

<i>EC (cont'd)</i>	
GERMANY	Airports as defined in Article 38 Absatz 2 no of the Luftverkehrslicsungsordnung vom 19. März 1979, amended last by the Verordnung vom 21. Juli 1986.
GREECE	Airports operating pursuant to law 5171/1931 setting up the civil aviation service. International airports operating pursuant to presidential decree 647/981.
SPAIN	Airports managed by Aeropuertos Nacionales operating pursuant to the Real Decreto 278/1982 de 15 de octubre de 1982.
FRANCE	Aéroports de Paris operating pursuant to titre V, articles L 251-1 à 252-1 du code de l'aviation civile. Aéroport de Bâle - Mulhouse, set up pursuant to the convention franco-suisse du 4 juillet 1949. Airports as defined in article L 270-1, code de l'aviation civile. Airports operating pursuant to the cahier de charges type d'une concession d'aéroport, décret du 6 mai 1955. Airports operating on the basis of a convention d'exploitation pursuant to article L221, code de l'aviation civile.
IRELAND	Airports of Dublin, Cork and Shannon managed by Aer Rianta - Irish Airports.
	Airports operating on the basis of a Public use License granted, pursuant to the Air Navigation and Transport Act No 23 1936, the Transport Fuel and Power Transfer of Departmental, Administration and Ministerial Functions Order 1959 (SI No 123 of 1959) and the Air Navigation (Aerodromes and Visual Ground Aids) Order 1970 (SI No 291 of 1970).
ITALY	Civil Stat. airports (aerodromi civili istituiti dallo Stato referred to in Article 692 of the Codice della navigazione, Regio Decreto 30 marzo 1942, n. 327). Entites operating airport facilities on the basis of a concession granted pursuant to Article 694 of the Codice della navigazione, Regio Decreto 30 marzo 1942, n. 327.

LUXEMBOURG	Aéroport de Findel.
NETHERLANDS	Airports operating pursuant to articles 18 and following of the Luchtvaartwet of 15 January 1958, amended on 7 June 1978.
PORTUGAL	Airports managed by Aeroportos de Navegação Aérea (ANA), EP pursuant to Decreto-Lei n 246/79. Aeroporto do Funchal and Aeroporto de Porto Santo, regionalized pursuant to the Decreto-Lei n 284/81.
UNITED KINGDOM	Airports managed by British Airports Authority plc. Airports which are public limited companies (plc) pursuant to the Airports Act 1986.
<div>ANNEX IX</div> <div>CONTRACTING ENTITIES IN THE FIELD OF MARITIME OR INLAND PORT OR OTHER TERMINAL FACILITIES</div>	
BELGIUM	Société anonyme du canal et des installations maritimes de Bruxelles. Port autonome de Liège. Port autonome de Namur. Port autonome de Charleroi. Port de la ville de Gand. La Compagnie des installations maritimes de Bruges - Maatschappij der Brugse haveninrichtingen. Société intercommunale de la rive gauche de l'Escaut - Intercommunale maatschappij van de linker Scheldeoever (Port d'Anvers). Port de Nieuwport. Port d'Ostende.

*EC (cont'd)*

DENMARK

Ports as defined in Article 1, I to III of the bekendgelyse nr. 604 af 16. december 1985 om hville havne det er omfattet af lov om trafikthavne, jf. lov nr. 239 af 12. maj 1976 om trafikthavne.

GERMANY

Seaports owned totally or partially by territorial authorities (Länder, Kreise, Gemeinden).

Inland ports subject to the Hafenordnung pursuant to the Wassergesetze der Länder.

GREECE

Piræus port set up pursuant to Emergency Law 1559/1950 and Law 1630/1951.

Thessaloniki port set up pursuant to decree N.A. 2251/1953.

Other ports governed by presidential decree 649/1977 (N.A. 649/1977) (supervision, organization of functioning and administrative control).

SPAIN

Puerto de Huelva set up pursuant to the Decreto de 2 de octubre de 1969, no 2380/69. Puertos y Faros. Oruga Régimen de Estatuto de Autonomía al Puerto de Huelva.

Puerto de Barcelona set up pursuant to the Decreto de 25 de agosto de 1978, no 2407/78. Puertos y Faros. Oruga al de Barcelona Régimen de Estatuto de Autonomía.

Puerto de Bilbao set up pursuant to the Decreto de 25 de agosto de 1978, no 2048/78. Puertos y Faros. Oruga al de Bilbao Régimen de Estatuto de Autonomía.

Puerto de Valencia set up pursuant to the Decreto de 25 de agosto de 1978, no 2409/78. Puertos y Faros. Oruga al de Valencia Régimen de Estatuto de Autonomía.

Junta de Puertos operating pursuant to the Lei 27/68 de 20 de junio de 1968 : Puertos y Faros. Junta de Puertos y Estatutos de Autonomía and to the Decreto de 9 de abril de 1970, no 1350/70. Junta de Puertos. Reglamento.

Ports managed by the Comisión Administrativa de Grupos de Puertos, operating pursuant to the Ley 27/68 de 20 de junio de 1968, Decreto 1958/78 de 23 de junio de 1978 and Decreto 571/81 de 6 de mayo de 1981.

Ports listed in the Real Decreto 989/82 de 14 de mayo de 1982. Puertos. Clasificación de los de interés general.

FRANCE

Port autonome de Paris set up pursuant to loi 68/917 du 24 octobre 1968 relative au port autonome de Paris.

Port autonome de Strasbourg set up pursuant to the convention du 20 mai 1923 entre l'État et la ville de Strasbourg relative à la constitution du port rhénan de Strasbourg et à l'exécution de travaux d'extension de ce port, approved by the loi du 26 avril 1924.

Other inland waterway ports set up or managed pursuant to article 6 (navigation intérieure) of the décret 69-140 du 6 février 1969 relatif aux concessions d'outillage public dans les ports maritimes.

Ports autonomes operating pursuant to articles L 111-1 et suivants of the code des ports maritimes.

Ports non autonomes operating pursuant articles R 121-1 et suivants of the code des ports maritimes.

Ports managed by regional authorities (départements) or operating pursuant to a concession granted by the regional authorities (départements) pursuant to article 6 of the loi 86-663 du 22 juillet 1983 complétant la loi 83-8 du 7 janvier 1983 relative à la répartition de compétences entre les communes, départements et l'État.

IRELAND

Ports operating pursuant to the Harbour Acts 1946 to 1976.

Port of Dun Laoghaire operating pursuant to the State Harbours Act 1924.

Port of Rosslare Harbour operating pursuant to the Finguard and Rosslare Railways and Harbours Act 1899.

ITALY

State ports and other ports managed by the Capitaneria di Porto pursuant to the Codice della navigazione, Regio Decreto 30 marzo 1942, n. 32.

Autonomous ports (enti portuali) set up by special laws pursuant to Article 19 of the Codice della navigazione, Regio Decreto 30 marzo 1942, n. 327.

LUXEMBOURG

Port de Mertert set up and operating pursuant to loi du 22 juillet 1963 relative à l'aménagement et à l'exploitation d'un port fluvial sur la Moselle.

