

European Union MOU On Public Procurement (1995)

AGREEMENT

IN THE FORM OF AN EXCHANGE OF LETTERS

BETWEEN THE EUROPEAN COMMUNITY

AND THE UNITED STATES OF AMERICA

ON GOVERNMENT PROCUREMENT

Washington, 30 May 1995

[hand-written date]

His Excellency Sir Leon BRITTAN

Vice-President

Commission of the European Communities

200 Rue de la Loi

1049 Brussels, Belgium

Dear Mr Vice-President,

With reference to the discussions held between representatives of the Government of the United States of America (hereinafter the US) and the European Community (hereinafter the EC) regarding government procurement, I have the honour to confirm the following:

1. The US and the EC agree to amend their respective Appendix I of the Government Procurement Agreement signed at Marrakesh on 15 April 1994, as set out in the attachments to this letter.
2. The US shall grant to EC suppliers of goods and services, including construction services, treatment no less favourable than for out-of-state suppliers for the Massachusetts Port Authority and for the states of West Virginia, North Dakota and as regards Illinois for procurement not covered by the Government Procurement Agreement, and for out-of-city suppliers for the cities of Boston, Chicago, Dallas, Detroit, Indianapolis, Nashville and San Antonio.
3. The US and the EC agree to cooperate and take all necessary steps to improve substantially the transparency of the notices of intended procurement in order to ensure that contracts under the Government Procurement Agreement can be clearly identified as such.
4. The US and the EC agree that the Memorandum of Understanding between the US and the EC on Government Procurement of 25 May 1993 will be extended until the date of entry into force of the Government Procurement Agreement signed at Marrakesh on 15 April 1994.
5. The US agrees that it will implement its obligations with respect to the Rural Electrification Administration contained in Annex 3 of its Appendix I attached hereto as soon as possible after entry into force of this Agreement, but no later than entry into force of the Agreement establishing the World Trade Organization.

I shall be grateful, Mr Vice-President, if you could kindly confirm that this letter and its attachments correctly set out the understanding reached between us.

I propose that, if the EC so agrees, this letter and its attachments and your reply to that effect constitute an agreement between the EC and the Government of the US, which will enter into force on the date hereof, with the exception of point 2 above, which will be effective upon entry into force of the Government Procurement Agreement signed at Marrakesh on 15 April 1994.

Please accept, Mr Vice-President, the assurance of my highest consideration.

Sincerely,

[signature]

Michael KANTOR

Attachments: Amended Annexes 2 and 3 and General Notes of Appendix I of the United States.

Amended general notes and derogations from the provisions of Article III of Appendix I of the EC.

Brussels , 30 May 1995

[hand-written date]

Ambassador Michael KANTOR

United States Trade Representative

Executive Office of the President

WASHINGTON DC 20506

(United States of America)

Dear Mr Ambassador,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

"With reference to the discussions held between representatives of the Government of the United States of America (hereinafter the US) and the European Community (hereinafter the EC) regarding government procurement, I have the honour to confirm the following:

1. The US and the EC agree to amend their respective Appendix I of the Government Procurement Agreement signed at Marrakesh on 15 April 1994, as set out in the attachments to this letter.
2. The US shall grant to EC suppliers of goods and services, including construction services, treatment no less favourable than for out-of-state suppliers for the Massachusetts Port Authority and for the states of West Virginia, North Dakota and as regards Illinois for procurement not covered by the Government Procurement Agreement, and for out-of-city suppliers for the cities of Boston, Chicago, Dallas, Detroit, Indianapolis, Nashville and San Antonio.
3. The US and the EC agree to cooperate and take all necessary steps to improve substantially the transparency of the notices of intended procurement in order to ensure that contracts covered under the Government Procurement Agreement can be clearly identified as such.
4. The US and the EC agree that the Memorandum of Understanding between the US and the EC on Government Procurement of 25 May 1993 will be extended until the date of entry into force of the Government Procurement Agreement signed at Marrakesh on 15 April 1994.
5. The US agrees that it will implement its obligations with respect to the Rural Electrification Administration contained in Annex 3 of its Appendix I attached hereto as soon as possible after entry into force of this Agreement, but no later than entry into force of the Agreement establishing the World Trade Organization.

I shall be grateful, Mr Vice-President, if you could kindly confirm that this letter and its attachments correctly set out the understanding reached between us.

I propose that, if the EC so agrees, this letter and its attachments and your reply to that effect constitute an agreement between the EC and the Government of the US, which will enter into force on the date hereof, with the exception of point 2 above, which will be effective upon entry into force of the Government Procurement Agreement signed at Marrakesh on 15 April 1994.

Please accept, Mr Vice-President, the assurance of my highest consideration.

Sincerely,

[signature]

Michael KANTOR

Attachments: Amended Annexes 2 and 3 and General Notes of Appendix I of the United States.

Amended general notes and derogations from the provisions of Article III of Appendix I of the EC."

I have the honour to confirm that the EC agrees to the common understanding set out in your letter and its attachments and that your letter, this reply and the attachments shall constitute an agreement between the EC and the Government of the US.

Please accept, Mr Ambassador, the assurance of my highest consideration.

Sincerely,

[signature]

Sir Leon BRITTAN

AMENDED ANNEXES 2 AND 3 AND GENERAL NOTES OF APPENDIX OF THE UNITED STATES

ANNEX 2

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

Thresholds 355,000 SDRs for supplies and services

5 million SDRs for construction

List of Entities

Arizona

Executive branch agencies

Arkansas

Executive branch agencies, including universities but excluding the Office of Fish and

Game and construction services

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)

Idaho

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

Illinois

Department of Central Management Services

Iowa

Department of General Services

Department of Transportation

Board of Regents' Institutions (universities)

Kansas

Executive branch agencies, excluding construction services, automobiles and aircraft

Kentucky

Division of Purchases, Finance and Administration Cabinet, excluding construction projects

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
Massachusetts
Executive Office for Administration and Finance
Executive Office of Communities and Development
Executive Office of Consumer Affairs
Executive Office of Economic Affairs
Executive Office of Education
Executive Office of Elder Affairs
Executive Office of Environmental Affairs
Executive Office of Health and Human Service
Executive Office of Labor
Executive Office of Public Safety
Executive Office of Transportation and Construction
Michigan*
Department of Management and Budget
Minnesota
Executive branch agencies
Mississippi
Department of Finance and Administration (does not include services)
Missouri
Office of Administration
Division of Purchasing and Materials Management
Montana
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.

