**

Botanic Gardens and Parks Authority  
Corruption and Crime Commission (Western Australia)  
Country High Schools Hostels Authority  
Department of Agriculture and Food  
Department for Child Protection  
Department for Communities  
Department of Commerce  
Department of Corrective Services  
Department of Culture and the Arts  
Department of Education  
Department of Education Services  
Department of Environment and Conservation  
Department of Fire and Emergency Services  
Department of Finance  
Department of Fisheries  
Department of Health  
Department of Housing  
Department of Indigenous Affairs  
Department of Local Government  
Department of Mines and Petroleum  
Department of Planning  
Department of Racing, Gaming and Liquor  
Department of Regional Development and Lands  
Department of Sport and Recreation  
Department of State Development

Department of Training and Workforce Development  
Department of Treasury  
Department of Water  
Department of the Attorney General  
Department of the Premier and Cabinet  
Department of the Registrar Western Australian Industrial  
Relations Commission  
Disability Services Commission  
Equal Opportunity Commission  
Gascoyne Development Commission  
Goldfields Esperance Development Commission  
Governor's Establishment  
Great Southern Development Commission  
Heritage Council of Western Australia  
Kimberley Development Commission  
Law Reform Commission of Western Australia  
Legislative Assembly  
Legislative Council  
Main Roads Western Australia  
Mid West Development Commission  
Minerals and Energy Research Institute of Western Australia  
National Trust of Australia (WA)  
Office of the Auditor General  
Office of the Director of Public Prosecutions  
Office of the Information Commissioner  
Office of the Inspector of Custodial Services  
Office of the Parliamentary Commissioner for Administrative  
Investigations  
Parliamentary Services Department  
Peel Development Commission  
Pilbara Development Commission  
Public Sector Commission  
Public Transport Authority  
Rottnest Island Authority  
Rural Business Development Corporation  
Salaries and Allowances Tribunal  
School Curriculum and Standards Authority  
Small Business Development Corporation  
South West Development Commission  
State Library of Western Australia  
Swan River Trust  
Western Australia Police  
Western Australian Electoral Commission  
Western Australian Land Information Authority (Landgate)  
Western Australian Planning Commission  
Western Australian Sports Centre Trust (trading as  
VenuesWest)

Western Australian Tourism Commission  
Wheatbelt Development Commission  
Zoological Parks Authority

Section 3  
Other Covered Entities

**Thresholds**

Unless otherwise specified, Chapter 17 (Government Procurement) covers procurement by entities listed in this Section, subject to the following thresholds:

- (a) for procurement of goods and services, 450,000 SDR; and
- (b) for procurement of construction services, 5,000,000 SDR.

**Procuring Entities**

Australian Communications and Media Authority  
Australian Competition and Consumer Commission  
Australian Financial Security Authority  
Australian Fisheries Management Authority  
Australian Human Rights Commission  
Australian Institute of Health and Welfare  
Australian Institute of Marine Science  
Australian Maritime Safety Authority  
Australian National Maritime Museum  
Australian Nuclear Science and Technology Organisation  
Australian Pesticides and Veterinary Medicines Authority  
Australian Prudential Regulation Authority  
Australian Securities and Investments Commission  
Australian War Memorial  
Comcare  
Commonwealth Scientific and Industrial Research Organisation  
Corporations and Markets Advisory Committee  
Export Finance and Insurance Corporation  
Grains Research and Development Corporation  
Great Barrier Reef Marine Park Authority  
National Gallery of Australia  
National Museum of Australia  
Reserve Bank of Australia  
Sydney Harbour Federation Trust  
The Director of National Parks  
Tourism Australia

### **Notes to Section 3**

1. For the entities listed in this Section, Chapter 17 (Government Procurement) covers only those entities listed in this Schedule.
2. For the entities listed in this Section, Chapter 17 (Government Procurement) does not cover the procurement of motor vehicles.
3. Chapter 17 (Government Procurement) does not cover procurement of telecommunications services by the Australian War Memorial.



Section 4  
Goods

1. Chapter 17 (Government Procurement) applies to all goods procured by the entities listed in Sections 1 through 3, unless otherwise specified in Chapter 17 (Government Procurement), including Part 1 of this Annex.