NETHERLANDS

Havenbedrijven, set up and operating pursuant to the Gemeentewet van 29 juni 1851.

Havenschap Vlissingen, set up by the wet van 10 september 1970 houdende een gemeenschappelijke regeling tot oprichting van het Havenschap Vlissingen.

Havenschap Terneuzen, set up by the wet van 8 april 1970 houdende een gemeenschappelijke regeling tot oprichting van het Havenschap Terneuzen.

Havenschap Delfzijl, set up by the wet van 31 juli 1957 houdende een gemeenschappelijke regeling tot oprichting van het Havenschap Delfzijl.

EC (cont'd)

Industrie- en havenschap Moerdijk, set up by gemeenschappelijke regeling tot oprichting van het Industrie- en havenschap Moerdijk van 23 oktober 1970, approved by Koninklijke Besluit nr. 23 van 4 maart 1972.

PORTUGAL

Porto do Lisboa set up pursuant to Decreto Real do 18 de Fevereiro de 1907 and operating pursuant to Decreto-Lei n 36976 de 20 de Julho de 1948.

Porto do Douro e Leixões set up pursuant to Decreto-Lei n 36977 de 20 de Julho de 1948.

Porto de Sines set up pursuant to Decreto-Lei n 508/77 de 14 de Dezembro de 1977.

Portos de Setúbal, Aveiro, Figueira de Foz, Viana do Castelo, Portimão e Faro operating pursuant to the Decreto-Lei n 37754 de 18 de Fevereiro de 1950.

UNITED KINGDOM

Harbour Authorities within the meaning of section 57 of the Harbours Act 1964 providing port facilities to carriers by sea or inland water way.

GENERAL NOTES AND DEROGATIONS FROM THE PROVISIONS OF ARTICLE III

1. The EC will not extend the benefits of this Agreement:

- as regards the award of contracts by entities listed in Annex 2 to the suppliers and service providers of Canada and the USA;
  - as regards the award of contracts by entities listed in Annex 3 paragraph (a) (water), to the suppliers and service providers of Canada and the USA;
  - (b) (electricity), to the suppliers and service providers of Canada, Hong Kong, Japan and the USA\*;
  - (c) (airports), to the suppliers and service providers of Canada, Korea and the USA;
  - (d) (ports), to the suppliers and service providers of Canada and the USA;
  - (e) (urban transport), to the suppliers and service providers of Canada, Israel, Japan, Korea and the USA
- until such time as the EC has accepted that the Parties concerned give comparable and effective access for EC undertakings to the relevant markets.

(\*For the USA, this is also linked to other considerations.)

- to service providers of Parties which do not include service contracts for the relevant entities in Annexes 1 to 3 and the relevant service category under Annexes 4 and 5 in their own coverage.

2. The provisions of Article XX shall not apply to suppliers and service providers of:

- Israel, Japan, Korea and Switzerland in contesting the award of contracts by entities listed under Annex 2 paragraph 2, until such time as the EC accepts that they have completed coverage of sub-central entities;
- Japan, Korea and the USA in contesting the award of contracts to a supplier or service provider of Parties other than those mentioned, which are small or medium sized enterprises under the relevant provisions of EC law, until such time as the EC accepts that they no longer operate discriminatory measures in favour of certain domestic small and minority businesses;

- Israel, Japan, and Korea in contesting the award of contracts by EC entities, whose value is less than the threshold applied for the same category of contracts awarded by these Parties.

3. Until such time as the EC has accepted that the Parties concerned provide access for EC suppliers and service providers to their own markets, the EC will not extend the benefits of this Agreement to suppliers and service providers of:

- Canada, as regards procurement of FSC 36, 70 and 74 (special industry machinery; general purpose automatic data processing equipment, software, supplies and support equipment (except 7010 ADPE configurations); office machines, visible record equipment and ADP equipment);
- Canada, as regards procurement of FSC 58 (communications, protection and coherent radiation equipment) and the USA as regards air traffic control equipment;
- Korea and Israel as regards procurement by entities listed in Annex 3 paragraph (b), as regards procurement of HS Nos 8504, 8535, 8537 and 8544 (electrical transformers, plugs, switches and insulated cables); and for Israel, HS Nos 8501, 8536 and 902830;
- Canada and the USA as regards contracts for good or service components of contracts which, although awarded by an entity covered by this Agreement, are not themselves subject to this Agreement.

4. The Agreement shall not apply to contracts awarded under:

- an international agreement and intended for the joint implementation or exploitation of a project by the signatory States;
- an international agreement relating to the stationing of troops;
- the particular procedure of an international organization.

EC (cont'd)

5. The Agreement shall not apply to procurement of agricultural products made in furtherance of agricultural support programmes and human feeding programmes.
6. Contracts awarded by entities in Annexes 1 and 2 in connection with activities in the fields of drinking water, energy, transport or telecommunications, are not included.
7. This Agreement shall not apply to contracts awarded by entities in Annex 3:

- for the purchase of water and for the supply of energy or of fuels for the production of energy;

- for purposes other than the pursuit of their activities as described in this Annex or for the pursuit of such activities in a non-member country;

- for purposes of re-sale or hire to third parties, provided that the contracting entity enjoys no special or exclusive right to sell or hire the subject of such contracts and other entities are free to sell or hire it under the same conditions as the contracting entity.
8. This Agreement shall not be applicable to contracts:

- for the acquisition or rental of land, existing buildings, or other immovable property or concerning rights thereon;

- for the acquisition, development, production or co-production of programme material by broadcasters and contracts for broadcasting time.
9. This Agreement shall not be applicable to the award of service contracts by Spanish entities listed in Annex 3 before 1 January 1997 or to the award of contracts by Greek or Portuguese entities listed in Annex 3 before 1 January 1998.

(Authentic in the English language only)

FINLAND

ANNEX 1

*Entities which Procure in Accordance With the Provisions of this Agreement*

<i>Supplies</i>		<i>Services</i>
<i>Threshold:</i>	SDR 130,000	<i>Threshold:</i> SDR 130,000
<i>Works</i>	(as specified in Annex 5)	
<i>Threshold:</i>	SDR 5,000,000	

*List of Entities:*

The following contracting authorities of State:

OIKEUSKANSLERIN VIRASTO

OFFICE OF THE CHANCELLOR OF JUSTICE

KAUPPA- JA TEOLLISUUSMINISTERIÖ

MINISTRY OF TRADE AND INDUSTRY

Kultajavirasto  
Elintarvikkevirsto  
Kilpailuvirasto  
Kilpailuneuvosto  
Kultaja-asiamiehen toimisto  
Kultajavaltuslautakunta  
Patentti- ja rekisterihallitus

National Consumer Administration  
National Food Administration  
Office of Free Competition  
Council of Free Competition  
Office of the Consumer Ombudsman  
Consumer Complaint Board  
National Board of Patents and Registration

LIKENNEMINISTERIÖ

MINISTRY OF TRANSPORT AND COMMUNICATIONS

Tietohallintokeskus

Telecommunications Administration Centre

MAA- JA METSÄTALOUSMINISTERIÖ

MINISTRY OF AGRICULTURE AND FORESTRY

Maanmittauslaitos

National Land Survey of Finland



*Finland (cont'd)*

- Keski-Suomen lääni
- Kuopion lääni
- Kymen lääni
- Lapin lääni
- Mikkelin lääni
- Oulun lääni
- Pohjois-Karjalan lääni
- Turun ja Porin lääni
- Uudenmaan lääni
- Vaasan lääni