Nebraska

Central Procurement Agency

New Hampshire *

Central Procurement Agency

Oklahoma *

Office of Public Affairs and all state agencies and departments subject to the Oklahoma Central Purchasing Act, excluding construction services.

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

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

Rhode Island

Executive branch agencies, excluding boats, automobiles, buses and related equipment

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

Utah

Executive branch agencies

Vermont

Executive branch agencies

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

Notes to Annex 2

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

1 For those states marked by an asterisk with pre-existing restrictions, the Agreement does not apply to procurement of construction-grade steel (including requirements on subcontracts), motor vehicles and coal.

2. The Agreement shall not apply to preferences or restrictions associated with programs promoting the development of distressed areas and businesses owned by minorities, disabled veterans and women are reserved from coverage.

3. 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.

4. The Agreement shall not apply to any procurement made by a covered entity on behalf of non-covered entities at a different level of government.

5. 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 (except as specified below)

5 million SDRs for construction

List of Entities

The following entities at the SDR equivalent of \$250,000 for supplies and services:

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

The following entities at 400,000 SDRs for supplies and services:

The Port Authority of New York and New Jersey with the following exceptions:

- Maintenance, repair and operating materials and supplies (e.g. hardware, tools, lamps/lighting, plumbing).
- In exceptional cases, individual procurements may require certain regional production of goods if authorized by the Board of Directors.
- Procurements pursuant to multi-jurisdictional agreement (i.e. for contracts which have initially been awarded by other jurisdictions).

The Port of Baltimore (subject to the conditions specified for the state of Maryland in Annex 2)

The New York Power Authority (subject to the conditions specified for the state of New York in Annex 2)

Rural Electrification Administration Financing:

- (1) waiver of Buy American restrictions on financing for all power generation projects
- (restrictions on financing for telecommunication projects are excluded from the Agreement);

(2) application of Code-equivalent procurement procedures and national treatment to funded projects exceeding the thresholds specified above.

Notes to Annex 3

1. With respect to these entities, the Agreement shall not apply to restrictions attached to Federal funds for airport projects.

2. 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. Except as specified otherwise in this Appendix, 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:

Canada

Switzerland

Norway

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.

AMENDED GENERAL NOTES AND DEROGATIONS FROM THE PROVISIONS

OF ARTICLE III OF APPENDIX I OF THE EC

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 listed in Annex 2 to the suppliers and service providers of Canada;

- as regards the award of contracts, other than for supplies, listed in Annex 2 to the suppliers and service providers of 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 and Japan;

- (c) (airports), to the suppliers and service providers of Canada, Korea and the USA;

- (d) (ports), to the suppliers and service providers of Canada;

- (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:

- 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 FSG 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;

- the USA, as regards procurement by entities listed in Annex 3 paragraph (d), as regards procurement of dredging services and procurement related to shipbuilding;

- 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.

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.

EUROPEAN UNION MEMORANDUM OF UNDERSTANDING ON GOVERNMENT PROCUREMENT

Memorandum of Understanding between the United States of America (the USA) and the European Economic Community (the EEC):

WHEREAS the USA and the EEC are Parties to the GATT Agreement on Government Procurement (the Code), which entered into force on 1 January 1981;

WHEREAS Article IX:6 of the Code states that the Parties to the Code shall undertake further negotiations with a view to broadening and improving the Code on the basis of mutual reciprocity;

WHEREAS the USA and the EEC have been involved in multilateral negotiations to expand coverage of the Code since 1984;

WHEREAS, in the interest of facilitating agreement on a new Code, the USA and the EEC undertook bilateral negotiations to resolve certain outstanding problems between them;

WHEREAS the USA and the EEC expect that any bilateral agreement on these issues will provide appropriate reciprocal competitive government procurement opportunities that are intended to become part of the expanded Code;

WHEREAS the USA and the EEC have decided to make certain reciprocal commitments to open their respective procurement markets as a downpayment towards an expanded Code;

THEREFORE, the USA and the EEC have agreed as follows:

Article 1 Scope and definitions

1. This Agreement shall apply to:

- contracts for goods, works (otherwise "construction services"), and other services, which are awarded by entities included in Annexes 1 and 2; and
- contracts for goods and works, which are awarded by entities listed in Annexes 3 and 4.

2. "Works contracts" shall be those contracts which have as their objective of the Central Product Clarification of the United Nations or of Annex 2 to Council Directive 71/305/EEC.

"Other services" shall be those contracts for which the principal object is the obtaining of one or more of the services which are included in both Annexes 5 and 6.

Article 2 Central and federal government entities

1. In the award of contracts by entities which are included in Annex 1, the EEC shall afford to the suppliers, contractors and service providers of the USA and to goods and services originating within the customs territory of the USA the award procedures of Council Directive 77/62/EEC which shall apply to goods contracts, the estimated value of which, net of VAT, is not less than the code threshold, currently ECU 125 576, of Council Directive 92/50/EEC, which shall apply to services contracts, the estimated value of which, net of VAT, is not less than ECU 200 000, and of Council Directive 71/305/EEC, which shall apply to works contracts the estimated value of which, net of VAT, is not less than ECU 5 000 000.

2. The USA shall waive the application of the Buy America Act (41 U.S.C. 10a) to the award of contracts by entities which are included in Annex 2, above a threshold of \$6 500 000 for works contracts, and above the code threshold (which is currently \$176 000) for goods and other services contracts. In the award of such contracts the USA shall afford to the suppliers, contractors and service providers of the EEC and to goods and services originating within the customs territory of the EEC, the award procedures of the Federal Acquisition Regulations, other than those pertaining to the application of the Buy America Act.

3. Each Party may maintain its current derogations under the Code.

Article 3 Electrical Utilities

1. The EEC shall extend the benefits of the provisions of Council Directive 90/531/EEC to US products, suppliers and contractors in the award of contracts by entities included in Annex 3 and will make the benefits of Council Directive 92/13/EEC available to US suppliers and contractors for such awards.

2. The USA shall waive the application of the Buy America Act (41 U.S.C. 10a) to the award of contracts by entities which are included in Annex 4, above a threshold of \$6 500 000 for works contracts, and \$450 000 for goods contracts. In the award of such contracts the USA shall afford to the suppliers, contractors and service providers of the EEC and to goods and services originating within the customs territory of the EEC, award procedures substantially equivalent to the Federal Acquisition Regulations, other than those pertaining to the application of the Buy America Act.