2. Chapter 17 (Government Procurement) does not cover the procurement of blood and blood-related products, including plasma derived products.

Section 5  
Services

1. Chapter 17 (Government Procurement) applies to all services procured by the entities listed in Sections 1 through 3, unless otherwise specified in Chapter 17 (Government Procurement), including Part 1 of this Annex.

2. Chapter 17 (Government Procurement) does not cover the procurement of:

- (a) plasma fractionation services;
- (b) government advertising services;
- (c) health and welfare services;
- (d) legal services;
- (e) telecommunications;
- (f) education services;
- (g) financial services; and
- (h) transport services.

Section 6  
Construction Services

1. Chapter 17 (Government Procurement) applies to all construction services procured by the entities listed in Sections 1 through 3, unless otherwise specified in Chapter 17 (Government Procurement), including Part 1 of this Annex.

2. For the purposes of Article 17.9 (Government Procurement - Conditions for Participation) Australia requires, as a condition for participation in procurement of building and construction services, compliance with the National Code of Practice for the Construction Industry and related implementation guidelines at the central and sub-central government levels, and their successor policies and guidelines. In this respect Australia shall accord to the goods, services and suppliers of Japan, treatment no less favourable than the treatment it accords to its domestic goods, services and suppliers.

Section 7  
General Notes

1. Unless otherwise specified herein, the following General Notes apply without exception to Chapter 17 (Government Procurement), including to all Sections of Part 1 of this Annex.
  
2. Chapter 17 (Government Procurement) does not apply to:
  - (a) any form of preference to benefit small and medium enterprises;
  - (b) measures to protect national treasures of artistic, historic, or archaeological value;
  - (c) measures for the health and welfare of Indigenous people;
  - (d) measures for the economic and social advancement of Indigenous people; and
  - (e) procurement of financial advisory and asset management services pertaining to reserves held, including for the purposes of funding retirement benefits, by any entity listed in Part 1 of this Annex.

Section 8  
Value of Thresholds

1. The value of the thresholds set out in Sections 1 through 3 shall be adjusted at two-year intervals with each adjustment taking effect in January, beginning January 2016.
2. Australia shall calculate and convert the value of the thresholds into Australian Dollars using the conversion rates published by the International Monetary Fund in its monthly "International Financial Statistics". Except where paragraph 3 applies, the conversion rates will be the average of the daily values of the Australian Dollar in terms of the Special Drawing Rights (SDR) over the two-year period preceding 1 October or 1 November of the year before the thresholds are to take effect.
3. In respect of thresholds for sub-central entities, Australia may set its thresholds to align with thresholds that apply to equivalent categories of procurement listed in Section 2 of Annex 15-A of the Australia-United States Free Trade Agreement, expressed in Australian Dollars.
4. Calculations for thresholds covered by this Part may be rounded to the nearest thousand Australian Dollars.
5. Australia shall notify Japan of the applicable value of thresholds in Australian Dollars and the period of its validity upon the entry into force of this Agreement and shall thereafter notify the value of the newly calculated thresholds in Australian Dollars in a timely manner.
6. The Parties shall consult if a major change in a national currency relative to the SDR or to the national currency of the other Party were to create a significant problem with regard to the application of Chapter 17 (Government Procurement).

PART 2  
LIST OF JAPAN

Section 1  
Central Government Entities

1. Goods

- (a) threshold: 100,000 SDR
- (b) procuring entities: all entities covered by the Accounts Law (Law No. 35 of 1947) as follows:

House of Representatives  
House of Councillors  
Supreme Court  
Board of Audit  
Cabinet  
Reconstruction Agency  
National Personnel Authority  
Cabinet Office  
Imperial Household Agency  
National Public Safety Commission (National Police Agency)  
Financial Services Agency  
Consumer Affairs Agency  
Ministry of Internal Affairs and Communications  
Ministry of Justice  
Ministry of Foreign Affairs  
Ministry of Finance  
Ministry of Education, Culture, Sports, Science and Technology  
Ministry of Health, Labour and Welfare  
Ministry of Agriculture, Forestry and Fisheries  
Ministry of Economy, Trade and Industry  
Ministry of Land, Infrastructure, Transport and Tourism  
Ministry of Environment  
Ministry of Defense

2. Services

- (a) threshold:
  - (i) construction services: 4,500,000 SDR

- (ii) architectural, engineering and other technical services covered by Chapter 17 (Government Procurement): 450,000 SDR
  - (iii) other services: 100,000 SDR
- (b) procuring entities: procuring entities set out in paragraph 1

Notes to Section 1:

1. The procuring entities set out in this Section include all their internal sub-divisions, independent organs, attached organisations and other organisations and local branch offices provided for in the National Government Organization Law (Law No. 120 of 1948) and the Law establishing the Cabinet Office (Law No. 89 of 1999).