2. Bodies governed by public law, not having a commercial or industrial character, pursuant to Article 2 of "Laki julkisista hankinnoista (1505/92)" (Public Procurement Act), including:

Kulttuuritautitutkimuskeskus	National Consumer Research Centre
Matkailun edistämiskeskus	Finnish Tourist Board
Teknillinen tarkastuskeskus	Technical Inspection Centre
Mittateknikan keskus	Centre for Metrology and Accreditation
Geologian tutkimuskeskus	Geological Survey of Finland
Valtion teknillinen tutkimuskeskus	Technical Research Centre of Finland
Teknologian kehittämisskeskus	Technology Development Centre
Valtionakademian tutkimuskeskus	Finnish Guarantee Board
Tietaliitos	Road Administration
Merenkulkulaitos	Navigation Administration
Meren tutkimuslaitos	Marine Research Institute
Ilmatieteen laitos	Meteorological Institute
Karttokeskus	Map Centre
Geodeettinen laitos	Finnish Geodetic Institute
Valtion viljavarasto	Finnish Grain Board
Maa- ja metsätalouden tutkimuslaitos	Agricultural Economics Research Institute
Kasvinmuotoamisen tutkimuskeskus	Plant Production Research Centre
Metsätalouden tutkimuskeskus	Forest and Park Service
Metsätalouden tutkimuskeskus	Forest Research Institute
Riista- ja kalatalouden tutkimuslaitos	Finnish Game and Fisheries Research Institute
Eläinlääkintä- ja elintarvikelaitos	National Veterinary and Food Research Institute
Oikeuspoliittinen tutkimuslaitos	National Research Institute of Legal Policy
Heistien tutkimuspoliittinen instituutti	Heistinki Institute for Crime Prevention and Control
Valtion audiovisuaalinen keskus	State Audiovisual Centre
Yliopistututkimuslaitos	Matriculation Examination Board
Yliopisto, korkeakoulu ja kuvaideakatemia	Institutions of Higher Education and the Academy of Fine Arts
Suomen Akatemia	Academy of Fine Arts
Rauhan- ja konfliktitutkimuslaitos	Peace Research Institute
Kotimaisten kielten tutkimuskeskus	Research Centre for Domestic Languages

Kansallisarkisto ja maakunta-arkistot	National Archives and Provincial Archives
Taiteen tutkimuslaitos	Arts Council of Finland
Valtion taidehistoriainstituutti	National Art Committee
I. asteen taidehistoriainstituutti	Regional Art Councils
Näkövammaisten kirjasto	Library of the Visually Handicapped
Museovirasto	National Board of Antiquities and Historical Monuments
- Rakennustieteiden museo	- Museum of Architecture
- Kansallisarkisto	- National Museum
Valtion taidemuseo	National Gallery
Suomen elokuva-arkisto	Administration of Suomenfilmiä
Valtion elokuva-arkisto	Finnish Film Archives
Valtion liikennevirasto	National Sports Council
Valtion nuorisovirasto	National Youth Council
Valtion opintotutkimuskeskus	National Centre for Student Aid
Kansainvälisen henkilövaihdon keskus (CIMO)	Finnish Centre for International Mobility and Exchange Programmes (CIMO)
Poliisipolitiikka	Police Academy
Poliisikoulu	Police School
Poliisikoulutuskeskus	Police Dog Training Centre
Poliisivirasto	Police Material Depot
Valtion pelastuslaitos	State Rescue Institute
Valtion pelastuskeskus	State Rescue School
Sosiaal- ja terveysalan tutkimus- ja kehittämisskeskus	National Research and Development Centre for Welfare and Health
Merimiespalveluslaitos	National Public Health Institute
Työvoimapolitiikka	Seamen's Service
Valtion taloudellinen tutkimuskeskus	Labour Institute
SITRA	State's Economic Research Centre
Valtionhallinnon kehittämisskeskus	Central Statistical Office
Tilastokeskus	Bank of Finland
Suomen pankki	Government Purchasing Centre
Valtion hankintakeskus	

ANNEX 3

Other Entities which Procure in Accordance  
With the Provisions of this Agreement

Supplies Threshold:	SDR 400,000	Services Threshold:	(as specified in Annex 4) SDR 400,000
Works Threshold:	(as specified in Annex 5) SDR 5,000,000		

List of Entities:

Public entities and activities as specified in Article 2 of "Laki julkisista hankinnoista (1505/92)" (Public Procurement Act) and in Articles 1-4 of "Asetus Euroopan yhteisyyden perustamissopimuksen mukaisesti toteutettavien julkisten hankintojen osittaisen avoimuuden edistämiseksi" (1331/93) (Decree concerning utilities) under the conditions provided for in Directive 90/531/EEC in the sectors of:

1. Urban Transport:

The operation of networks providing a service to the public in the field of transport by tramway, metro or bus by public entities according to "Laki (343/91) luovutetuista henkilöliikenteestä tiellä" and Helsingin kaupungin liikennelaitos (Helsinki Transport Board), which provides metro and tramway services to the public.

2. Airports:

The provision of airport or other terminal facilities to carriers operated by "Ilmailulaitos" (National Aviation Agency) pursuant to "Ilmailulaki (595/64)", *inter alia*

- Helsinki-Vantaan Airport
- Ivalo Airport
- Joensuu Airport
- Jyväskylä Airport
- Kemi Airport
- Kittilä Airport
- Kuopio Airport
- Lappeenranta Airport
- Oulu Airport
- Rovaniemi Airport
- Vasa Airport

3. Ports:

The provision of maritime or inland ports or other terminal facilities to carriers by sea or inland

waterways by municipal authorities pursuant to "Laki kunnallisista satamajärjestyksistä ja liikennemuksista (955/76)", *inter alia*

- Port of Hamina
- Port of Hangö
- Port of Helsinki
- Port of Kotka
- Port of Naantali
- Port of Turku
- Port of Vaasa

4. Water:

The provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of drinking water or the supply of drinking water to such network by public entities pursuant to Article 1 of "Laki yleisistä vesi- ja viemärilaitoksista (982/77)" of December 1977, *inter alia*

- Helsinki Water Board
- (Helsingin kaupungin vesilaitos)
- Turku Water Board
- (Turun kaupungin vesilaitos)
- Tampere Water Board
- (Tampereen kaupungin vesilaitos)

5. Electricity:

The provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of electricity or the supply of electricity to such networks where municipal entities operate on the basis of a special or an exclusive right or on the basis of a concession pursuant to Article 27 of "Sähkölaki (319/79)" of 16 March 1979, *inter alia*

- Helsinki Energy Board
- (Helsingin kaupungin energialaitos)
- Tampere Energy Board
- (Tampereen kaupungin sähkölaitos)
- Turku Energy Board
- (Turun kaupungin sähkölaitos)