Article 4 Joint Study

The USA and the EEC shall jointly sponsor a study of the procurement opportunities that would arise from their respective offers and requests in the negotiations for the expanded Code. The study, the terms of reference of which are attached at Annex 7, will be conducted by an independent consultant and should be completed by 31 January 1994.

Article 5 Continuation of negotiations

1. Following completion of the study, the USA and the EEC shall negotiate with a view to reaching a balanced, comprehensive agreement on procurement, with a high level of coverage in Code categories A, B and C, and a self-contained agreement on telecommunications procurement.

2. The comprehensive agreement on procurement is intended to be integrated, through multilateral negotiations, into an expanded Code. However, in the event that a satisfactory expanded Code cannot be achieved in time, the Parties intend to conclude a bilateral agreement on procurement, containing the elements described in paragraph 1.

Article 6 Final entity lists

The United States Government and the Commission of the European Communities shall immediately start the consultations necessary (including with other branches and levels of government) to enable each Party:

- promptly upon the completion of the study, to present entity lists that would permit the Parties to achieve a balanced agreement at a high level of coverage in Code Categories A, B and C;
- to incorporate within those lists: for the USA, State, municipal and other sub-federal entities that have committed to accept obligations in respect of their procurement; and for the EEC, regional, local and other sub-central entities.

Article 7 Final provisions

1. This Agreement shall enter into force on signature except that, for the procurement of services ("other services" in the sense of Article 1(2)), it shall not enter into force before 1 July 1993.
2. If signature does not take place by 30 May 1993, the Parties shall consult with a view to ensuring entry into force at the earliest possible date.
3. This Agreement shall terminate on the earlier of 30 May 1995, or the entry into force of an expanded Code; provided, however, that either Party may terminate this Agreement on 30 May 1994 by notice given to the other Party, at least 30 days prior to that date.
4. The benefits of this Agreement shall apply upon its entry into force. Furthermore, they shall apply to tenders issued during the validity of this Agreement.
5. The obligations undertaken by the parties to this Agreement shall not prejudice either Party's position in the negotiation of the agreements referred to in Article 5.
6. Annexes 1 to 7 are an integral part of this Agreement.

Done in duplicate at Brussels and Washington this 25th day of May in the year one thousand nine hundred and ninety three.

On behalf of On behalf of

the United States of America the Council of the European Communities

/S/ /S/

LIST OF ANNEXES

Annex 1

List of EEC entities contained in Council Directive 80/767/EEC Annex 1 as amended

Annex 2

List of US entities

Annex 3

EEC entities covered by Article 2 paragraphs 1 and 2(a)(ii), including those, in Annex II of Council Directive 90/531/EEC

Annex 4

US Federal entities in the electric power sector

Annex 5

The list of services offered for coverage under the Code by the EEC, contained in GPR/Spec/71 of 14 August 1992

Annex 4

Annex 6

The list of services offered for coverage under the Code by the USA, contained in GPR/Spec/65 of 14 August 1992

Annex 4

Annex 7

Mandate for the Joint Study

ANNEX 1

Please note: Within Annex 1 there are several lists of EEC entities in foreign text where English translations were unavailable. These countries are as follows: Belgium, Denmark, Federal Republic Germany, Portugal, France, Italy, Luxembourg, The Netherlands, Spain

DENMARK

This list is authentic in the English language

1. Prime Minister's Office - two departments;

2. Ministry of Labour - five directorates and institutions;

3. Ministry of Foreign Affairs

(three departments);

4. Ministry of Housing - five directorates and institutions;

5. Ministry of Energy - one directorate and Research

Establishment "Risoe"

6. Ministry of Finance - four directorates and institutions

including the Directorate for

Government Procurement

- five other institutions

7. Ministry of Taxes - five directorates and institutions

and Duties

(two departments)

8. Ministry of Fisheries - four institutions

9. Ministry of Industry - nine directorates and institutions

(Full name: Ministry of Industry, Trade, Handicraft and Shipping);

10. Ministry of the Interior - Danish National Civil Defence

Directorate

11. Ministry of Justice - one directorate

12. Ministry of Ecclesiastical Affairs
13. Ministry of Agriculture - nineteen directorates and institutions;
14. Ministry of Environment - five directorates
15. Ministry of Cultural - three directorates and several
Affairs and Communications state-owned museums and higher
(1) education institution
16. Ministry of Social Affairs - four directorates
17. Ministry of Education - six directorates
- twelve universities and other higher
education institutions
18. Ministry of Economic Affairs
(three departments)
19. Ministry of Public Works - state harbours and state airports
(2) - four directorates and several
institutions
20. Ministry of Defence (3)
21. Ministry of Health - several institutions including
State Serum Institute and
University Hospital of Copenhagen

Annex I

DENMARK

English translation is on previous page

This list is authentic in the English language

List of central purchasing entities

1. Federal Foreign Office
2. Federal Ministry of Labour and Social Affairs
3. Federal Ministry of Education and Science
4. Federal Ministry for Food, Agriculture and Forestry
5. Federal Ministry of Finance
6. Federal Ministry for Research and Technology
7. Federal Ministry of the Interior (civil goods only)
8. Federal Ministry of Health
9. Federal Ministry for Women and Youth
10. Federal Ministry for Family Affairs and Senior Citizens

11. Federal Ministry of Justice
12. Federal Ministry for Regional Planning, Building and Urban Development
13. Federal Ministry of Post and Telecommunications (1)
14. Federal Ministry of Economic Affairs
15. Federal Ministry for Economic Co-operation
16. Federal Ministry of Defence (2)
17. Federal Ministry of Environment, Nature Conservation and Reactor Safety

Note

According to existing national obligations, the entities contained in this list must, in conformity with special procedures, award contracts to certain groups in order to remove difficulties caused by the last war.

(1)Except telecommunication equipment

(2)Non-warlike materials contained in Part II of this list

Annex II IRELAND

This list is authentic in the English language

1 . Main purchasing entities

Office of Public Works

2. Other departments

- President's Establishment;
- Houses of the Oireachtas (Parliament);
- Department of the Taoiseach (Prime Minister):
- Central Statistics Office;
- Department of the Gaeltacht (Irish-speaking areas);
- National Gallery of Ireland;
- Department of Finance;
- State Laboratory;
- Office of the Comptroller and Auditor General;
- Office of the Attorney General;
- Office of the Director of Public Prosecutions;
- Valuation Office;
- Civil Service Commission;
- Office of the Ombudsman;
- Office of the Revenue Commissioners;
- Department of Justice;

- Commissioners of Charitable Donations and Bequests for Ireland;
- Department of the Environment;
- Department of Education;
- Department of the Marine;
- Department of Agriculture and Food;
- Department of Labour;
- Department of Industry and Commerce;
- Department of Tourism and Transport;
- Department of Communications;
- Department of Defence(I)(1);
- Department of Foreign Affairs;
- Department of Social Welfare;
- Department of Health;
- Department of Energy.

