

Notes relatives à l'Annexe 4

Le présent accord ne s'applique pas:

- 1. Aux marchés de services attribués à une entité qui est elle-même un pouvoir adjudicateur au sens de l'Annexe 1, 2 ou 3 sur la base d'un droit exclusif dont elle bénéficie en vertu de dispositions législatives, réglementaires ou administratives publiques.
- 2. Aux marchés de services qu'une entité adjudicatrice passe auprès d'une entreprise liée ou passés par une coentreprise, constituée de plusieurs entités adjudicatrices aux fins de la poursuite des activités au sens de l'Annexe 3, auprès d'une de ces entités adjudicatrices ou d'une entreprise liée à une de ces entités adjudicatrices, pour autant que 80% au moins du chiffre d'affaires moyen que cette entreprise a réalisé au cours des trois dernières années en matière de services provienne de la fourniture de ces services aux entreprises auxquelles elle est liée. Lorsque le même service ou des services similaires sont fournis par plus d'une entreprise liée à l'entité adjudicatrice, il doit être tenu compte du chiffre d'affaires total résultant de la fourniture de services par ces entreprises.
- 3. Aux marchés de services qui ont pour objet l'acquisition ou la location, quelles qu'en soient les modalités financières, de terrains, de bâtiments existants ou d'autres biens immobiliers ou qui concernent des droits sur ces biens.
- 4. Aux marchés de l'emploi.
- 5. Aux marchés visant l'achat, le développement, la production ou la coproduction d'éléments de programmes par des organismes de radiodiffusion et aux marchés concernant les temps de diffusion.

ANNEXE 5

Services de Construction

Définition:

Un contrat de services de construction est un contrat qui a pour objectif la réalisation, par quelque moyen que ce soit, de travaux de construction d'ouvrages de génie civil ou de bâtiments, au sens de la division 51 de la Classification centrale de produits (CPC).

|                                                               |     |
|---------------------------------------------------------------|-----|
| Liste de services relevant de la division 51 de la CPC        |     |
| Travaux de préparation des sites et chantiers de construction | 511 |
| Travaux de construction de bâtiments                          | 512 |
| Travaux de construction d'ouvrages de génie civil             | 513 |

Suisse (suite)

|                                                    |     |
|----------------------------------------------------|-----|
| Assemblage et construction d'ouvrages préfabriqués | 514 |
| Travaux d'entreprises de construction spécialisées | 515 |
| Travaux de pose d'installations                    | 516 |
| Travaux d'achèvement et de finition des bâtiments  | 517 |
| Autres services                                    | 518 |

Valeur de seuil: 5 000 000 DTS

Liste des matériels civils de la défense et de la protection civile soumis à l'accord

|              |                                                                                                                                                           |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Chapitre 25: | Sel; soufre; terres et pierres; plâtres; chaux et ciments                                                                                                 |
| Chapitre 26: | Minerais métallurgiques, scories et cendres                                                                                                               |
| Chapitre 27: | Combustibles minéraux, huiles minérales et produits de leur distillation; matières bitumineuses; cires minérales                                          |
| Chapitre 28: | Produits chimiques inorganiques; composés inorganiques ou organiques de métaux précieux, d'éléments radioactifs, de métaux des terres rares et d'isotopes |

à l'exception de:

- ex 28.09 : explosifs
- ex 28.13 : explosifs
- ex 28.14 : gaz lacrymogènes
- ex 28.28 : explosifs
- ex 28.32 : explosifs
- ex 28.39 : explosifs
- ex 28.50 : produits toxicologiques
- ex 28.51 : produits toxicologiques
- ex 28.54 : explosifs

Chapitre 29: Produits chimiques organiques

à l'exception de:

- ex 29.03 : explosifs
- ex 29.04 : explosifs
- ex 29.07 : explosifs
- ex 29.08 : explosifs