*Finland (cont'd)*ANNEX 4  
Services

Of the Universal List of Services, as contained in document MTN/GNS/W/120, the following services are included: \*

<i>Subject</i>	<i>CPC Ref No</i>
Maintenance and repair services	6112, 6122, 633, 886
Land transport services, including armoured car services, and courier services, except transport of mail	712 (except 71235), 7512, 87304
Air transport services of passengers and freight, except transport of mail	73 (except 7321)
Transport of mail by land, except rail, and by air	71235, 7321
Telecommunications services	752** (except 7524, 7525, 7526)
Financial services	ex 81
(a) Insurance services	812, 814
(b) banking and investments services***	
Computer and related services	84
Accounting, auditing and book-keeping services	862
Market research and public opinion polling services	864
Management consulting services and related services	865, 866****
Architectural services, engineering services and integrated engineering services, urban planning and landscape architectural services, related scientific and technical consulting services, technical testing and analysis services	867
Advertising services	871
Building-cleaning services and property management services	874, 82201-82206

Publishing and printing services on a fee or contract basis 88442

Sewage and refuse disposal, sanitation and similar services 94

*Notes to Annex 4*

- \* Coverage of services is subject to Parliamentary approval in the context of the EEA-agreement
- \*\* Except voice telephony, telex, radiotelephony, paging and satellite services
- \*\*\* Except contracts for financing services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services.
- Payments from governmental entities (expenses) shall be transacted through a certain credit institution (Postipankki Ltd) or through the Finnish Postal Giro System
- \*\*\*\* Except arbitration and conciliation services

## ANNEX 5

*Construction Services**Definition:*

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

*List of Division 51, CPC:*

All Public works/construction services of Division 51.

*Threshold:* SDR 5,000,000



GENERAL NOTES

*Note 1* The inclusion by Finland of further contracting authorities under Annex 1, and of the contracting entities in Annexes 2 and 3 is conditional on the inclusion under this Agreement of the corresponding entities by all other Parties. The inclusion of the services specified in Annexes 4 and 5 is subject to the inclusion in this Agreement of the same services by all other Parties.

*Note 2* When a specific procurement may impair important national policy objectives the Finnish Government may consider it necessary in singular procurement cases to deviate from the principle of national treatment in the Agreement. A decision to this effect will be taken at the Finnish Cabinet level.

*Note 3* Finland reserves its position with regard to the application of this Agreement to the Åland Islands (Ålvennarna).

*Note 4* The Agreement shall not apply to contracts pursuant to Article 1 "Laki julkisista hankinnista (1505/92)" (Public Procurement Act) and contracts awarded under:

- an international agreement and intended for the joint implementation or exploitation of a project by the signatory States;
- an international agreement relating to the stationing of troops;
- the particular procedure of an international organization;
- procurement of agricultural products made in furtherance of agricultural support programmes and human feeding programmes.

*Note 5* Procurement by defence entities covers the following products:

- Motor vehicles*
- delivery cars
  - light trucks
  - motorcycles
  - buses
  - ambulances

*Spare parts*

*Foodstuffs*

- coffee, tea
- rice
- frozen fish
- dried fruits
- spices

*Machines*

- office machines

- laundry machines

*Miscellaneous*

*Note 6* With regard to Annex 4, in the field of services, this Agreement shall not apply to the contracts:

- for the acquisition or rental, by whatever financial means, of land, existing buildings, or other immovable property or concerning rights thereon;
- for the acquisition, development, production or co-production of programme material by broadcasters and contracts for broadcasting time;
- awarded to an entity which itself is a contracting authority within the meaning of the Public Procurement Act: "Laki julkisista hankinnista" (1505/92) on the basis of an exclusive right which it enjoys pursuant to law, regulation or administrative provision;
- of employment.

*Note 7* Finland will not extend the benefits of this Agreement:

- as regards the award of contracts by entities listed in Annex 2 to the suppliers and service providers of Canada and the USA;
- as regards contesting the award of contracts by municipalities listed in Annex 2 to the suppliers and service providers of Switzerland, pending the outcome of the bilateral negotiations;

- as regards the award of contracts by entities listed in Annex 3 sectors

- (a) (water), to the suppliers and service providers of Canada and the USA;
- (b) (electricity), to the suppliers and service providers of Canada, Japan, Hong Kong and the USA;
- (c) (airports), to the suppliers and service providers of Canada, Korea and the USA;
- (d) (ports), to the suppliers and service providers of Canada and the USA;
- (e) (urban transport), to the suppliers and service providers of Canada, Israel, Japan, Korea and the USA

until such time as Finland has accepted that the Parties concerned give comparable and effective access for Finland's undertakings to the relevant markets;

- to service providers of Parties which do not include service contracts for the relevant entities in Annexes 1 to 3 and the relevant service category under Annexes 4 and 5 in their own coverage.

*Note 8* The provisions of Article XX shall not apply to suppliers and service providers of:

- Israel, Japan and Korea in contesting the award of contracts by entities listed in Annex 2, paragraph 2, until such time as Finland accepts that they have completed coverage of sub-central entities;

Finland (cont'd)

- Japan, Korea and the USA in contesting the award of contracts to a supplier or service provider of Parties other than those mentioned, which are small- or medium-sized enterprises under the relevant provisions in Finland, until such time as Finland accepts that they no longer operate discriminatory measures in favour of certain domestic small and minority businesses;
- Israel, Japan and Korea in contesting the award of contracts by Finnish entities, whose value is less than threshold applied for the same category of contracts awarded by these Parties.

*Note 9* Until such time as Finland has accepted that the Parties concerned provide access for Finnish suppliers and service providers to their own markets, Finland will not extend the benefits of this Agreement to suppliers and service providers of:

- Canada as regards procurement of FSC 36, 70 and 74 (special industry machinery; general purpose automatic data processing equipment, software, supplies and support equipment (except 7010 ADPE configurations); office machines, visible record equipment and ADP equipment);
- Canada as regards procurement of FSC 58 (communications, protection and coherent radiation equipment) and the USA as regards air traffic control equipment;
- Korea and Israel as regards procurement by entities listed in Annex 3, heading 5, as regards procurement of HS Nos 8504, 8535, 8537 and 8544 (electrical transformers, plugs, switches and insulated cables) and for Israel HS Nos 8501, 8536 and 902830;
- Canada and the USA as regards contracts for good or service components of contracts which, although awarded by an entity covered by this Agreement, are not themselves subject to this Agreement.

*Note 10* The thresholds in the Annexes will be applied as to conform with the public procurement thresholds of the EEA-agreement, as specified in Decrees 1571/92 (Asetus Euroopan talousalueesta tehdystä sopimuksessa tarkoitettuihin rakennusraketoista), 1350/93 (Asetus Euroopan talousalueesta tehdystä sopimuksessa tarkoitettuihin tavaramerkimistöistä), 1351/93 (Asetus Euroopan talousalueesta tehdystä sopimuksessa tarkoitettuihin väestö- ja energiatuotteiden, liikenteen ja teletoiminnan alalla toimivien yksiköiden hankkimista) and Decree on Services.