Annex I

This list is authentic in the English and the French languages

ITALY

Purchasing Entities

1. Ministry of the Treasury (1)
2. Ministry of Finance (2)
3. Ministry of Justice
4. Ministry of Foreign Affairs
5. Ministry of Education
6. Ministry of the Interiors
7. Ministry of Public Works
8. Ministry of Agriculture and Forestry
9. Ministry of Industry, Trade and Craft Trades
10. Ministry of Employment and Social Security
11. Ministry of Health
12. Ministry of Cultural Affairs and the Environment
13. Ministry of Defence(3)
14. Budget and Economic Planning Ministry
15. Ministry of State Holdings
16. Ministry of Tourism and Spectacle

17. Ministry of Foreign Trade
18. Ministry of Posts and Telecommunications (4)
19. Ministry of the Environment
20. Ministry of University and Scientific and Technological Research

Note:

This Agreement shall not prevent the implementation of provisions contained in Italian Law N° 835 of 6 October 1950 (Official Gazette N° 2.45 of 24 October 1950 of the Italian Republic) and in modifications thereto in force on the date on which this Agreement is adopted.

Annex I

THE NETHERLANDS

This list is authentic in the English language

List of entities

A. Ministries and central governmental bodies

1. Ministry of General Affairs
2. Ministry of Foreign Affairs
3. Ministry of Justice
4. Ministry of the Interior
5. Ministry of Finance
6. Ministry of Economic Affairs
7. Ministry of Education and Science
8. Ministry of Housing, Planning and the Environment
- 9 Ministry of Transport and Public Work
10. Ministry of Agriculture, Nature Conservation and Fisheries
11. Ministry of Employment and Social Security
12. Ministry of Welfare, Public Health and Cultural Affairs
13. Cabinet for matters concerning the Netherlands Antilles and Aruban

A f f a i r s

14. Higher Colleges of State

B. Central procurement offices

Entities listed above under A generally make their own specific purchases;
other general purchases are effected through the entities listed below :

1. Directorate of Water Control
2. Directorate General Of Supplies of the Royal Netherlands Army (1)
3. Directorate General of Supplies of the Royal Netherlands Airforce(1)

4. Directorate General of Supplies of the Royal Netherlands Navy(1)

Annex I

UNITED KINGDOM

This list is authentic in the English language

Cabinet office

Civil Service College

Civil Service Commission

Civil Service Occupational Health Service

Office of the Minister for the Civil Service

Parliamentary Counsel Office

Central Office of Information

Charity Commission

Crown Prosecution Service

Crown Estate Commissioners

Customs and Excise Department

Department for National Savings

Department of Education and Science

University Grants Committee

Department of Employment

Employment Appeal Tribunal

Industrial Tribunals

Office of Manpower Economics

Department of Energy

Department of Health

Central Council for Education and Training in Social Work

Dental Estimates Board

English National Board for Nursing, Midwifery and Health.

Visitors

Medical Boards and Examining Medical Officers (War Pensions)

National Health Service Authorities

Prescription Pricing Authority

Public Health Laboratory Service Board

Regional Medical Service

U.K. Central Council for Nursing, Midwifery and Health Visiting

of Social Security
Attendance Allowance Board
Occupational Pensions Board
Social Security Advisory Committee
Supplementary Benefits Appeal Tribunals
Department of the Environment
Building Research Establishment
Commons Commissioners
Countryside Commission Fire Research Station (Boreham Wood)
Historic Buildings and Monuments Commission
Local Valuation Panels
Property Services Agency
Rent Assessment Panels
Royal Commission on Environmental Pollution
Royal Commission on Historical Monuments of England
Royal Fine Art Commission (England)
Annex I
Department of the Procurator General and Treasury Solicitor
Legal Secretariat to the Law Officers
Department of Trade and Industry
Laboratory of the Government Chemist
National Engineering Laboratory
National Physical Laboratory
Warren Spring Laboratory
National Weights and Measures Laboratory
Domestic Coal Consumers' Council
Electricity Consultative Councils for England and Wales
Gas Consumers' Council
Transport Users consultative Committees
Monopolies and Mergers Commission
Patent Office
Department of Transport
Coastguard Services
Transport and Road Research Laboratory

Transport Tribunal
Export Credits Guarantee Department
Foreign and Commonwealth Office
Government Communications Headquarters
Wilton Park Conference Centre
Government Actuary's Department
Home Office
Boundary Commission for England
Gaming Board for Great Britain
Inspectors, of Constabulary
Parole Board and Local Review Committees
House of Commons
House of Lords
Inland Revenue, Board of
Intervention Board for Agricultural Produce
Lord Chancellor's Department
Council on Tribunals
County Courts (England and Wales)
Immigration Appellate Authorities
Immigration Adjudicators
Immigration Appeal Tribunal
Judge Advocate General and Judge Advocate of the Fleet
Lands Tribunal
Law Commission
Legal Aid Fund (England and Wales)
Pensions Appeal Tribunals
Public Trustee office
Office of the Social Security Commissioners
Special Commissioners for Income Tax (England and Wales)
Supreme Court (England and Wales)
Court of Appeal : Civil and Criminal Divisions
Courts Martial Appeal Court
Crown Court
High Court

Value Added Tax Tribunals

Annex I

Ministry of Agriculture, Fisheries and Food

Advisory Services

Agricultural Development and Advisory Service

Agricultural Dwelling House Advisory Committees

Agricultural Land Tribunals

Agricultural Science Laboratories

Agricultural Wages Board and Committees,

Cattle Breeding Centre

Plant Variety Rights Office

Royal Botanic Gardens, Kew

Ministry of Defence(I)