|                     |                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                            |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
|                     | ex 29.11 : explosifs<br>ex 29.12 : explosifs<br>ex 29.13 : produits toxicologiques<br>ex 29.14 : produits toxicologiques<br>ex 29.15 : produits toxicologiques<br>ex 29.21 : produits toxicologiques<br>ex 29.22 : produits toxicologiques<br>ex 29.23 : produits toxicologiques<br>ex 29.26 : explosifs<br>ex 29.27 : produits toxicologiques<br>ex 29.29 : explosifs |                                                                                                            |
| <i>Chapitre 30:</i> | Produits pharmaceutiques                                                                                                                                                                                                                                                                                                                                               |                                                                                                            |
| <i>Chapitre 31:</i> | Engrais                                                                                                                                                                                                                                                                                                                                                                |                                                                                                            |
| <i>Chapitre 32:</i> | Extraits sannaux ou tinctoriaux; tanins et leurs dérivés; matières colorantes, colorants, peintures, vernis et teintures, mastics, encres                                                                                                                                                                                                                              |                                                                                                            |
| <i>Chapitre 33:</i> | Huiles essentielles et résinoïdes; produits de parfumerie ou de toilette et cosmétiques                                                                                                                                                                                                                                                                                |                                                                                                            |
| <i>Chapitre 34:</i> | Savons, produits organiques tensio-actifs, préparations pour lessives, préparations lubrifiantes, cires artificielles, cires préparées, produits d'entretien, bougies et articles similaires, pâtes à modeler et "cires pour l'art dentaire"                                                                                                                           |                                                                                                            |
| <i>Chapitre 35:</i> | Matières albuminoïdes; colles, enzymes                                                                                                                                                                                                                                                                                                                                 |                                                                                                            |
| <i>Chapitre 36:</i> | Poudres et explosifs; articles de pyrotechnie; allumettes; allages pyrophoriques; matières inflammables                                                                                                                                                                                                                                                                |                                                                                                            |
|                     | <i>à l'exception de:</i><br>ex 36.01 : poudres<br>ex 36.02 : explosifs préparés<br>ex 36.04 : détonateurs<br>ex 36.08 : explosifs                                                                                                                                                                                                                                      |                                                                                                            |
| <i>Chapitre 37:</i> | Produits photographiques et cinématographiques                                                                                                                                                                                                                                                                                                                         |                                                                                                            |
| <i>Chapitre 38:</i> | Produits divers des industries chimiques                                                                                                                                                                                                                                                                                                                               |                                                                                                            |
|                     | <i>à l'exception de:</i><br>ex 38.19 : produits toxicologiques                                                                                                                                                                                                                                                                                                         |                                                                                                            |
| <i>Chapitre 39:</i> | Matières plastiques artificielles, éthers et esters de la cellulose, résines artificielles et ouvrages en ces matières                                                                                                                                                                                                                                                 |                                                                                                            |
|                     | <i>à l'exception de:</i>                                                                                                                                                                                                                                                                                                                                               |                                                                                                            |
|                     |                                                                                                                                                                                                                                                                                                                                                                        | <i>Suisse (suite)</i>                                                                                      |
|                     |                                                                                                                                                                                                                                                                                                                                                                        | <i>Chapitre 40:</i><br>Caoutchouc naturel ou synthétique, facile pour caoutchouc et ouvrages en caoutchouc |
|                     | <i>à l'exception de:</i><br>ex 40.11 : pneus                                                                                                                                                                                                                                                                                                                           |                                                                                                            |
| <i>Chapitre 43:</i> | Pelleretieres et fourrures, pelleretieres faciles                                                                                                                                                                                                                                                                                                                      |                                                                                                            |
| <i>Chapitre 44:</i> | Bois, charbon de bois et ouvrages en bois                                                                                                                                                                                                                                                                                                                              |                                                                                                            |
| <i>Chapitre 45:</i> | Liège et ouvrages en liège                                                                                                                                                                                                                                                                                                                                             |                                                                                                            |
| <i>Chapitre 46:</i> | Ouvrages de sparterie et de vannerie                                                                                                                                                                                                                                                                                                                                   |                                                                                                            |
| <i>Chapitre 47:</i> | Matières servant à la fabrication du papier                                                                                                                                                                                                                                                                                                                            |                                                                                                            |
| <i>Chapitre 48:</i> | Papiers et cartons; ouvrages en pâte de cellulose, en papier et en carton                                                                                                                                                                                                                                                                                              |                                                                                                            |
| <i>Chapitre 49:</i> | Articles de librairie et produits des arts graphiques                                                                                                                                                                                                                                                                                                                  |                                                                                                            |
| <i>Chapitre 65:</i> | Coffrures et parties de coffrures                                                                                                                                                                                                                                                                                                                                      |                                                                                                            |
| <i>Chapitre 66:</i> | Parapluies, parasols, cannes, fouets, cravaches et leurs parties                                                                                                                                                                                                                                                                                                       |                                                                                                            |
| <i>Chapitre 67:</i> | Plumes et duvet apprêtés et articles en plumes ou en duvet; fleurs artificielles; ouvrages en cheveux                                                                                                                                                                                                                                                                  |                                                                                                            |
| <i>Chapitre 68:</i> | Ouvrages en pierres, plâtre, ciment, amiant, mica et matières analogues                                                                                                                                                                                                                                                                                                |                                                                                                            |
| <i>Chapitre 69:</i> | Produits céramiques                                                                                                                                                                                                                                                                                                                                                    |                                                                                                            |
| <i>Chapitre 70:</i> | Verre et ouvrages en verre                                                                                                                                                                                                                                                                                                                                             |                                                                                                            |
| <i>Chapitre 71:</i> | Pierres fines, pierres gemmes et similaires, métaux précieux, plaqués ou doublés de métaux précieux et ouvrages en ces matières; bijouterie de fantaisie                                                                                                                                                                                                               |                                                                                                            |
| <i>Chapitre 73:</i> | Fonte, fer et acier                                                                                                                                                                                                                                                                                                                                                    |                                                                                                            |
| <i>Chapitre 74:</i> | Cuivre                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                            |
| <i>Chapitre 75:</i> | Nickel                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                            |
| <i>Chapitre 76:</i> | Aluminium                                                                                                                                                                                                                                                                                                                                                              |                                                                                                            |