HONG KONG

(Authentic in the English language only)

ANNEX 1

*Central Government Entities which Procure in Accordance  
With the Provisions of this Agreement*

*Supplies*

*Threshold: 130,000 SDR*

*List of Entities:*

1. Agriculture and Fisheries Department
2. Architectural Services Department
3. Audit Department
4. Auxiliary Medical Services
5. Buildings Department
6. Census and Statistics Department
7. City and New Territories Administration
8. Civil Aid Services
9. Civil Aviation Department
10. Civil Engineering Department
11. Civil Service Training Centre
12. Companies Registry
13. Correctional Services Department
14. Customs and Excise Department
15. Department of Health
16. Drainage Services Department
17. Education Department
18. Electrical and Mechanical Services Department
19. Environmental Protection Department
20. Fire Services Department
21. Government Flying Service
22. Government Laboratory
23. Government Land Transport Agency
24. Government Property Agency
25. Government Secretariat
26. Government Supplies Department
27. Highways Department
28. Hong Kong Monetary Authority
29. Hospital Services Department
30. Immigration Department
31. Independent Commission Against Corruption
32. Industry Department
33. Information Services Department

*Hong Kong (cont'd)*

34. Information Technology Services Department
35. Inland Revenue Department
36. Intellectual Property Department
37. Judiciary
38. Labour Department
39. Lands Department
40. Land Registry
41. Legal Department
42. Legal Aid Department
43. Marine Department
44. Office of the Commissioner for Administrative Complaints
45. Office of the Telecommunications Authority
46. Official Receiver's Office
47. Planning Department
48. Post Office
49. Printing Department
50. Public Service Commission
51. Radio Television Hong Kong
52. Rating and Valuation Department
53. Registry of Trade Unions
54. Royal Hong Kong Police Force (including Royal Hong Kong Auxiliary Police Force)
55. Royal Observatory
56. Senior Staff Course Centre
57. Social Welfare Department
58. Secretariat, Police Complaints Committee
59. Secretariat, Standing Commission on Civil Service Salaries and Conditions of Service
60. Secretariat, Standing Committee on Disciplined Services Salaries and Conditions of Service
61. Student Financial Assistance Agency
62. Technical Education and Industrial Training Department
63. Television and Entertainment Licensing Authority
64. Territory Development Department
65. Trade Department
66. Transport Department
67. Treasury
68. University and Polytechnic Grants Committee
69. Water Supplies Department

**Services**

*Threshold:* Other services: 130,000 SDR  
Construction services: 5,000,000 SDR

*List of Entities which procure the services specified in Annex 4:*

Same as the "Supplies" section.

*Note to Annex 1*

In addition to the General Notes, this Agreement shall not apply to the purchase of office or residential accommodation by the Government Procurement Agency.

**ANNEX 2**

*Sub-Central Entities which Procure in Accordance  
With the Provisions of this Agreement*

*Threshold:* 200,000 SDR for supplies and services  
5,000,000 SDR for construction services

*List of Entities:*

1. Urban Council and Urban Services Department
2. Regional Council and Regional Services Department

**ANNEX 3**

*All Other Entities which Procure in Accordance  
With the Provisions of this Agreement*

*Threshold:* 400,000 SDR for supplies and services other than construction services  
5,000,000 SDR for construction services

*List of Entities:*

1. Housing Authority and Housing Department
2. Hospital Authority
3. Provisional Airport Authority (Airport Authority)
4. Mass Transit Railway Corporation
5. Kowloon Canton Railway Corporation

## Hong Kong (cont'd)

ANNEX 4  
Services

Those items of the Universal List of Services (MTN.GNS/W/120) as specified below:

<i>List of Services Included</i>		CPC
<i>1. Computer and Related Services</i>		
- Data base and processing services	843 + 844	
- Maintenance and repair services of office machinery and equipment including computers	845	
- Other Computer Services	849	
<i>2. Rental/Leasing Services Without Operators</i>		
- Relating to ships	83103	
- Relating to aircraft	83104	
- Relating to other transport equipment	83101 + 83102 + 83105	
- Relating to other machinery and equipment	83106 + 83109	
<i>3. Other Business Services</i>		
Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment)	633 + 8861-8866	
Market Research & Public Opinion Polling Services	864	
Security Services	87304	
Building-Cleaning Services	874	
Advertising Services	871	
<i>4. Courier Services</i>		
<i>5. Telecommunication Services</i>		
(Provisions of certain types of service may require licensing under the Telecommunication Ordinance)		
Packet-switched data transmission services	7523	
Circuit-switched data transmission services	7523	

Electronic mail	7523
Voice mail	7523
On-line information data base retrieval	7523
Enhanced value-added facsimile services, including store and forward, store and retrieve	7523
Code and protocol conversion	7523
On-line information and/or data processing (including transaction processing)	843
Integrated telecommunications services	7526
Other telecommunications services	7529
Telecommunications related services	754
<i>6. Environmental Services</i>	
- Sewage services	9401
- Refuse disposal services	9402
<i>7. Financial Services</i>	
- All Insurance and Insurance-Related Services	(exceptions are set out in note 5 of the General Notes to these Annexes)
- Banking and other financial services	
<i>8. Transport Services</i>	
- Air transportation services (excluding transportation of mail)	731, 732, 734
- Road transport services	712, 6112, 8867

## ANNEX 5

## Construction Services

## Definition:

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

*Hong Kong (cont'd)*

*List of Division 51 CPC*

All services of Division 51

*Threshold:* 5,000,000 SDR

GENERAL NOTES

1. Notwithstanding anything in these Annexes, the Agreement shall not apply to:
  - All consultancy and franchise arrangements.
  - Transportation of mail by air.
  - Statutory insurances including third party liability in respect of vehicles and vessels and employer's liability insurance in respect of employees.
2. Hong Kong's commitments on telecommunications services are subject to the terms of the licence held by Hong Kong Telecommunications International Ltd. (HKITL) until 30 September 2006 for the exclusive provision of external telecommunications circuits and certain external telecommunications services. The exclusive services covered by the licence are listed below.
  - (a) Circuits by radio for the provision of external public telecommunications services.
  - (b) The operation of circuits by submarine cable for the provision of external public telecommunications services.
  - (c) External and internal Public Telegram Service.
  - (d) External and internal Public Telex Service.
  - (e) External public telephone services to subscribers to the Public Switched Telephone Network by radio, submarine cable and such overland cables as are authorized.
  - (f) External dedicated and leased telephone circuit services by radio, submarine cable and such overland cables as are authorized.
  - (g) External dedicated and leased circuits for -
    - telegraph
    - data
    - facsimile.

- (h) Hong Kong coast stations and coast earth stations of the Maritime Mobile service and Maritime Mobile - Satellite Service.
- (i) Hong Kong Aeronautical Stations of the Aeronautical Mobile Service and Aeronautical Mobile - Satellite Service for radiocommunications services between aircraft operating agencies and their aircraft in flight.

- (j) International telecommunications services routed in transit via Hong Kong.
- (k) Except to the extent that the Governor-in-Council may from time to time otherwise in writing direct, external television and voice programme transmission services to and from Hong Kong.

3. Operators of telecommunications services may require licensing under the Telecommunication Ordinance. Operators applying for the licences are required to be established in Hong Kong under the Companies Ordinance.