Meteorological Office

Procurement Executive

National Audit Office

National Investment Loans Office

Northern Ireland Court Service

Coroners Courts

County Courts

Crown Courts

Enforcement of Judgements Office,

Legal Aid Fund

Magistrates Court

Pensions Appeals Tribunals

Supreme Court of Judicature and Courts of Criminal Appeal

Northern Ireland, Department of Agriculture

Northern Ireland, Department for Economic Development

Northern Ireland, Department of Education

Northern Ireland, Department of the Environment

Northern Ireland, Department of Finance and Personnel

Northern Ireland, Department of Health and Social Services

Northern Ireland Office

Crown Solicitor's Office

Department of the Director of Public Prosecutions for Northern
Ireland
Northern Ireland Forensic Science Laboratory
Office of Chief Electoral Officer for Northern Ireland
Police Authority for Northern Ireland
Probation Board for Northern Ireland
State Pathologist Service
Office of Arts and Libraries
British Library
British Museum
British Museum (Natural History)
Imperial War Museum
Museums and Galleries Commission
National Gallery
National Maritime Museum
National Portrait Gallery
Science Museum
Tate Gallery
Victoria and Albert Museum
Wallace Collection
Annex I
Office of Fair Trading
Office of Population Censuses and Surveys
National Health Service Central Register
Office of the Parliamentary Commissioner for Administration and Health Service Commissioners
Overseas Development Administration
Overseas Development and National Research Institute
Paymaster General's Office
Postal Business of the Post Office
Privy Council Office
Public Record Office
Registry of Friendly Societies
Royal Commission on Historical Manuscripts
Royal Hospital, Chelsea

Royal Mint
Scotland, Crown Office and Procurator
Fiscal Service
Scotland, Department of the Registers of Scotland
Scotland, General Register Office
National Health Service Central Register
Scotland, Lord Advocate's Department
Scotland, Queen's and Lord Treasurer's Remembrancer
Scottish Courts Administration
Accountant of Court's Office
Court of Judiciary
Court of Session
Lands Tribunal for Scotland
Pensions Appeal Tribunals
Scottish Land Court
Scottish Law Commission
Sheriff Courts
Social Security Commissioners' Office
Scottish Office
Central Services
Department of Agriculture and Fisheries for Scotland
Artificial Insemination Service
Crofters Commission
Red Deer Commission
Royal Botanic Garden, Edinburgh
Industry Department for Scotland
Scottish Electricity Consultative Councils
Development Department
Rent Assessment Panel and Committees
Royal Commission on the Ancient and Historical Monuments of
Scotland
Royal Fine Art Commission for Scotland
Scottish Education Department
National Galleries of Scotland

National Library of Scotland
National Museums of Scotland
Scottish Home and Health Departments
HM Inspectorate of Constabulary
Annex I
Scottish Criminal Record Office
Scottish Fire Service Training School
Scottish Health Boards
Scottish Health Service - Common Services Agency
Scottish Health Service Planning Council
Scottish Police College
Scottish Record Office
HM Stationery Office
HM Treasury
Central Computer and Telecommunications Agency
Chessington Computer Centre
Civil Service Catering Organisation
National Economic Development Council
Rating of Government Property Department
Welsh Office
Ancient Monuments (Wales) Commission
Council for the Education and Training of Health Visitors
Local Government Boundary Commission for Wales
Local Valuation Panels and Courts
National Health Service Authorities
Rent Control Tribunals and Rent Assessment Panels and Committees
Annex I

KINGDOM OF SPAIN

This list is authentic in the Spanish language

List of entities

1. Ministry of Foreign Affairs
2. Ministry of Justice
3. Ministry of Defence
4. Ministry of Economic Affairs and Finance

5. Ministry of the Interior
6. Ministry of Public Works and Transport
7. Ministry of Education and Science
8. Ministry of Labour and Social Security
9. Ministry of Industry, Commerce and Tourism
10. Ministry of Agriculture, Fishery and Food
11. Ministry of Public Administration
12. Ministry of Culture
13. Ministry of Relations with the Cortes and of the Government Administration
14. Ministry of Health and Consumer Affairs
15. Ministry of Social Affairs
16. Ministry of Government Information

Annex I

Committee on Government Procurement

G R E E C E

list of Entities

- 1 . Ministry of National Economy
- 2 . Ministry of Education and Religion
- 3 . Ministry of Commerce
- 4 . Ministry of Industry, Energy and Technology
- 5 . Ministry of Merchant Marine
- 6 . Ministry of the Prime Minister
- 7 . Ministry of the Aegean
- 8 . Ministry of Foreign Affairs
- 9 . Ministry of Justice
10. Ministry of the Interior
11. Ministry of Labour
12. Ministry of Culture and Sciences
13. Ministry of Environment, Planning and Public Works
14. Ministry of Finance
15. Ministry of Transport and Communications
16. Ministry of Health, and Social Security
17. Ministry of Macedonia and Thrace
18. Ministry of Agriculture

19. Army General Staff
20. Navy General Staff
21. Airforce General Staff
22. General Secretariat for Press and Information
23. General Secretariat for Youth
24. General Laboratory
25. General Secretariat for Further Education
26. General Secretariat for Equality
27. General Secretariat for Social Security

Items 28 - 31 is unavailable

32. General Secretariat for Public Works
33. National Statistical Service
34. National Welfare organization
35. Workers' Housing Organization
36. National Printing Office
37. Greek Atomic Energy Commission
38. Greek Highway Fund
39. University of Athens
40. University of the Aegean
41. University of Thessaloniki
42. University of Thrace
43. University of Ioannina
44. University of Patras
45. Polytechnic School of Grete
46. Sivitanidios Technical School
47. University of Macedonia
48. Eginitio Hospital
49. Areteio Hospital
50. National Centre for Public Administration
51. Hellenic Post (EL. TA.)
52. Public Material Management Organization
53. Farmers' Insurance Organization
54. School Building Organization

Annex I

Ministry of the Sea

Directorate General for Fishing

Directorate General for Ports, Navigation and Maritime Transport

Ministerial Department responsible for European Affairs

Portuguese Institute for Maritime Exploration

Maritime Administration for North, Centre & South

National Institute for Port Planning

Institute for Port Labour

Port Administration of Douro and Leixes

Port Administration of Lisbon

Port Administration of Setúbal and Sines

Port Administration of Sines

Independent Executive for Ports

Portuguese Fishing Fleet

Infante D Henrique Nautical School

College of Sailing and Marine Craft

Secretariat General

Annex I

MINISTRY OF HEALTH

Regional Health Administrations

Health Centres

Mental Health Centres

Histocompatibility Centres

Medical Centres

Regional Alcoholism Centres

Inter-hospital Commissions

Department for Studies and Health Planning

Department for Health Service Financial Management

Health Human Resources Department

Directorate-General for Health Installations & Equipment

Directorate-General for Primary Health Care

Directorate-General for Hospitals

Infirmaries High Schools

Health Service Technical Colleges

Central Hospitals

District Hospitals

Specialised Hospitals

General Inspectorate of the Health Services

National Institute of Emergency Care

Dr Ricardo Jorge National Health Institute

Or Jacinto De Magalhaes Institute of Genetic Medicine

Or Gama Pinto Institute of Ophthalmology

Portuguese Blood Institute

General Practitioners Institutes

Secretariat-General

Service for Prevention and Treatment of Drug Dependence

Informatics Service of the Ministry of Health

Social Services, Ministry of Health

Annex I

PORTUGAL

This list is authentic in the English and Portuguese languages

List of entities

Prime Minister's Office

Legal Affairs Office

Centre for Studies and Training (Local Government)