|                     |                                                                                                                   |                       |                                                                                                                                                                                                                        |
|---------------------|-------------------------------------------------------------------------------------------------------------------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Chapitre 77:</i> | Magnésium, beryllium (glucinium)                                                                                  | <i>Suisse (suite)</i> |                                                                                                                                                                                                                        |
| <i>Chapitre 78:</i> | Plomb                                                                                                             | <i>Chapitre 89:</i>   | Navigation maritime et fluviale                                                                                                                                                                                        |
| <i>Chapitre 79:</i> | Zinc                                                                                                              | <i>Chapitre 90:</i>   | Instruments et appareils d'optique, de photographie et de cinématographie, de mesure, de vérification, de précision; instruments et appareils médico-chirurgicaux                                                      |
| <i>Chapitre 80:</i> | Etain                                                                                                             |                       | <i>à l'exception de:</i>                                                                                                                                                                                               |
| <i>Chapitre 81:</i> | Autres métaux communs                                                                                             |                       | ex 90.05 : Jumelles                                                                                                                                                                                                    |
| <i>Chapitre 82:</i> | Outils; articles de coutellerie et couverts de table, en métaux communs                                           |                       | ex 90.13 : Instruments divers, lasers                                                                                                                                                                                  |
| <i>Chapitre 83:</i> | Ouvrages divers en métaux communs                                                                                 |                       | ex 90.14 : Télémètres                                                                                                                                                                                                  |
| <i>Chapitre 84:</i> | Chaudières, machines, appareils et engins mécaniques                                                              |                       | ex 90.28 : Instruments de mesure électriques ou électroniques                                                                                                                                                          |
| <i>Chapitre 85:</i> | Machines et appareils électriques et objets servant à des usages électrotechniques                                | <i>Chapitre 91:</i>   | Horlogerie                                                                                                                                                                                                             |
|                     | <i>à l'exception de:</i>                                                                                          | <i>Chapitre 92:</i>   | Instruments de musique; appareils d'enregistrement ou de reproduction du son; appareils d'enregistrement ou de reproduction des images et du son en télévision; parties et accessoires de ces instruments et appareils |
|                     | ex 85.03 : Piles électriques                                                                                      | <i>Chapitre 93:</i>   | Armes et munitions                                                                                                                                                                                                     |
|                     | ex 85.13 : Télécommunications                                                                                     |                       | <i>à l'exception de:</i>                                                                                                                                                                                               |
|                     | ex 85.15 : Appareils de transmission                                                                              |                       | ex 93.01 : Armes blanches                                                                                                                                                                                              |
| <i>Chapitre 86:</i> | Véhicules et matériaux pour voies ferrées; appareils de signalisation non électriques pour voies de communication |                       | ex 93.02 : Pistolets                                                                                                                                                                                                   |
|                     | <i>à l'exception de:</i>                                                                                          |                       | ex 93.03 : Armes de guerre                                                                                                                                                                                             |
|                     | ex 86.02 : Locomotives blindées                                                                                   | <i>Chapitre 94:</i>   | Meubles; mobilier médico-chirurgical; articles de literie et similaires                                                                                                                                                |
|                     | ex 86.03 : autres locomotives blindées                                                                            | <i>Chapitre 95:</i>   | Matières à tisser et à mouler, à l'état travaillé (y compris les ouvrages)                                                                                                                                             |
|                     | ex 86.05 : Wagons blindés                                                                                         | <i>Chapitre 96:</i>   | Ouvrages de brosse et pinceaux, balais, houppes et articles de tannetterie                                                                                                                                             |
|                     | ex 86.06 : Wagons ateliers                                                                                        | <i>Chapitre 98:</i>   | Ouvrages divers                                                                                                                                                                                                        |
|                     | ex 86.07 : Wagons                                                                                                 |                       |                                                                                                                                                                                                                        |
| <i>Chapitre 87:</i> | Voitures automobiles, tracteurs, cycles et autres véhicules terrestres                                            |                       |                                                                                                                                                                                                                        |
|                     | <i>à l'exception de:</i>                                                                                          |                       |                                                                                                                                                                                                                        |
|                     | 87.08 : Cars et automobiles blindés                                                                               |                       |                                                                                                                                                                                                                        |
|                     | ex 87.02 : Camions lourds                                                                                         |                       |                                                                                                                                                                                                                        |
|                     | ex 87.09 : Motocycles                                                                                             |                       |                                                                                                                                                                                                                        |
|                     | ex 87.14 : Remorques                                                                                              |                       |                                                                                                                                                                                                                        |
| <i>Chapitre 88:</i> | Navigation aérienne                                                                                               |                       |                                                                                                                                                                                                                        |
|                     | <i>à l'exception de:</i>                                                                                          |                       |                                                                                                                                                                                                                        |
|                     | ex 88.02 : Avions                                                                                                 |                       |                                                                                                                                                                                                                        |

NOTES GENERALES ET DEROGATIONS AUX DISPOSITIONS  
DE L'ARTICLE III

Suisse (suite)

1. La Suisse n'étendra pas le bénéfice des dispositions du présent accord:
  - en ce qui concerne les marchés passés par les entités mentionnées à l'Annexe 2 aux fournisseurs de produits et de services du Canada et des Etats-Unis d'Amérique;
  - en ce qui concerne les marchés passés par les entités mentionnées à l'Annexe 3 dans les secteurs suivants:
    - eau: aux fournisseurs de produits et de services du Canada et des Etats-Unis d'Amérique;
    - électricité: aux fournisseurs de produits et de services du Canada, de Hong Kong, du Japon et des Etats-Unis d'Amérique;
    - aéroports: aux fournisseurs de produits et de services du Canada, de la Corée et des Etats-Unis d'Amérique;
    - ports: aux fournisseurs de produits et de services du Canada et des Etats-Unis d'Amérique;
    - transports urbains: aux fournisseurs de produits et de services du Canada, d'Israël, du Japon, de la Corée et des Etats-Unis d'Amérique;
2. Les dispositions de l'Article XX ne sont pas applicables aux fournisseurs de produits et de services des pays suivants:
  - aux fournisseurs de services des Parties qui n'incluent pas, dans leurs propres listes, les marchés de services passés par les entités mentionnées aux Annexes 1 à 3 et concernant les catégories de services visées aux Annexes 4 et 5.
3. Le présent accord n'est pas applicable aux fournisseurs de produits et de services des pays suivants:
  - Israël, Japon et Corée en ce qui concerne les recours intentés contre l'adjudication de marchés par les organismes mentionnés à l'Annexe 2, chiffre 2, tant que la Suisse n'a pas constaté que ces pays ont complété la liste des entités des gouvernements sous-centraux;
  - Japon, Corée et Etats-Unis d'Amérique en ce qui concerne les recours intentés contre l'adjudication de marchés à un fournisseur de produits ou de services d'autres Parties au présent accord, lorsque ledit fournisseur est une entreprise petite ou moyenne au sens du droit suisse, tant que la Suisse n'aura pas constaté que ces pays n'appliquent plus de mesures discriminatoires pour favoriser certaines petites entreprises nationales ou certaines entreprises nationales détenues par les minorités;
  - Israël, Japon et Corée en ce qui concerne les recours intentés contre l'adjudication par des entités suisses de marchés, dont la valeur est inférieure au seuil appliqué à la même catégorie de marchés par lesdites Parties.
3. Tant que la Suisse n'aura pas constaté que les Parties concernées assurent l'accès de leurs marchés aux fournisseurs suisses de produits et de services suisses, elle n'étendra pas le bénéfice des dispositions du présent accord aux fournisseurs de produits et de services des pays suivants:
  - Canada, en ce qui concerne les marchés portant sur les produits relevant des n° 36, 70 et 74 de la FSC (machines industrielles spéciales; matériel d'informatique général, logiciel, fournitures et matériel auxiliaire (sauf 7010): Configuration d'équipement de traitement automatique des données); machines de bureau, matériel de bureautique et d'informatique de bureau;
  - Canada, en ce qui concerne les marchés portant sur les produits relevant du n° 38 de la FSC (matériel de communications, matériel de détection des radiations et d'émission de rayonnement cohérent) et Etats-Unis d'Amérique en ce qui concerne les équipements de contrôle du trafic aérien;
  - Corée et Israël en ce qui concerne les marchés passés par les entités énumérées à l'Annexe 3, chiffre 2 pour les produits relevant des n° 8504, 8535, 8537 et 8544 du SH (transformateurs électriques, prises de courant, interrupteurs et câbles isolés); Israël, en ce qui concerne les produits relevant des n° 8501, 8536 et 902830 du SH;
  - Canada et Etats-Unis d'Amérique en ce qui concerne les marchés de fournitures et de services entrant dans le cadre de marchés qui, tout en étant passés par une entité relevant du champ d'application du présent accord, ne sont pas eux-mêmes soumis à ce dernier.
4. Le présent accord n'est pas applicable aux marchés passés en vertu:
  - d'un accord international et portant sur la réalisation ou l'exploitation en commun d'un ouvrage par les Etats signataires;
  - de la procédure spécifique d'une organisation internationale.
5. Le présent accord n'est pas applicable aux marchés de produits agricoles passés en application de programmes de soutien à l'agriculture ou de programmes d'aide alimentaire.
6. Les engagements pris par la Suisse dans le domaine des services au titre du présent accord sont limités aux engagements initiaux spécifiés dans l'offre finale suisse présentée dans le cadre de l'Accord général sur le commerce des services.