4. Nothing in these Annexes shall oblige the Hong Kong Government to permit the supply of such services cross-border, or through commercial presence or the presence of natural persons.

5. The following services are excluded from Annex 4: Financial Services

1. *CPC 81402*  
Insurance and pension consultancy services
2. *CPC 81339*  
Money broking
3. *CPC 8119+81323*  
Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services.
4. *CPC 81339 or 81319*  
Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments.
5. *CPC 8131 or 8133*  
Advisory and other auxiliary financial services and all the activities listed in Article 1B of MTN/TNC/W/50, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy.
6. *CPC 81339+81333+81321*  
Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:

Hong Kong (cont'd)

- money market instruments (cheques, bills, certificate of deposits, etc.)
- foreign exchange
- derivative products including, but not limited to futures and options
- exchange rate and interest rate instruments, including products such as swaps, forward rate agreement, etc.
- transferable securities
- other negotiable instruments and financial assets, including bullion.

ISRAEL

(Authentic in the English language only)

ANNEX 1

*Central Government Entities which Procure in Accordance  
With the Provisions of this Agreement*

<i>Supplies</i>	<i>Threshold:</i>	130,000 SDR
<i>Services</i> (specified in Annex 4)	<i>Threshold:</i>	130,000 SDR
<i>Construction</i> (specified in Annex 5)	<i>Threshold:</i>	8,500,000 SDR

*List of Entities:*

- House of Representatives (the Knesset)  
Prime Minister's Office  
Ministry of Agriculture  
Ministry of Communications and Culture  
Ministry of Construction and Housing  
Ministry of Economics and Planning  
Ministry of Education  
Ministry of Energy and Infrastructure excluding Fuel Authority  
Ministry of the Environment  
Ministry of Finance  
Civil Service Commissioner  
Ministry of Foreign Affairs  
Ministry of Health (1)  
Ministry of Immigrants Absorption  
Ministry of Industry and Trade  
Ministry of the Interior  
Ministry of Justice  
Ministry of Labour and Social Affairs  
Israel Productivity Institute  
Ministry of Religious Affairs  
Ministry of Science and Technology  
Ministry of Tourism  
Ministry of Transport  
The State Controller's office

*Note to Annex 1*

- (1) *Ministry of Health - Excepted Products*  
  
Insulin and infusion pumps

**Threshold:** 8,500,000 SDR

- List of Entities:*
- Israel Airports Authority
  - Israel Ports and Railways Authority (1)
  - Israel Broadcasting Authority
  - Israel Educational Television
  - Postal Authority
  - Bezeq (Israel Communication Company) (1) (2)
  - Israel Electricity Company (3)
  - Mekorot Water Resources Ltd.
  - Sports Gambling Arrangement Board
  - Israel Standards Institute
  - National Insurance Institute

- (2) With regard to procurement by Bezek, this Agreement shall apply only to goods and services of the U.S.

Israel is willing to negotiate the opening of its telecommunication sector also to other Code members under the condition of reciprocity.

- (3) Excluded products: cables (H.S. 8544), electro-mechanic meters (ex. H.S. 9028), transformers (H.S. 8504), disconnectors and switches (H.S. 8535-8537), electric motors (H.S. 8501).

## ANNEX

## Services

*List of Entities:*

Municipalities of Jerusalem, Tel-Aviv and Haifa

**The company for economy and management of the Center of Local Government**

## ANNEX 3

*All Other Entities which Procure in Accordance  
With the Provisions of this Agreement*

**Supplies** **Threshold:** 355,000 SDR

**Services (specified in Annex 4)** **Threshold: 355,000 SDR**

**841-3 Computer and related services**

Israel (cont'd)

GENERAL NOTES

871	Advertising services
864	Market research and public opinion
865-6	Management consulting
9401-5	Environmental services

*Note to Annex 4*

The offer regarding services (including construction) is subject to the limitation and conditions specified in Israel's offer under the GATS negotiation.

ANNEX 5

*Construction Services*

*Definition:*

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

*Threshold:* 8,500,000 SDR

*List of construction services offered*

<i>CPC</i>	<i>Description</i>
511	Pre-erection work at construction sites
512	Construction work for buildings
513	Construction work for civil engineering
514	Assembly and erection of prefabricated construction
515	Special trade construction work
516	Installation work
517	Building completion and finishing work
518	Renting services related to equipment for construction

- (1) The Agreement shall not apply to contracts awarded for purposes of re-sale or hire to third parties, provided that the contracting entity enjoys no special or exclusive right to sell or hire the subject of such contracts and other entities are free to sell or hire it under the same conditions as the contracting entity.
- (2) The Agreement shall not apply to contracts for the purchase of water and for the supply of energy and of fuels for the production of energy.
- (3) The Agreement shall not apply to the acquisition or rental of land, buildings or other immovable property, or concerning rights thereon.

NOTE

*Offset*

1. Having regard to Article XVI and to general policy considerations regarding development, Israel may operate provisions which require the limited incorporation of domestic content, offer procurement or transfer of technology, in the form of objective and clearly defined conditions for participation in procedures for the award of contracts, which do not discriminate between other Parties.  
This shall be done under the following terms:
  - (a) Israel shall ensure that its entities indicate the existence of such conditions in their tender notices and specify them clearly in the contract documents.
  - (b) Suppliers will not be required to purchase goods that are not offered on competitive terms, including price and quality, or to take any action which is not justified from a commercial standpoint.
  - (c) Offsets in any form may be required up to 35 per cent of the contract going down to 30 per cent after five years and 20 per cent after nine years, beginning from the date Israel implements the Agreement.
2.
  - (a) At the end of each period of five and four years Israel will submit a report concerning the implementation of this Note.
  - (b) When the level of the offset has reached 20 per cent, Israel will consult with the Parties to this Agreement on the level of offset by Israel. The review shall take into consideration *inter alia* general and economic developments in Israel, its trade balance, the actual performance within the framework of this Agreement and the views of the other Parties.



## KOREA

(Authentic in the English language only)

### ANNEX 1

#### *Central Government Entities which Procure in Accordance With the Provisions of this Agreement*

##### **Supplies**

**Threshold:** 130,000 SDR

##### *List of Entities:*

- Board of Audit and Inspection
- Prime Minister's Secretariat
- Office of Administrative Coordination
- First Minister of Political Affairs
- Second Minister of Political Affairs
- Economic Planning Board
- National Unification Board
- Ministry of Government Administration
- Ministry of Science and Technology
- Ministry of Environment
- Ministry of Information
- Government Legislation Agency
- Patriots and Veterans Affairs Agency
- Ministry of Foreign Affairs
- Ministry of Home Affairs
- Ministry of Finance
- Ministry of Justice
- Ministry of National Defense
- Ministry of Education
- Ministry of Culture and Sports
- Ministry of Agriculture, Forestry and Fisheries
- Ministry of Trade, Industry and Energy
- Ministry of Construction
- Ministry of Health and Social Affairs
- Ministry of Labor
- Ministry of Transportation
- Ministry of Communications
- Office of Supply (limited to purchases for entities in this list only. Regarding procurement for entities in Annex 2 and Annex 3 in this list, the coverages and thresholds for such entities thereunder shall be applied.)
- National Statistical Office
- Korea Meteorological Administration
- National Police Administration (except purchases for the purpose of maintaining public order, as provided in Article XXIII of the Code)

## Korea (cont'd)

- National Tax Administration
- Customs Administration
- Supreme Public Prosecutors' Office
- Military Manpower Administration
- Rural Development Administration
- Forestry Administration
- Fisheries Administration
- Industrial Advancement Administration
- Korea Industrial Property Office
- Korea Maritime and Port Administration
- Korea National Railroad Administration (The Korean Government plans to change the NRA into a public corporation in 1996, in which case the Korean Government has the right to transfer the NRA from Annex 1 to Annex 3 without any consultation and/or compensatory measures.)