Centre for Technical Studies and Legislative Support

Government Computer Network Management Centre

National Council for Civil Defence Planning

Permanent Council for Industrial Conciliation

Department for Vocational and Advanced Training

Ministerial Department with special responsibility for Macao

Ministerial Department responsible for Community Service by

Conscientious Objectors

Institute for Youth

National Administration Institute

Secretariat-General, Prime Minister's Office

Secretariat for Administrative Modernization

National Civil Defence Service

Social Services, Prime Minister's Office
Ministry of the Interior
Directorate-General for Roads
Ministerial Department responsible for Studies and Planning
Civilian administrations
Customs Police
Republican National Guard
Police
Secretariat-General
Technical Secretariat for Electoral Matters
Customs and Immigration Department
Intelligence and Security Department
National Fire Service
Ministry of Agriculture
Control Agency for Community Aid to Olive Oil Production
Directorate-General for Agricultural and Water Engineering
Directorate-General for Animal Husbandry
Directorate-General for Forests
Directorate-General Agricultural Planning
Directorate-General Agricultural Markets and the Agri-foods Industry
Regional Directorate for Agriculture (Beira Interior)
Regional Directorate for Agriculture (Beira Litoral)
Regional Directorate for Agriculture (Entre Douro e Minho)
Regional Directorate for Agriculture (Tras-os-Montes)
Regional Directorate for Agriculture (Alentejo)
Regional Directorate for Agriculture (Algarve)
Regional Directorate for Agriculture (Ribatejo e Audits)
Ministerial Department responsible
for Community-related Agricultural Questions
General Inspectorate and Audit Office (Management Audits)
Viticulture Institute
Food Quality Institute
National Agricultural Research Institute
Institute for the Regulation and Guidance

of Agricultural Markets
Social Works - Secretariat-General
Farm Accountancy Data Network
Secretariat-General
IFADAP (Financial Institute for the Development
of Agriculture and Fishing) (a)
INGA (National Agricultural Intervention and Guarantee Institute) (a)
(a) Authority under joint Ministry of Finance and Ministry of Agriculture control
Annex I Ministry of the Environment and Natural Resources
Directorate-General for Environmental Quality
Directorate-General for Natural Resources
Ministerial Department responsible for European Affairs
Ministerial Department responsible for Studies Planning
Ministerial Department responsible for Nuclear Safety and Protection
National Environment Institute
National Institute for Consumer Protection
National Institute for Meteorology and Geophysics
Secretariat-General
National Department of Parks, Reserves and Nature Conservancy
Ministerial Department for the Improvement of the Estoril Coast
Regional delegations (a)
National Water Institute (b)
(a) In the process of being set up
(b) About to replace the Directorate-General for Natural Resources
Ministry of Trade and Tourism
Commission responsible for the Application of Economic Penalties
Directorate-General for Competition and Prices
Directorate-General for Inspection (Economic Affairs)
Directorate-General for Foreign Trade
Directorate-General for Domestic Trade
directorate-General for Tourism
Tourism Fund
Ministerial Department responsible for Community Affairs
ICEP (Portuguese Foreign Trade Institute)

General Inspectorate for Gambling
Institute for the Promotion of Tourism
National Institute for Training in Tourism
Regional Tourist Boards
Secretariat-General
ENATUR (National Tourism Enterprise) - Public enterprise (a)
AGA (General Authority for Sugar and Alcohol) - Public enterprise (a)
(a) Authority under joint Ministry of Trade and Tourism and Ministry of Finance control
Annex I
Ministry of Defence
Office of the Chief of Staff of the Armed Forces
Office of the Chief of Staff, Air Force Air Force
Logistics and Administration Control Centre
Office of the Chief Of Staff, Army
Office of the Chief of Staff, Navy
Directorate-General for Naval Equipment
Directorate for Naval Facilities
Directorate for Supplies
National Rope Factory
The Navy Hospital
The Alfeite Arsenal
The Hydrographic Institute
Directorate-General for Armaments
Directorate-General for Personnel and Infrastructure
Directorate-General for National Defence Policy
National Defence Institute
Secretariat-General
Ministry of Education
Legal Affairs Office
Directorate-General for the Administration of Schools
Directorate-General for Further Education
Directorate-General for Higher Education
Directorate-General for Sports
Directorate-General for Primary and Secondary Education

Regional Directorate for Education (Lisbon)
Regional Directorate for Education (Algarve)
Regional Directorate for Education (Centre)
Regional Directorate for Education (North)
Regional Directorate for Education (South)
The Ministry of Education Press
Ministerial Department responsible for Coordinating Access
to Higher Education
Ministerial Department responsible for Studies and Planning
Ministerial Department responsible for Financial Management
Ministerial Department responsible for Technological, Artistic and Vocational
Training
General Inspectorate for Education
Institute for Portuguese Language and Culture
Institute for Innovation in Education
Institute with special responsibility for the Social Aspects of Education
Secretariat-General
Annex I
Ministry of Employment and Social Security
Legal Affairs Office
National Insurance and Occupational Health Fund
Social Welfare Funds
Casa Pia de Lisboa
National Centre for Pensions
Regional Social Security centres
Commission on Equal Opportunity and Rights for Women
Statistics Department
Studies and Planning Department
Department of International Relations and Social Security Agreements
European Social Fund Department
Department of European Affairs and External Relations
Directorate-General for Social Works
Directorate-General for the Family
Directorate-General for Labour Relations