2. Chapter 17 (Government Procurement) shall not apply to contracts to be awarded to co-operatives or associations in accordance with laws and regulations existing at the time of the entry into force of this Agreement.

Section 2  
Sub-Central Government Entities

1. Goods

- (a) threshold: 200,000 SDR
- (b) procuring entities: all prefectural governments entitled "To", "Do", "Fu" and "Ken", and all designated cities entitled "Shitei-toshi", covered by the Local Autonomy Law (Law No. 67 of 1947) as follows:

Hokkaido  
Aomori-ken  
Iwate-ken  
Miyagi-ken  
Akita-ken  
Yamagata-ken  
Fukushima-ken  
Ibaraki-ken  
Tochigi-ken  
Gunma-ken  
Saitama-ken  
Chiba-ken  
Tokyo-to  
Kanagawa-ken  
Niigata-ken  
Toyama-ken  
Ishikawa-ken  
Fukui-ken  
Yamanashi-ken  
Nagano-ken  
Gifu-ken  
Shizuoka-ken  
Aichi-ken  
Mie-ken  
Shiga-ken  
Kyoto-fu  
Osaka-fu  
Hyogo-ken  
Nara-ken  
Wakayama-ken  
Tottori-ken  
Shimane-ken  
Okayama-ken



Hiroshima-ken  
Yamaguchi-ken  
Tokushima-ken  
Kagawa-ken  
Ehime-ken  
Kochi-ken  
Fukuoka-ken  
Saga-ken  
Nagasaki-ken  
Kumamoto-ken  
Oita-ken  
Miyazaki-ken  
Kagoshima-ken  
Okinawa-ken  
Osaka-shi  
Nagoya-shi  
Kyoto-shi  
Yokohama-shi  
Kobe-shi  
Kitakyushu-shi  
Sapporo-shi  
Kawasaki-shi  
Fukuoka-shi  
Hiroshima-shi  
Sendai-shi  
Chiba-shi

2. Services

- (a) threshold:
- (i) construction services: 15,000,000 SDR
  - (ii) architectural, engineering and other technical services covered by Chapter 17 (Government Procurement): 1,500,000 SDR
  - (iii) other services: 200,000 SDR
- (b) procuring entities: procuring entities set out in paragraph 1

Notes to Section 2:

1. The procuring entities set out in this Section include all internal sub-divisions, attached organisations and branch offices of their governors or mayors, committees and other organisations provided for in the Local Autonomy Law.
2. Chapter 17 (Government Procurement) shall not apply to contracts to be awarded to co-operatives or associations in accordance with laws and regulations existing at the time of the entry into force of this Agreement.
3. Chapter 17 (Government Procurement) shall not apply to contracts which the procuring entities award for purposes of their daily profit-making activities which are exposed to competitive forces in markets. This note shall not be used in a manner which circumvents the provisions of Chapter 17 (Government Procurement).
4. Procurement related to operational safety of transportation is not included.
5. Procurement related to the production, transport or distribution of electricity is not included.