## UNITED STATES

(Authentic in the English language only)

### ANNEX 1

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

*Threshold:* 130,000 SDRs for supplies and services  
5 million SDRs for construction

#### *List of Entities:*

1. Department of Agriculture (not including procurement of agricultural products made in furtherance of agricultural support programmes or human feeding programmes)
2. Department of Commerce (not including shipbuilding activities of NOAA, as excluded in Annex 4)
3. Department of Education
4. Department of Health and Human Services
5. Department of Housing and Urban Development
6. Department of the Interior (including the Bureau of Reclamation)
7. Department of Justice
8. Department of Labor
9. Department of State
10. United States Agency for International Development (not including procurement for the direct purpose of providing foreign assistance)
11. Department of the Treasury
12. Department of Transportation (not including procurement by the Federal Aviation Administration, and pursuant to Article XXIII, the national security considerations applicable to the Department of Defense are equally applicable to the Coast Guard, a military unit of the United States)
13. Department of Energy (pursuant to Article XXIII, national security exceptions include procurements made in support of safeguarding nuclear materials or technology and entered into under the authority of the Atomic Energy Act, and oil purchases related to the Strategic Petroleum Reserve)
14. General Services Administration (except Federal Supply Groups 51 and 52 and Federal Supply Class 7340)
15. National Aeronautics and Space Administration
16. The Department of Veterans Affairs
17. Environmental Protection Agency
18. United States Information Agency
19. National Science Foundation
20. Panama Canal Commission
21. Executive Office of the President
22. Farm Credit Administration
23. National Credit Union Administration
24. Merit Systems Protection Board
25. ACTION

#### *United States (cont'd)*

26. United States Arms Control and Disarmament Agency
27. Office of Thrift Supervision
28. Federal Housing Finance Board
29. National Labor Relations Board
30. National Mediation Board
31. Railroad Retirement Board
32. American Battle Monuments Commission
33. Federal Communications Commission
34. Federal Trade Commission
35. Interstate Commerce Commission
36. Securities and Exchange Commission
37. Office of Personnel Management
38. United States International Trade Commission
39. Export-Import Bank of the United States
40. Federal Mediation and Conciliation Service
41. Selective Service System
42. Smithsonian Institution
43. Federal Deposit Insurance Corporation
44. Consumer Product Safety Commission
45. Equal Employment Opportunity Commission
46. Federal Maritime Commission
47. National Transportation Safety Board
48. Nuclear Regulatory Commission
49. Overseas Private Investment Corporation
50. Administrative Conference of the United States
51. Board for International Broadcasting
52. Commission on Civil Rights
53. Commodity Futures Trading Commission
54. Peace Corps
55. National Archives and Records Administration
56. Advisory Commission on Intergovernmental Relations
57. African Development Foundation
58. Alaska Natural Gas Transportation System
59. Appalachian Regional Commission
60. Commission of Fine Arts
61. Delaware River Basin Commission
62. Federal Election Commission
63. Federal Emergency Management Agency
64. Federal Home Loan Mortgage Corporation
65. Federal Maritime Commission
66. Federal Mine Safety and Health Review Commission
67. Federal Reserve System
68. Federal Retirement Thrift Investment Board
69. Holocaust Memorial Council
70. Inter-American Foundation
71. National Capital Planning Commission
72. National Commission on Libraries and Information Science
73. National Council on Disability

74. National Foundation on the Arts and the Humanities
75. Occupational Safety and Health Review Commission
76. Office of Government Ethics
77. Office of the Nuclear Waste Negotiator
78. Office of Special Counsel
79. Resolution Trust Corporation Oversight Board
80. Small Business Administration
81. Susquehanna River Basin Commission
82. Pennsylvania Avenue Development Corporation
83. Federal Crop Insurance Corporation
84. Federal Prison Industries, Inc.
85. Government National Mortgage Association
86. Uranium Enrichment Corporation
87. Department of Defense, including the Corps of Army Engineers

This Agreement will not apply to the following purchases of the Department of Defense:

- (a) Federal Supply Classification (FSC) 83 - all elements of this classification other than pins, needles, sewing kits, flagstaffs, flagpoles, and flagstaff trucks;
- (b) FSC 84 - all elements other than sub-class 8460 (luggage);
- (c) FSC 89 - all elements other than sub-class 8975 (tobacco products);
- (d) FSC 2310 - (buses only);
- (e) Specialty metals, defined as steels melted in steelmanufacturing facilities located in the United States or its possessions, where the maximum alloy content exceeds one or more of the following limits, must be used in products purchased by DOD: (1) manganese, 1.65 per cent; silicon, 0.60 per cent; or copper, 0.06 per cent; or which contains more than 0.25 per cent of any of the following elements: aluminum, chromium, cobalt, columbium, niobium, nickel, titanium, tungsten, or vanadium; (2) metal alloys consisting of nickel, iron-nickel and cobalt base alloys containing a total of other alloying metals (except iron) in excess of 10 per cent; (3) titanium and titanium alloys; or (4) zirconium base alloys;
- (f) FSC 19 and 20 - that part of these classifications defined as naval vessels or major components of the hull or superstructure thereof;
- (g) FSC 51 and 52;
- (h) Following FSC categories are not generally covered due to application of Article XXIII, paragraph 1: 10, 12, 13, 14, 15, 16, 17, 19, 20, 28, 31, 38, 59, 95.