##### **Services**

**Threshold:** 130,000 SDR

##### *List of Entities which Procure Services Specified in Annex 4:*

Same as "Supplies" section

##### **Construction Services**

**Threshold:** 5,000,000 SDR

##### *List of Entities which Procure Services Specified in Annex 5:*

Same as "Supplies" section

##### *Notes to Annex 1*

1. The above central government entities include their subordinate linear organizations, special local administrative organs, and attached organs as prescribed in the Government Organization Act of the Republic of Korea.
2. This Agreement does not apply to the products and services procured with a view to resale or to use in the production of goods or provision of services for sale.
3. This Agreement does not apply to the single tendering procurement including set-asides for small- and medium-sized businesses according to the Budget & Account Law and its Presidential Decree, and the procurement of agricultural, fishery and livestock products according to the Foodgrain Management Law, the Law Concerning Marketing and Price Stabilization of Agricultural and Fishery Products, and the Livestock Law.

4.	This Agreement does not apply to the procurement of satellites according to the Aviation and Space Industry Development Promotion Law for five years from its entry into force for Korea.
5.	The Defense Logistics Agency shall be considered as part of the Ministry of National Defense. Subject to the decision of the Korean Government under the provisions of paragraph 1, Article XXIII, for MND purchases, this Agreement will generally apply to the following FSC categories only, and for services and construction services listed in Annex 4 and Annex 5, it will apply only to those areas which are not related to national security and defense.
FSC	Description
2510	Vehicular cab, body, and frame structural components
2520	Vehicular power transmission components
2540	Vehicular furniture and accessories
2590	Miscellaneous vehicular components
2610	Tires and tubes, pneumatic, nonaircraft
2910	Engine fuel system components, nonaircraft
2920	Engine electrical system components, nonaircraft
2930	Engine cooling system components, nonaircraft
2940	Engine air and oil filters, strainers and cleaners, nonaircraft
2990	Miscellaneous engine accessories, nonaircraft
3020	Gears, pulleys, sprockets and transmission chain
3416	Lathes
3417	Milling machines
3510	Laundry and dry cleaning equipment
4110	Refrigeration equipment
4230	Decontaminating and impregnating equipment
4520	Space heating equipment and domestic water heaters
4940	Miscellaneous maintenance and repair shop specialized equipment
5120	Hand tools, nonmolded, nonpowered
5410	Prefabricated and portable buildings
5530	Plywood and veneer
5660	Fencing, fences and gates
5945	Relays and solenoids
5965	Headsets, microphones and speakers
5985	Antennae, waveguide, and related equipment
5995	Cable, cord, and wire assemblies: communication equipment
6505	Drugs and biologicals
6220	Electric vehicular lights and fixtures
6840	Pest control agents disinfectants
6850	Miscellaneous chemicals, specialties
7310	Food cooking, baking, and serving equipment
7320	Kitchen equipment and appliances
7330	Kitchen hand tools and utensils
7350	Table ware
7360	Sets, kits, outfits, and modules food preparation and serving
7530	Stationery and record forms
7520	Brooms, brushes, mops, and sponges
7930	Cleaning and polishing compounds and preparations

<i>Korea (cont'd)</i>	
8110	Drums and cans
9150	Oils and greases: cutting, lubricating, and hydraulic
9310	Paper and paperboard
ANNEX 2	
<i>Sub-Central Government Entities which Procure in Accordance With the Provisions of this Agreement</i>	
<i>Supplies</i>	
<i>Threshold:</i>	200,000 SDR
<i>List of Entities:</i>	
-	Seoul Metropolitan Government
-	City of Pusan
-	City of Taejeu
-	City of Incheon
-	City of Kwangju
-	City of Taejeon
-	Kyonggi-do
-	Kang-won-do
-	Chungcheongbuk-do
-	Chungcheongnam-do
-	Kyongsangbuk-do
-	Kyongsangnam-do
-	Chollabuk-do
-	Chollanam-do
-	Cheju-do
<i>Services</i>	
<i>Threshold:</i>	200,000 SDR
<i>List of Entities which Procure Services Specified in Annex 4:</i>	
Same as "Supplies" section	
<i>Construction Services</i>	
<i>Threshold:</i>	SDR 15,000,000

*List of Entities which Procure Services Specified in Annex 5:*

Same as "Supplies" section

*Notes to Annex 2*

1. The above sub-central administrative government entities include their subordinate organizations under direct control and offices as prescribed in the Local Autonomy Law of the Republic of Korea.
2. This Agreement does not apply to the products and services procured with a view to resale or to use in the production of goods or provision of services for sale.
3. This Agreement does not apply to the single tendering procurement including set-asides for small- and medium-sized businesses according to the Local Finance Law and its Presidential Decree.
4. This Agreement does not apply to the procurement of satellites according to the Aviation and Space Industry Development Promotion Law for five years from its entry into force for Korea.

ANNEX 3

*All Other Entities which Procure in Accordance  
With the Provisions of this Agreement*

*Supplies*

*Threshold:* 450,000 SDR

*List of Entities:*

- Korea Development Bank
- Small and Medium Industry Bank
- Citizens National Bank
- Korea Housing Bank
- Korea Tobacco & Ginseng Corporation
- Korea Security Printing and Mining Corporation
- Korea Electric Power Corporation (except purchases of products in the categories of HS Nos. 8504, 8535, 8537 and 8544)
- Dai Han Coal Corporation
- Korea Mining Promotion Corporation
- Korea Petroleum Development Corporation
- Korea General Chemical Corporation
- Korea Trade Promotion Corporation
- Korea Highway Corporation
- Korea National Housing Corporation

*Korea (cont'd)*

- Korea Water Resources Corporation
- Korea Land Development Corporation
- Rural Development Corporation
- Agricultural and Fishery Marketing Corporation
- Korea Telecom (except purchases of common telecommunications commodity products and telecommunications network equipment)
- Korea National Tourism Corporation
- National Textbook Ltd.
- Korea Labor Welfare Corporation
- Korea Gas Corporation

*Construction Services*

*Threshold:* 15,000,000 SDR

*List of Entities which Procure Services Specified in Annex 5:*

Same as "Supplies" section

*Notes to Annex 3*

1. This Agreement does not apply to the products and services procured with a view to resale or to use in the production of goods or provision of services for sale.
2. This Agreement does not apply to the single tendering procurement including set-asides for small- and medium-sized businesses according to the Government Invested Enterprise Management Law and Accounting Regulations on Government Invested Enterprise.
3. This Agreement does not apply to the procurement of satellites according to the Aviation and Space Industry Development Promotion Law for five years from its entry into force for Korea.