Section 3  
All Other Entities

1. Goods

(a) threshold: 130,000 SDR

(b) procuring entities:

(i) Group A

Japan Water Agency  
Japan Railway Construction, Transport and  
Technology Agency (a) (d) (e)  
Narita International Airport Corporation  
East Nippon Expressway Company Limited  
Central Nippon Expressway Company Limited  
West Nippon Expressway Company Limited  
Metropolitan Expressway Company Limited  
Hanshin Expressway Company Limited  
Honshu-Shikoku Bridge Expressway Company Limited  
Japan Expressway Holding and Debt Repayment  
Agency  
Urban Renaissance Agency  
Japan Science and Technology Agency  
Japan Atomic Energy Agency (b)  
Japan Environmental Safety Corporation  
Japan International Cooperation Agency  
Welfare and Medical Service Agency  
Government Pension Investment Fund  
Agriculture and Livestock Industries Corporation  
Japan Oil, Gas and Metals National Corporation  
(c)  
Organization for Small & Medium  
Enterprises and Regional Innovation, JAPAN  
Japan Post Holdings Company Limited  
Japan Post Company Limited  
Japan Post Bank Company Limited  
Japan Post Insurance Company Limited  
Management Organization for Postal Savings and  
Postal Life Insurance  
Japan Labour Health and Welfare Organization  
Japan Organization for Employment of the Elderly,  
Persons with Disabilities and Job Seekers  
Okinawa Development Finance Corporation  
Japan Finance Corporation

Japan Bank for International Cooperation  
Japan Housing Finance Agency  
Japan Finance Organization for Municipalities  
Development Bank of Japan Inc.  
Tokyo Metro Co., Ltd. (a)  
Northern Territories Issue Association  
National Consumer Affairs Center of Japan  
RIKEN (b)  
Environmental Restoration and Conservation Agency  
Fund for the Promotion and Development of the  
Amami Islands  
Japan Foundation  
Japan Student Services Organization  
Japan Arts Council  
Japan Society for the Promotion of Science  
The Open University of Japan Foundation  
Japan Sport Council  
Health Insurance Claims Review & Reimbursement  
Services  
National Center for Persons with Severe  
Intellectual Disabilities, Nozominosono  
Japan Racing Association  
Mutual Aid Association of Agriculture,  
Forestry and Fishery Corporation Personnel  
The National Association of Racing  
Farmers' Pension Fund  
JKA  
Japan External Trade Organization  
New Energy and Industrial Technology Development  
Organization  
Japan Alcohol Corporation  
Japan National Tourism Organization  
The Japan Institute for Labour Policy and  
Training  
The Promotion and Mutual Aid Corporation for  
Private Schools of Japan  
Organization for Workers' Retirement Allowance  
Mutual Aid

(ii) Group B

National Archives of Japan  
National Institute of Information and  
Communications Technology  
National Research Institute of Brewing  
National Center for University Entrance  
Examinations

National Institute of Special Needs Education  
National Institution for Youth Education  
National Women's Education Center  
National Museum of Nature and Science  
National Institute for Materials Science  
National Research Institute for Earth Science and  
Disaster Prevention  
National Institute of Radiological Sciences  
National Museum of Art  
National Institutes for Cultural Heritage  
National Center for Teachers' Development  
National Institute of Health and Nutrition  
National Institute of Occupational Safety and  
Health  
Food and Agricultural Materials Inspection Center  
National Center for Seeds and Seedlings  
National Livestock Breeding Center  
National Agriculture and Food Research  
Organization  
National Fisheries University  
National Institute of Agrobiological Sciences  
National Institute for Agro-Environmental  
Sciences  
Japan International Research Center for  
Agricultural Sciences  
Forestry and Forest Products Research Institute  
Fisheries Research Agency  
Research Institute of Economy, Trade and Industry  
National Center for Industrial Property  
Information and Training  
Nippon Export and Investment Insurance  
National Institute of Advanced Industrial Science  
and Technology  
National Institute of Technology and Evaluation  
Public Works Research Institute  
Building Research Institute  
Japan Health Insurance Association  
Japan Pension Service  
National Cancer Center  
National Cerebral and Cardiovascular Center  
National Center for Neurology and Psychiatry  
National Center for Global Health and Medicine  
National Center for Child Health and Development  
National Center for Geriatrics and Gerontology  
National Traffic Safety and Environment  
Laboratory  
National Maritime Research Institute

Port and Airport Research Institute  
Electronic Navigation Research Institute  
Marine Technical Education Agency  
National Institute for Sea Training  
Civil Aviation College  
National Institute for Environmental Studies  
Labor Management Organization for USFJ Employees  
National Agency of Vehicle Inspection  
National Statistics Center  
Japan Mint  
National Printing Bureau  
National Hospital Organization  
National University Corporation  
Inter-University Research Institute Corporation  
Institute of National Colleges of Technology,  
Japan  
National Institution for Academic Degrees and  
University Evaluation  
Center for National University Finance and  
Management