This Agreement will generally apply to purchases of the following FSC categories subject to United States Government determinations under the provisions of Article XXIII, paragraph 1.

- FSC 22. Railway Equipment
23. Motor Vehicles, Trailers, and Cycles (except buses in 2310)
24. Tractors
25. Vehicular Equipment Components
26. Tyres and Tubes
29. Engine Accessories
30. Mechanical Power Transmission Equipment
32. Woodworking Machinery and Equipment
34. Metalworking Machinery
35. Service and Trade Equipment
36. Special Industry Machinery
37. Agricultural Machinery and Equipment

#### United States (cont'd)

38. Construction, Mining, Excavating, and Highway Maintenance Equipment
39. Materials Handling Equipment
40. Rope, Cable, Chain and Fittings
41. Refrigeration and Air Conditioning Equipment
42. Fire Fighting, Rescue and Safety Equipment
43. Pumps and Compressors
44. Furnace, Steam Plant, Drying Equipment and Nuclear Reactors
45. Plumbing, Heating and Sanitation Equipment
46. Water Purification and Sewage Treatment Equipment
47. Pipe, Tubing, Hose and Fittings
48. Valves
49. Maintenance and Repair Shop Equipment
53. Hardware and Abrasives
54. Prefabricated Structures and Scaffolding
55. Lumber, Millwork, Plywood and Veneer
56. Construction and Building Materials
61. Electric Wire, and Power and Distribution Equipment
62. Lighting Fixtures and Lamps
63. Alarm and Signal Systems
65. Medical, Dental, and Veterinary Equipment and Supplies
66. Instruments and Laboratory Equipment
67. Photographic Equipment
68. Chemicals and Chemical Products
69. Training Aids and Devices
70. General Purpose ADPE, Software, Supplies and Support Equipment
71. Furniture
72. Household and Commercial Furnishings and Appliances
73. Food Preparation and Serving Equipment
74. Office Machines, Visible Record Equipment and ADP Equipment
75. Office Supplies and Devices
76. Books, Maps and Other Publications
77. Musical Instruments, Phonographs, and Home Type Radios
78. Recreational and Athletic Equipment
79. Cleaning Equipment and Supplies
80. Brushes, Paints, Sealers and Adhesives
81. Containers, Packaging and Packing Supplies
85. Toiletries
87. Agricultural Supplies
88. Live Animals
91. Fuels, Lubricants, Oils and Waxes
93. Non-metallic Fabricated Materials
94. Non-metallic Crude Materials
96. Ores, Minerals and their Primary Products
99. Miscellaneous

#### Note to Annex 1

The conditions specified in the General Notes apply to this Annex.

ANNEX 2

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

*Threshold:* 355,000 SDRs for supplies and services  
5 million SDRs for construction

*List of Entities:*

*California*

Executive branch agencies

*Colorado*

Executive branch agencies

*Connecticut*

Department of Administrative Services  
Connecticut Department of Transportation  
Connecticut Department of Public Works  
Constituent Units of Higher Education

*Delaware\**

Administrative Services (Central Procurement Agency)  
State Universities  
State Colleges

*Florida\**

Executive branch agencies

*Hawaii*

Department of Accounting and General Services (with the exception of procurements of software developed in the state and construction)

*United States (cont'd)*

*Idaho*

Central Procurement Agency (including all colleges and universities subject to central purchasing oversight)

*Illinois\**

Department of Central Management Services

*Louisiana*

Executive branch agencies

*Maine\**

Department of Administrative and Financial Services  
Bureau of General Services (covering state government agencies and school construction)  
Maine Department of Transportation

*Maryland\**

Office of the Treasury  
Department of the Environment  
Department of General Services  
Department of Housing and Community Development  
Department of Human Resources  
Department of Licensing and Regulation  
Department of Natural Resources  
Department of Public Safety and Correctional Services  
Department of Personnel  
Department of Transportation

*Michigan\**

Department of Management and Budget

*Mississippi*

Department of Finance and Administration (does not include services)

*Missouri*

Office of Administration  
Division of Purchasing and Materials Management

*Montana*

Executive branch agencies (only for services and construction)

*New York\**

State agencies  
State university system  
Public authorities and public benefit corporations, with the exception of those entities with multi-state mandates

In addition to the exceptions noted at the end of this annex, transit cars, buses and related equipment are not covered.

*Oregon*

Department of Administrative Services

*Pennsylvania\**

Executive branch agencies, including:

Governor's Office  
Department of the Auditor General  
Treasury Department  
Department of Agriculture  
Department of Banking  
Pennsylvania Securities Commission  
Department of Health  
Department of Transportation  
Insurance Department  
Department of Aging  
Department of Correction  
Department of Labor and Industry  
Department of Military Affairs  
Office of Attorney General  
Department of General Services  
Department of Education  
Public Utility Commission  
Department of Revenue  
Department of State  
Pennsylvania State Police

*United States (cont'd)*

Department of Public Welfare  
Fish Commission  
Game Commission  
Department of Commerce  
Board of Probation and Parole  
Liquor Control Board  
Milk Marketing Board  
Lieutenant Governor's Office  
Department of Community Affairs  
Pennsylvania Historical and Museum Commission  
Pennsylvania Emergency Management Agency  
State Civil Service Commission  
Pennsylvania Public Television Network  
Department of Environmental Resources  
State Tax Equalization Board  
Department of Public Welfare  
State Employees' Retirement System  
Pennsylvania Municipal Retirement Board  
Public School Employees' Retirement System  
Pennsylvania Crime Commission  
Executive Offices

*South Dakota*

Central Procuring Agency (including universities and penal institutions)

In addition to the exceptions noted at the end of this annex, procurements of beef are not covered.

*Tennessee*

Executive branch agencies (excluding services and construction)

*Texas*

General Services Commission

*Washington*

Washington State executive branch agencies, including:  
General Administration  
Department of Transportation  
State Universities



In addition to the exceptions noted at the end of this annex, procurements of fuel, paper products, boats, ships and vessels are not covered.