## ANNEX 4

## Services

Of the Universal List of Services, as contained in document MTN.GNS/W/120, the following services are included (others being excluded):

GNS/W/120		Korea (cont'd)	
	Description		Description
<b>GNS/W/120</b>	<b>CPC</b>	<b>GNS/W/120</b>	<b>CPC</b>
1.A.b.	Accounting, auditing and bookkeeping services	1.F.b.	864
1.A.c.	Taxation services	1.F.c.	865
1.A.d.	Architectural services	1.F.d.	86601
1.A.e.	Engineering services	1.F.e.	86761*
1.A.f.	Integrated engineering services	1.F.f.	8811*, 8812*
1.A.g.	Urban planning and landscape architectural services		86764
1.B.a.	Consultancy services related to the installation of computer hardware	1.F.g.	882*
1.B.b.	Software implementation services	1.F.h.	883*
1.B.c.	Data processing services	1.F.m.	86751, 86752
1.B.d.	Data base services	1.F.n.	633, 8861 8862, 8863 8864, 8865
1.B.e.	Maintenance and repair services of office machinery and equipment (including computers)		8866
1.E.a.	Rental/leasing services without operators relating to ships	1.F.p.	875
1.E.b.	Rental/leasing services without operators relating to aircraft	1.F.q.	876
1.E.c.	Rental/leasing services without operators relating to other transport equipment (only passenger vehicles for less than fifteen passengers)	1.F.t.	88442*
1.E.d.	Rental/leasing services without operators relating to other machinery and equipment	1.F.s.	87909*
		1.F.t.	87905
		2.C.h.	7523*
		2.C.i.	7523*
1.F.a.	Advertising agency services	2.C.j.	7523*

Market research and public opinion polling services

Management consulting services

Project management services

Composition and purity testing and analysis services (only inspection, testing and analysis services of air, water, noise level and vibration level)

Technical inspection services

Consulting services relating to agriculture and animal husbandry

Services incidental to forestry (excluding aerial fire fighting and disinfection)

Consulting services relating to fishing

Consulting services relating to mining

Related scientific and technical consulting services

Maintenance and repair of equipment

Photographic services

Packaging services

Printing (screen printing, gravure printing, and services relating to printing)

- Stenography services

- Convention agency services

Translation and interpretation services

Electronic mail

Voice mail

On-line information and data-base retrieval

<i>GNS/W/120</i>	<i>CPC</i>	<i>Description</i>
2.C.k.	7523*	Electronic data interchange
2.C.l.	7523*	Enhanced/value-added facsimile services including store and forward, store and retrieve
2.C.m.	-	Code and protocol conversion
2.C.n.	843*	On-line information and/or data processing (including transaction processing)
2.D.a.	96112*, 96113*	Motion picture and video tape production and distribution services (excluding those services for cable TV broadcasting)
2.D.e.	-	Record production and distribution services (sound recording)
6.A.	9401*	Refuse water disposal services (only collection and treatment services of industrial waste water)
6.B.	9402*	Industrial refuse disposal services (only collection, transport, and disposal services of industrial refuse)
6.D.	9404*, 9405*	Cleaning services of exhaust gases and noise abatement services (services other than construction work services)
	9406*, 9409*	Environmental testing and assessment services (only environmental impact assessment services)
11.A.b.	7212*	International transport, excluding cabotage
11.A.d.	8868*	Maintenance and repair of vessels
11.F.b.	71233*	Transportation of containerized freight, excluding cabotage
11.H.a.	741*	- Maritime cargo handling services - Container station services (provided in port areas)
11.H.b.	742*	Storage and warehouse services other than those in ports (excluding services for agricultural, fishery and livestock products)
11.H.c.	748*	Freight transport agency services  - Maritime agency services - Maritime freight forwarding services - Shipping brokerage services - Air cargo transport agency services - Customs clearance services
11.L.		Freight forwarding for rail transport

*Korea (cont'd)*

*Note to Annex 4*

Asterisks (\*) designate "part of" as described in detail in the Revised Conditional Offer of the Republic of Korea Concerning Initial Commitments on Trade in Services.

#### ANNEX 5

#### Construction Services

#### Definition:

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

#### Threshold:

5,000,000 SDR for entities set out in Annex 1  
15,000,000 SDR for entities set out in Annex 2  
15,000,000 SDR for entities set out in Annex 3

#### List of construction services offered:

<i>CPC</i>	<i>Description</i>
511	Pre-erection work at construction sites
512	Construction work for buildings
513	Construction work for civil engineering
514	Assembly and erection of prefabricated construction
515	Special trade construction work
516	Installation work
517	Building completion and finishing work

GENERAL NOTES

NORWAY

(Authentic in the English language only)

1. Korea will not extend the benefits of this Agreement
- (a) as regards the award of contracts by the National Railroad Administration,

- (b) as regards procurement for airports by the entities listed in Annex 1,

- (c) as regards procurement for urban transportation (including subways) by the entities listed in Annexes 1 and 2

to the suppliers and service providers of member States of the European Communities, Austria, Norway, Sweden, Finland and Switzerland, until such time as Korea has accepted that those countries give comparable and effective access for Korean undertakings to their relevant markets.

2. For goods and services (including construction services) of Canada and suppliers of such goods and services, this Agreement does not apply to procurement by the entities listed in Annexes 2 and 3. Korea is prepared to amend this note at such time as coverage with respect to these Annexes can be resolved with Canada.

3. A service listed in Annex 4 is covered with respect to a particular party only to the extent that such party has included that service in its Annex 4.

ANNEX 1

*Entities which Procure in Accordance  
With the Provisions of this Agreement*

*Supplies*  
*Threshold:* SDR 130,000

*Services*  
(specified in Annex 4)  
*Threshold:* SDR 130,000

*Works*  
(specified in Annex 5)  
*Threshold:* SDR 5,000,000

*List of Entities:*

The following contracting authorities of the State:

Statsministerens kontor

Office of the Prime Minister

Administrasjonsdepartementet

Ministry of Government Administration

Prisdirektoratet  
Statens Forvaltningsjeneste  
Statens Informasjonstjeneste  
Statskonsult

The Price Directorate  
Government Administration Services  
Norwegian Central Information Service  
Directorate of Public Management

Barne - og familiedepartementet

Ministry of Children and Family Affairs

Barneombudet  
Forbrukerombudet  
Forbrukerrådet  
Likestillingsombudet  
Likestillingsrådet  
Statens Adopsjonskontor  
Statens Institut for Forbruksforskning

Commissioner for Children  
Consumer Ombudsman  
Consumer Council  
Equal Status Ombud  
Equal Status Council  
Government Adoption Office  
National Institute for Consumer Research

Finans- og tolldepartementet

Ministry of Finance

Kreditilsynet  
Skattedirektoratet  
Oljeskattekontoret  
Toll- og avgiftsdirektoratet

The Banking, Insurance and Securities  
Commission of Norway  
Directorate of Taxes  
Petroleum Tax Office  
Directorate of Customs and Excise