## 2. Services

### (a) threshold:

#### (i) construction services:

- (A) 4,500,000 SDR for Japan Post Holdings Company Limited, Japan Post Company Limited, Japan Post Bank Company Limited, Japan Post Insurance Company Limited, and Management Organization for Postal Savings and Postal Life Insurance in Group A
- (B) 15,000,000 SDR for all other entities in Group A
- (C) 4,500,000 SDR for entities in Group B

#### (ii) architectural, engineering and other technical services covered by Chapter 17 (Government Procurement): 450,000 SDR

#### (iii) other services: 130,000 SDR

- (b) procuring entities: procuring entities set out in paragraph 1

Notes to Section 3:

1. Chapter 17 (Government Procurement) shall not apply to contracts to be awarded to co-operatives or associations in accordance with laws and regulations existing at the time of the entry into force of this Agreement.

2. Chapter 17 (Government Procurement) shall not apply to contracts which the procuring entities in Group A award for purposes of their daily profit-making activities which are exposed to competitive forces in markets. This note shall not be used in a manner which circumvents the provisions of Chapter 17 (Government Procurement).

3. Notes to specific procuring entities:

- (a) procurement related to operational safety of transportation is not included.
- (b) procurement which could lead to the disclosure of information incompatible with the purpose of the Treaty on the Non-Proliferation of Nuclear Weapons or with international agreements on intellectual property rights is not included. Procurement for safety-related activities aiming at utilisation and management of radioactive materials and responding to emergencies of nuclear installation is not included.
- (c) procurement related to geological and geophysical survey is not included.
- (d) procurement of advertising services, construction services and real estate services is not included.
- (e) procurement of ships to be jointly owned with private companies is not included.

Section 4  
Goods

Chapter 17 (Government Procurement) shall apply to all goods that are procured by the procuring entities set out in Sections 1 through 3. However, for procurement by the Ministry of Defense, only the following goods are included in the coverage of Chapter 17 (Government Procurement):

*Federal Supply Classification (FSC) Description*

22	Railway Equipment
24	Tractors
32	Woodworking Machinery and Equipment
34	Metalworking Machinery
35	Service and Trade Equipment
36	Special Industry Machinery
37	Agricultural Machinery and Equipment
38	Construction, Mining, Excavating, and Highway Maintenance Equipment
39	Materials Handling Equipment
40	Rope, Cable, Chain, and Fittings
41	Refrigeration, Air Conditioning, and Air Circulating Equipment
43	Pumps and Compressors
45	Plumbing, Heating and Sanitation Equipment
46	Water Purification and Sewage Treatment Equipment
47	Pipe, Tubing, Hose, and Fittings
48	Valves
51	Hand Tools
52	Measuring Tools
55	Lumber, Millwork, Plywood and Veneer
61	Electric Wire, and Power and Distribution Equipment
62	Lighting Fixtures and Lamps
65	Medical, Dental, and Veterinary Equipment and Supplies
6630	Chemical Analysis Instruments
6635	Physical Properties Testing Equipment
6640	Laboratory Equipment and Supplies
6645	Time Measuring Instruments
6650	Optical Instruments
6655	Geophysical and Astronomical Instruments
6660	Meteorological Instruments and Apparatus
6670	Scales and Balances
6675	Drafting, Surveying, and Mapping Instruments



6680 Liquid and Gas Flow, Liquid Level, and Mechanical  
Motion Measuring Instruments

6685 Pressure, Temperature, and Humidity Measuring and  
Controlling Instruments

6695 Combination and Miscellaneous Instruments

67 Photographic Equipment

68 Chemicals and Chemical Products

71 Furniture

72 Household and Commercial Furnishings and  
Appliances

73 Food Preparation and Serving Equipment

74 Office Machines and Visible Record Equipment

75 Office Supplies and Devices

76 Books, Maps, and Other Publications

77 Musical Instruments, Phonographs, and Home-type  
Radios

79 Cleaning Equipment and Supplies

80 Brushes, Paints, Sealers, and Adhesives

8110 Drums and Cans

8115 Boxes, Cartons, and Crates

8125 Bottles and Jars

8130 Reels and Spools

8135 Packaging and Packing Bulk Materials

85 Toiletries

87 Agricultural Supplies

93 Non-metallic Fabricated Materials

94 Non-metallic Crude Materials

99 Miscellaneous

Section 5  
Services

Chapter 17 (Government Procurement) shall apply to all the following services, which are identified in accordance with the United Nations Provisional Central Product Classification (CPC) 1991, as well as document MTN.GNS/W/120 for Telecommunications services, that are procured by the procuring entities set out in Sections 1 through 3:

*(Provisional Central Product Classification (CPC), 1991)*

51	Construction work
6112	Maintenance and repair services of motor vehicles (Note 1)
6122	Maintenance and repair services of motorcycles and snowmobiles (Note 1)
712	Other land transport services (except 71235 Mail transportation by land)
7213	Rental services of sea-going vessels with operator
7223	Rental services of non-sea-going vessels with operator
73	Air transport services (except 73210 Mail transportation by air)
748	Freight transport agency services
7512	Courier services (Note 2)
	Telecommunications services MTN.GNS/W/120
	Corresponding CPC
	2.C.h. - 7523 Electronic mail;
	2.C.i. - 7521 Voice mail;
	2.C.j. - 7523 On-line information and data base retrieval;
	2.C.k. - 7523 Electronic data interchange (EDI);
	2.C.l. - 7529 Enhanced facsimile services;
	2.C.m. - 7523 Code and protocol conversion; and
	2.C.n. - 7523 On-line information and/or data processing (including transaction processing)
84	Computer and related services
864	Market research and public opinion polling services
867	Architectural, engineering and other technical services (Note 3)

871	Advertising services
87304	Armoured car services
874	Building-cleaning services
88442	Publishing and printing services (Note 4)
886	Repair services incidental to metal products, machinery and equipment
94	Sewage and refuse disposal, sanitation and other environmental protection services

Notes to specific services of Section 5:

Note 1: Maintenance and repair services are not included with respect to those motor vehicles, motorcycles and snowmobiles which are specifically modified and inspected to meet regulations of the procuring entities.

Note 2: Courier services are not included with respect to letters.

Note 3: Only architectural, engineering and other technical services related to construction services, with the exception of the following services when procured independently, are included:

- Final design services of CPC 86712 Architectural design services;
- CPC 86713 Contract administration services;
- Design services consisting of one or a combination of final plans, specifications and cost estimates of either CPC 86722 Engineering design services for the construction of foundations and building structures, or CPC 86723 Engineering design services for mechanical and electrical installations for buildings, or CPC 86724 Engineering design services for the construction of civil engineering works; and
- CPC 86727 Other engineering services during the construction and installation phase.

For the purposes of this Part, the term "CPC" means the Provisional Central Product Classification (Statistical Paper Series M, No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991).

Note 4: Publishing and printing services are not included with respect to materials containing confidential information.

Section 6  
Construction Services

Chapter 17 (Government Procurement) shall apply to all the following construction services that are procured by the procuring entities set out in Sections 1 through 3:

CPC 51 Construction work

Notes to Section 6:

1. A construction services contract is a contract which has as its objective the realisation by whatever means of civil or building works, in the sense of Division 51 of the Provisional Central Product Classification (CPC).

2. Procurement with regard to a construction project based on the Act on Promotion of Private Finance Initiative (Act No. 117 of 1999) as of 30 November 2011 is covered.

Section 7  
General Note

Notwithstanding the Note 2 to Section 6, procurement with regard to a project within the scope of the Act on Promotion of Private Finance Initiative (Act No. 117 of 1999) as of 10 December 2010 is covered.

Section 8  
Value of Thresholds

1. The value of thresholds set out in Sections 1 through 3 shall be calculated and converted into Yen in every even-numbered year, based on an average value of Yen in terms of SDRs in the most recent two-year period starting on 1 January of the year before the preceding year and ending on 31 December of the preceding year.

2. Japan shall notify Australia of such value of thresholds and the period of its validity upon the entry into force of this Agreement and then notify Australia of the value of the newly calculated thresholds no later than one month before the respective thresholds take effect.