*Wisconsin*

Executive branch agencies, including:

Department of Administration

State Correctional Institutions

Department of Development

Educational Communications Board

Department of Employment Relations

State Historical Society

Department of Health and Social Services

Insurance Commissioner

Department of Justice

Lottery Board

Department of Natural Resources

Administration for Public Instruction

Racing Board

Department of Revenue

State Fair Park Board

Department of Transportation

State University System

*Wyoming\**

Procurement Services Division

Wyoming Department of Transportation

University of Wyoming

*Exceptions for all States with pre-existing restrictions*

Construction-Grade Steel (including requirements on subcontracts)

Motor Vehicles

Coal\*

Procurements subject to programmes promoting the development of distressed areas and businesses owned by minorities, disabled veterans and women are reserved from coverage.

*Notes to Annex 2*

In addition to the conditions specified in the General Notes, the following conditions apply:

\*The exceptions for steel, motor vehicles and coal apply only to those States marked by asterisk.

*United States (cont'd)*

1. Nothing in this Annex shall be construed to prevent any state entity from applying restrictions that promote the general environmental quality in that state, as long as such restrictions are not disguised barriers to international trade.
2. The Agreement shall not apply to any procurement made by a covered entity on behalf of a non-covered entity.
3. The Agreement shall not apply to restrictions attached to Federal funds for mass transit and highway projects.

ANNEX 3

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

*Threshold:* 400,000 SDRs for supplies and services  
5 million SDRs for construction

*List of Entities:*

Tennessee Valley Authority

Power Marketing Administrations of the Department of Energy

- Bonneville Power Administration
- Western Area Power Administration
- Southeastern Power Administration
- Southwestern Power Administration
- Alaska Power Administration

St. Lawrence Seaway Development Corporation

Waiver of Buy American restrictions on Rural Electrification Administration financing to rural power cooperatives.

*Note to Annex 3*

The conditions specified in the General Notes apply to this Annex.

ANNEX 4  
Services

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

- 1. All transportation services, including Launching Services (CPC Categories 71, 72, 73, 74, 8859, 8868).

Note: Transportation services, where incidental to a contract for the procurement of supplies, are not subject to this Agreement.

- 2. Dredging.
- 3. All services purchased in support of military forces located overseas.
- 4. Management and operation contracts of certain government or privately-owned facilities used for government purposes, including federally-funded research and development centers (FFRDCs).
- 5. Public utilities services, including telecommunications and ADP-related telecommunications services except enhanced (i.e., value-added) telecommunications services.
- 6. Research and Development.
- 7. Printing Services (for Annex 2 entities only).

Note to Annex 4

The conditions specified in the General Notes also apply to this Annex.

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.

United States (cont'd)

List of Division 51, CPC:

All services listed in Division 51.

Note to Annex 5

The conditions specified in the General Notes apply to this Annex.

GENERAL NOTES

- 1. Notwithstanding the above, this Agreement will not apply to set asides on behalf of small and minority businesses.
- 2. Procurement in terms of US coverage does not include non-contractual agreements or any form of government assistance, including cooperative agreements, grants, loans, equity infusions, guarantees, fiscal incentives, and governmental provision of goods and services to persons or governmental authorities not specifically covered under US annexes to this Agreement.
- 3. Procurement does not include the acquisition of fiscal agency or depository services, liquidation and management services for regulated financial institutions, and sale and distribution services for government debt.
- 4. Where a contract to be awarded by an entity is not covered by this Agreement, this Agreement shall not be construed to cover any good or service component of that contract.
- 5. For goods and services (including construction) of the following countries and suppliers of such goods and services, this Agreement does not apply to procurement by the entities listed in Annexes 2 and 3 or the waiver described in Annex 3:

- Member States of the European Communities
- Canada
- Austria
- Switzerland
- Norway
- Sweden
- Finland
- Japan

The United States is prepared to amend this note at such time as coverage with respect to these annexes can be resolved with a Party listed above.

6. For construction services of the Republic of Korea and suppliers of such services, this Agreement applies only to procurement of the entities listed in Annexes 2 and 3 above a threshold of 15 million SDRs.
7. For goods and services (including construction) of Japan and suppliers of such goods and services, this Agreement does not apply to procurement by the National Aeronautics and Space Administration.
8. 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.

## APPENDIX II

### PUBLICATIONS UTILIZED BY PARTIES FOR THE PUBLICATION OF NOTICES OF INTENDED PROCUREMENTS - PARAGRAPH 1 OF ARTICLE IX, AND OF POST-AWARD NOTICES - PARAGRAPH 1 OF ARTICLE XVIII

#### AUSTRIA

Amisblatt zur Wiener Zeitung

#### CANADA

Government Business Opportunities (GBO)  
Open Bidding Service, ISM Publishing

#### EUROPEAN COMMUNITIES

- Belgium
  - Official Journal of the European Communities
  - Le Bulletin des Adjudications
  - Other publications in the specialized press
- Denmark
  - Official Journal of the European Communities
- Germany, Federal Republic of
  - Official Journal of the European Communities
- Spain
  - Official Journal of the European Communities
- France
  - Bulletin officiel des annonces des marchés publics
- Greece
  - Official Journal of the European Communities
  - Publication in the daily, financial, regional and specialized press

- Ireland
  - Official Journal of the European Communities
  - Daily Press: "Irish Independent", "Irish Times", "Irish Press", "Cork Examiner"
- Italy
  - Official Journal of the European Communities
- Luxembourg
  - Official Journal of the European Communities
- Netherlands
  - Daily Press
- Portugal
  - Official Journal of the European Communities
- United Kingdom
  - Official Journal of the European Communities

#### FINLAND

Julkiset hankinnat Suomessa ja ETA-alueella, Virallisien lehtien liite  
(Public Procurement in Finland and at the EEA-area,  
Supplement to the Official Gazette of Finland)  
Official Journal of the European Communities (as long as the cost of the publication is free of charge)

#### HONG KONG

##### Annex 1

Hong Kong Government Gazette  
Daily Press

##### Annex 2

Hong Kong Government Gazette  
Daily Press

##### Annex 3

- Hospital Authority
  - Hong Kong Government Gazette
  - Daily Press
- Housing Authority
  - Hong Kong Government Gazette
  - Daily Press
- Kowloon-Canton Railway Corporation
  - to be notified
- Mass Transit Railway Corporation
  - to be notified
- Provisional Airport Authority
  - to be notified

#### ISRAEL

The Jerusalem Post

THE REPUBLIC OF KOREA

Kwanbo (The Korean Government's Official Gazette)  
The Seoul Shinmun

NORWAY

Official Journal of the European Communities

SWEDEN

Europeiska Gemenskapernas Tidning (Official Journal  
of the European Communities)

SWITZERLAND

*Annex 1*

Swiss Official Trade Gazette

*Annex 2*

Official publications of every Swiss Canton (26)

*Annex 3*

Swiss Official Trade Gazette

Official publications of every Swiss Canton (26)

UNITED STATES

The Commerce Business Daily  
Additional information for entities listed in Annex 2 of Appendix 1 may be available  
in state journals, such as the New York Contract Reporter

APPENDIX III

PUBLICATIONS UTILIZED BY PARTIES FOR THE PUBLICATION ANNUALLY OF  
INFORMATION ON PERMANENT LISTS OF QUALIFIED SUPPLIERS IN THE CASE OF  
SELECTIVE TENDERING PROCEDURES - PARAGRAPH 9 OF ARTICLE IX

AUSTRIA

Amtsblatt zur Wiener Zeitung

CANADA

Government Business Opportunities (GBO)  
Open Bidding Service, ISM Publishing

EUROPEAN COMMUNITIES

Member States do not normally operate permanent lists of suppliers and service providers. In the  
few cases that such lists exist, this will be published in the Official Journal of the European  
Communities

FINLAND

Official Journal of the European Communities  
(currently no list exists)

HONG KONG

*Annex 1*

Hong Kong Government Gazette

*Annex 2*

Hong Kong Government Gazette  
Daily Press

Annex 3

|                                    |   |                              |
|------------------------------------|---|------------------------------|
| Hospital Authority                 | - | Hong Kong Government Gazette |
| Housing Authority                  | - | Hong Kong Government Gazette |
| Kowloon-Canton Railway Corporation | - | to be notified               |
| Mass Transit Railway Corporation   | - | to be notified               |
| Provisional Airport Authority      | - | to be notified               |

ISRAEL  
The Jerusalem Post

REPUBLIC OF KOREA  
Kwanho (The Korean Government's Official Gazette)

NORWAY  
Official Journal of the European Communities

SWEDEN  
Europeiska Gemenskapernas Tidning (Official Journal of the European Communities)

SWITZERLAND  
Annex 1  
Swiss Official Trade Gazette

Annex 2  
Official publications of every Swiss Canton (26)

Annex 3

Swiss Official Trade Gazette  
Official publications of every Swiss Canton (26)

UNITED STATES

The Commerce Business Daily

Entities in Annexes 2 and 3 of Appendix I, as an alternative to publication in the Commerce Business Daily, may provide such information directly to interested suppliers through inquiries to contact points listed in notices regarding invitations to participate

APPENDIX IV

PUBLICATIONS UTILIZED BY PARTIES FOR THE PUBLICATION OF LAWS, REGULATIONS, JUDICIAL DECISIONS, ADMINISTRATIVE RULINGS OF GENERAL APPLICATION AND ANY PROCEDURE REGARDING GOVERNMENT PROCUREMENT COVERED BY THIS AGREEMENT - PARAGRAPH 1 OF ARTICLE XIX

APPENDICE IV

PUBLICATIONS UTILISEES PAR LES PARTIES EN VUE DE LA PUBLICATION, DANS LES MOINDRES DELAIS, DES LOIS, REGLEMENTS, DECISIONS JUDICIAIRES, DECISIONS ADMINISTRATIVES D'APPLICATION GENERALE ET PROCEDURES, RELATIVES AUX MARCHES PUBLICS VISES PAR LE PRESENT ACCORD - PARAGRAPHE 1 DE L'ARTICLE XIX

APÉNDICE IV

MEDIOS UTILIZADOS POR LAS PARTES PARA LA PUBLICACIÓN DE LEYES, REGLAMENTOS, DECISIONES JUDICIALES Y RESOLUCIONES ADMINISTRATIVAS DE APLICACIÓN GENERAL, ASÍ COMO DE LOS PROCEDIMIENTOS PARA LA ADJUDICACIÓN DE LOS CONTRATOS PÚBLICOS COMPRENDIDOS EN EL ÁMBITO DEL PRESENTE ACUERDO - PÁRRAFO 1 DEL ARTÍCULO XIX.

AUSTRIA

Osterreichisches Bundesgesetzblatt  
Amtsblatt zur Wiener Zeitung  
Sammlung von Entscheidungen des Verfassungsgerichtshofes  
Sammlung der Entscheidungen des Verwaltungsgerichtshofes - administrativrechtlicher und finanzrechtlicher Teil  
Amtliche Sammlung der Entscheidungen des OGH in Zivilsachen

CANADA

*Laws and Regulations*  
Statutes of Canada  
Canada Gazette  
  
*Judicial Decisions*  
Dominion Law Reports  
Supreme Court Reports  
Federal Court Reports  
National Reporter

*Administrative Rulings and Procedures*

Government Business Opportunities  
Canada Gazette  
Open Bidding Service, ISM Publishing

EUROPEAN COMMUNITIES

Belgium  
- *Laws, royal regulations, ministerial regulations, ministerial circulars* - le Moniteur Belge  
- *Jurisprudence* - Pasirisie  
Denmark  
- *Laws and regulations* - Lovtidende  
- *Judicial decisions* - Ugeskrift for Retsvaesen  
- *Administrative rulings and procedures* - Ministerialtidende  
- *Rulings by the Appeal Board for Public Procurement* - Konkurrence raadet Dokumentation  
Germany, Federal Republic of  
- *Legislation and regulations* - Bundesanzeiger  
Herausgeber : der Bundesminister der Justiz  
Verlag : Bundesanzeiger  
Bundesanzeiger

Postfach 108006  
5000 Köln

*Judicial Decisions* : Entscheidungssammlungen des Bundesverfassungsgerichts  
- Bundesgerichtshof  
- Bundesverwaltungsgericht  
- Bundesfinanzhof sowie der Oberlandesgerichte  
Spain  
- *Legislation* - Boletín Oficial del Estado  
- *Judicial rulings* - no official publication  
France  
- *Legislation* - Journal Officiel de la République française  
- *Jurisprudence* - Recueil des arrêts du Conseil d'Etat  
- *Revue des marchés publics*  
- *Government Gazette of Greece* - *εφημερίδα εμπορευμάτων κοινωπρωτ*  
- *Legislation and regulations* - Iris Oiginiú (Official Gazette of the Irish Government)  
Ireland  
- *Legislation* - *Gazetta Ufficiale*  
- *Jurisprudence* - no official publication  
Italy  
- *Legislation* - Memorial  
- *Jurisprudence* - Pasirisie  
Luxembourg  
- *Legislation* - Nederlandse Staatscourant and/or Staatsblad  
Netherlands  
- *Jurisprudence* - no official publication  
Portugal  
- *Legislation* - Diário da República Portuguesa 1ª série A e 2ª série  
- *Judicial Publications* :  
- Boletim do Ministério da Justiça  
- *Coleções de Acordos do SupremoTribunal Administrativo*  
- *Coleções de Jurisprudência Das Relações*  
United Kingdom  
- *Legislation* - HM Stationery Office  
- *Jurisprudence* - Law Reports  
- "Public Bodies" - HM Stationery Office

FINLAND

Suomen Säästökoelma - Finlands Förtäringssamling  
(The Collection of the Statutes of Finland)

**HONG KONG**

*Annex 1*

Hong Kong Government Gazette

*Annex 2*

Hong Kong Government Gazette

*Hong Kong (cont'd)*

*Annex 3*

|                                    |   |                              |
|------------------------------------|---|------------------------------|
| Hospital Authority                 | - | Hong Kong Government Gazette |
| Housing Authority                  | - | Hong Kong Government Gazette |
| Kowloon-Canton Railway Corporation | - | to be notified               |
| Mass Transit Railway Corporation   | - | to be notified               |
| Provisional Airport Authority      | - | to be notified               |

**ISRAEL**

The Jerusalem Post

**REPUBLIC OF KOREA**

Kwanbo (The Korean Government's Official Gazette)

**NORWAY**

Norsk Lovtidend (Norwegian Law Gazette)

**SWEDEN**

Svensk Författningssamling (Swedish Code of Statutes)

**SWITZERLAND**

Compendium of Federal laws  
Decisions of the Swiss Federal Court  
Jurisprudence of the administrative authorities of the Confederation and every Canton (26)  
Compendiums of Cantonal laws (26)

**UNITED STATES**

Laws, judicial decisions, administrative rulings and procedures regarding government procurement for entities listed in Annex 1 of Appendix I are published in the Federal Acquisition Regulations (FAR) as part of the US Code of Federal Regulations (CFR), Title 48, Chapter 1

Laws, judicial decisions, administrative rulings and procedures regarding government procurement for entities listed in Annexes 2 and 3 of Appendix I are available either through relevant state and local publications or directly from the listed entities

For the Republic of Austria: Pour la République d'Autriche: Por la Republica de Austria.

For the Kingdom of Belgium: Pour le Royaume de Belgique: Por el Reino de Bélgica.

For Canada: Pour le Canada: Por el Canada.

For the Kingdom of Denmark: Pour le Royaume du Danemark: Por el Reino de Dinamarca.

|                                      |                                          |                                       |                                     |                                    |                                   |
|--------------------------------------|------------------------------------------|---------------------------------------|-------------------------------------|------------------------------------|-----------------------------------|
| For the European Communities:        | Pour les Communautés européennes:        | Por las Comunidades Europeas:         | For the State of Israel:            | Pour l'Etat d'Israël:              | Por el Estado de Israel:          |
| - Commission:                        | - Commission:                            | - Comisión:                           |                                     |                                    |                                   |
| - Presidency:                        | - Présidence:                            | - Presidencia:                        |                                     |                                    |                                   |
| For the Republic of Finland:         | Pour la République de Finlande:          | Por la República de Finlandia:        |                                     |                                    |                                   |
|                                      |                                          |                                       | For Japan:                          | Pour le Japon:                     | Por el Japón:                     |
| For the French Republic:             | Pour la République française:            | Por la República Francesa:            | For the Republic of Korea:          | Pour la République de Corée:       | Por la República de Corea:        |
|                                      |                                          |                                       |                                     |                                    |                                   |
| For the Federal Republic of Germany: | Pour la République fédérale d'Allemagne: | Por la República Federal de Alemania: | For the Grand Duchy of Luxembourg:  | Pour le Grand-Duché de Luxembourg: | Por el Gran Ducado de Luxemburgo: |
|                                      |                                          |                                       |                                     |                                    |                                   |
| For the Hellenic Republic:           | Pour la République hellénique:           | Por la República Helénica:            | For the Kingdom of the Netherlands: | Pour le Royaume des Pays-Bas:      | Por el Reino de los Países Bajos: |
|                                      |                                          |                                       |                                     |                                    |                                   |
| For Hong Kong:                       | Pour Hong Kong:                          | Por Hong Kong:                        | For the Kingdom of Norway:          | Pour le Royaume de Norvège:        | Por el Reino de Noruega:          |
|                                      |                                          |                                       |                                     |                                    |                                   |
| For Ireland:                         | Pour l'Irlande:                          | Por Irlanda:                          | For the Portuguese Republic:        | Pour la République portugaise:     | Por la República Portuguesa:      |



|                                                               |                                                              |                                                         |
|---------------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------|
| For the Kingdom of Spain:                                     | Pour le Royaume d'Espagne:                                   | Por el Reino de España:                                 |
| For the Kingdom of Sweden:                                    | Pour le Royaume de Suède:                                    | Por el Reino de Suecia:                                 |
| For the Swiss Confederation:                                  | Pour la Confédération suisse:                                | Por la Confederación Suiza:                             |
| For the United Kingdom of Great Britain and Northern Ireland: | Pour la Royaume-Uni de Grande-Bretagne et d'Irlande du Nord: | Por el Reino Unido de Gran Bretaña e Irlanda del Norte: |
| For the United States of America:                             | Pour les États-Unis d'Amérique:                              | Por los Estados Unidos de América:                      |

(参考)

この協定は、政府調達に係る法令等について、締約国の産品、サービス及び供給者に対し内国民待遇及び無差別待遇の原則を適用し、また、政府調達に係る法令等を透明なものとすることを目的としたものである。