Directorate-General for Technical Support to Management
Directorate-General for Occupational Safety and Hygiene
Directorate-General for Employment and Vocational Training
Directorate-General for Social Security Schemes
Social Security Financial Stabilization Fund
General Inspectorate for Social Security
General Inspectorate for Labour
Social Security Financial Management Institute
Employment and Vocational Training Institute
National Institute for Workers' Leisure Time
Secretariat-General
National Secretariat for Rehabilitation
Social Services
Santa Casa de Misericordia de Lisboa (a)
(a) Authority under joint Ministry of Employment and Social Security and Ministry of Health control
Annex I
Ministry of Finance
ADSE (Directorate-General for the Protection of Civil Servants)
Legal Affairs Office
Directorate-General for Public Administration
Directorate-General for Public Accounts and General Budget Supervision
Directorate-General for the State Loans Board
Directorate-General for the Customs Service
Directorate-General for Taxation
Directorate-General for State Assets
Directorate-General for the Treasury
Ministerial Department responsible for Economic Studies
Ministerial Department responsible for European Affairs
GAFEEP (Ministerial Department responsible for Studies on the Funding of
the State and Public Enterprises)
General Inspectorate for Finance
Institute for Information Technology
State Loans Board
Secretariat-General

SOFE (Social Services of the Ministry of Finance)

Ministry of Industry and Energy

Regional Delegation for Industry and Energy (Lisbon and Tagus Valley)

Regional Delegation for Industry and Energy (Alentejo)

Regional Delegation for Industry and Energy (Algarve)

Regional Delegation for Industry and Energy (Centre)

Regional Delegation for Industry and Energy (North)

Directorate-General for Industry

Directorate-General for Energy

Directorate-General for Geology and Mines

Ministerial Department responsible for Studies and Planning

Ministerial Department responsible for Oil Exploration and Production

Ministerial Department responsible for Community Affairs

National Industrial Property Institute

Portuguese Institute for Quality

LNETI (National Laboratory for Industrial Engineering and Technology)

Secretariat-General

Annex I

Ministry of Justice

Centre for Legal Studies

Centre for Civil and Criminal Identification Social Action and Observation Centres

The High Council of the Judiciary (Conselho Superior de Magistratura) Central Registry

Directorate-General for Registers and Other Official Documents

Directorate-General for Computerized Services

Directorate-General for Legal Services

Directorate-General for the Prison Service

Directorate-General for Protection and Care of Minors

Prison Establishments

Ministerial Department responsible for European Law

Ministerial Department responsible for Documentation and Comparative Law

Ministerial Department responsible for Studies and Planning

Ministerial Department responsible for Financial Management

Ministerial Department responsible for Planning

and Coordinating Drug Control
Sao Joao Deus Prison Hospital
Corpus Christi Institute
Guarda Institute
Institute for the Rehabilitation of Offenders
Sao Domingos Benfica Institute
National Police and Forensic Science Institute
Navarro Paiva Institute
Padre Antonio Oliveira Institute
Sao Fiel Institute
Sao Jose Institute
Vila Fernando Institute
Criminology Institutes
Forensic Medicine Institutes
Criminal Investigation Department
Secretariat-General
Social Services
Ministry of Public Works, Transport and Communications
Council for Public and Private Works Markets
Directorate-General for Civil Aviation
Directorate-General for National Buildings and Monuments Directorate-General for Road and Rail Transport
Ministerial Department responsible for River Crossings (Tagus) Ministerial Department responsible for Studies and Planning
Ministerial Department responsible for the Lisbon Railway Junction Ministerial Department responsible for the Oporto Railway Junction
Ministerial Department responsible for Navigation on the Douro Ministerial Department responsible for the European Communities
General Inspectorate for Public Works, Transport and Communications
Independent Executive for Roads
National Civil Engineering Laboratory
Social Works Department of the Ministry of Public Works, Transport and Communications
Secretariat-General
Institute for Management and Sales of State Housing CTT - Post & Telecommunications of Portugal SA (1)

(1) Postal Business only

Annex I

Ministry of Foreign Affairs
Directorate-General for Consular Affairs and for Financial Administration
Directorate-General for the European Communities
Directorate-General for Cooperation
Institute for Portuguese Emigrants and Portuguese Communities Abroad
Institute for Economic Cooperation
Secretariat-General
Ministry of Territorial Planning and Management
Academy of Science
Legal Affairs Office
National Centre for Geographical Data
Regional Coordination Committee (Centre)
Regional Coordination Committee (Lisbon and Tagus Valley)
Regional Coordination Committee (Alentejo)
Regional Coordination Committee (Algarve)
Regional Coordination Committee (North)
Central Planning Department
Directorate-General for Local Government
Directorate-General for Regional Development
Directorate-General for Town and Country Planning
Ministerial Department responsible for Coordination of the Alqueva Project
Ministerial Department responsible for Studies and Planning (Territorial Administration)
Ministerial Department responsible for Airports (Autonomous Region of Madeira)
General Inspectorate for Territorial Administration
National Statistical Institute
Antonio Sergio Cooperative Institute
Institute for Scientific and Tropical Research
Geographical and Land Register Institute
National Scientific and Technological Research Board
Secretariat-General
Annex I
Ministry of the Sea
Directorate General for Fishing
Directorate General for Ports, Navigation and Maritime

Ministerial Department responsible for European Affairs

Portuguese Institute for Maritime Exploration

Maritime Administration for North, Centre & South

National Institute for Port Pilotage

Institute for Port Labour

Port Administration of Douro and Leixões

Port Administration of Lisbon

Port Administration of Setúbal and Sesimbra

Port Administration of Sines

Independent Executive for Ports

Portuguese Fishing College

Infante D Henrique Nautical School

College of Sailing and Marine Craft

Secretariat General

Annex I

MINISTRY OF HEALTH

Regional Health Administrations

Health Centres

Mental Health Centres

Histocompatibility Centres

Medical Centres

Regional Alcoholism Centres

Inter-hospital Commissions

Department for Studies and Health Planning

Department for Health Service Financial Management

Health Human Resources Department

Directorate-General for Health Installations & Equipment

Directorate-General for Primary Health Care

Directorate-General for Hospitals

Infirmaries High Schools

Health Service Technical Colleges

Central Hospitals

District Hospitals

Specialised Hospitals

General Inspectorate of the Health Services

National Institute of Emergency Care

Dr Ricardo Jorge National Health Institute

Dr Jacinto De Magalhaes Institute of Genetic Medicine

Dr Gama Pinto Institute of Ophthalmology

Portuguese Blood Institute

General Practitioners Institutes

Secretariat-General

Service for Prevention and Treatment of Drug Dependence

Informatics Service of the Ministry of Health

Social Services, Ministry of Health

Annex I

ANNEX 2

LIST OF U.S. ENTITIES

All central government executive departments and agencies, subject to the Competition in Contracting Act of 1984 (Public. Law 98-369, Title VII), including, but not limited to:

1. Department of Agriculture
2. Department of Commerce
3. Department of Defense (subject to the exceptions currently applicable under the Code)
4. Department of Education
5. Department of Energy (Not including national security procurement 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)
6. Department of Health and Human Services
7. Department of Housing and Urban Development
8. Department of the Interior
9. Department of Justice
10. Department of Labor
11. Department of State
12. Department of Transportation

(The national security consideration currently applicable to the Department of Defense under the Code are equally applicable under this agreement to the Coast Guard)

13. Department of the Treasury
14. United States Agency for International Development

15. General Services Administration
(other than Federal Supply Groups 51 and 52 and Federal
Supply Class 7340)
16. National Aeronautics and Space Administration
17. Department of Veterans Affairs
18. Environmental Protection Agency
19. United States Information Agency
20. National Science Foundation
21. Panama Canal commission
22. Executive Office of the President
23. Farm Credit Administration
24. National Credit Union Administration
25. Merit Systems Protection Board
26. ACTION
27. United States Arms Control and Disarmament Agency
28. Office of Thrift Supervision
29. Federal Housing Finance Board
30. National Labor Relations Board
31. National Mediation Board
32. Railroad Retirement Board
33. American Battle Monuments Commission
34. Federal Communications Commission
35. Federal Trade Commission
36. Interstate Commerce commission
37. Securities and Exchange Commission
38. Office of Personnel Management
39. United States International Trade Commission
40. Export-Import Bank of the United States
41. Federal Mediation and Conciliation Service
42. Selective Service System
43. Smithsonian Institution
44. Federal Deposit Insurance Corporation
45. Consumer Product Safety Commission
46. Equal Employment Opportunity Commission

- 47. Federal Maritime Commission
- 48. National Transportation Safety Board
- 49. Nuclear Regulatory Commission
- 50. Overseas Private Investment Corporation
- 51. Administrative Conference of the United States
- 52. Board for International Broadcasting
- 53. Commission on Civil Rights
- 54. Commodity Futures Trading Commission
- 55. Peace Corps
- 56. National Archives and Record Administration

ANNEX 3

EEC entities covered by Article 2 paragraphs 1 and 2 (a) (ii), including those in Annex II of Council Directive 90/531/EEC

English version is not available.

ANNEX 4

US federal entities in the electric power sector

The Tennessee Valley Authority

The Power Marketing Administrations of the Department of Energy including:

Bonneville Power Administration

Western Area Power Administration

Southeastern Power Administration

Southwestern Power Administration

Alaska Power Administration.

ANNEX 5

The List of services offered for coverage under the Code by the EEC, contained in GPR/Spec/71 of, 14 August 1992 Annex 4.

LIST OF SERVICES INCLUDED

Subject

CPC Reference

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

a) insurance services

b) banking and investments services**

C* 81

812, 814

Computer and related services

84

Accounting, auditing, bookkeeping services

852

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

* except voice telephony, telex, radio telephony, paging and satellite services

** except contract for financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services

*** except arbitration and conciliation service

ANNEX 6

The List of services offered for coverage under the Code by the USA, contained in GPR/Spec/65 of 14 August 1992

UNIVERSAL LIST OF SERVICES AS SPECIFIED IN MTN.GNS/W/120 WITH THE EXCEPTION OF THE FOLLOWING:

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

Note: Transportation services, where incidental to Procurement contracts are not subject to this Agreement.

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. R&D services

Annex 7

Mandate for the Joint Study

Objective

The objective of the study is to estimate the value and also to assess qualitatively the international bidding potential of procurement opportunities which would be likely to arise under the GPA, as a result of offers and requests of either Party, at the time of its expected implementation in 1995. The study shall be without prejudice to either Party's final offer.

The study should be conducted on the basis of a projection of available information on current performance, potential and trends. The effect of measures which are currently planned, or in course of execution, should be taken into account. The consultant should make a critical assessment of the validity of the data on which the projections are based and should draw attention to any data whose reliability cannot be verified. Any exemptions and qualifications which are proposed, including thresholds, should be taken into account. Where necessary, the consultant may make estimates. The consultant should take the views of both Parties into account.

Results should be presented as far as possible on the basis of common definitions and methodologies and in such a way as to enable any subsequent offers to be evaluated.

Coverage

The study should cover procurement of goods and services, including public works, by:

- central (federal) government (Category A);
- sub-central (state, regional and local) government (Category B);
- other entities, offered or requested by either Party, excluding telecom (Category C).

Reports, timing and acceptance

The study should result in two reports:

- an intermediate report, setting out the issues to be examined, items in need of quantification, data availability and proposed methodology;
- a final report setting out the results of the study.

The draft intermediate report should be presented not later than two months from commencement of the study. The final report should be commenced only if both Parties are satisfied, on the basis of the intermediate report,

that completion of the study would yield useful results.

The draft final report should be presented not later than four months from acceptance of the intermediate report.

Draft reports shall be considered final only after they have been accepted by both Parties.

THE UNITED STATES TRADE REPRESENTATIVE

Executive Office of the President

Washington, D.C. 20506

May 25, 1993

His Excellency Sir Leon Brittan

Vice Chairman

Commission of the European Communities

Brussels Belgium

Dear Vice President Brittan:

In the context of our Memorandum of Understanding of May 25, 1993 (MOU), I would like to describe to you the process the U.S. Trade Representative's office will undertake in accordance with Article 6 of the MOU between now and January 31, 1994 to seek the voluntary commitment of U.S. subfederal entities to be included in the final entity lists.

As we agreed, the immediate bilateral commitments to open our respective procurement markets contained in the MOU are a "downpayment" towards a final procurement agreement. The inclusion of subfederal entities in the U.S. offer can only be accomplished after the results of our jointly-commissioned study are known. On this basis, we will be prepared to conclude a balanced comprehensive agreement on procurement.

To this end, I will immediately initiate the following actions with regard to subfederal procurement:

- 1) urge the 33 states from which we have already received preliminary commitments to provide final voluntary commitments; and
- 2) press ahead with work to obtain voluntary commitments from:
 - (a) the 17 states from which we currently have no commitment; and
 - (b) major municipalities, defined as cities with populations exceeding 500,000 and other subfederal entities operating in or serving those municipalities.

We will work with a view to obtaining final commitments in order to be in a position to submit our entity lists in time, so that the final phase of negotiations can start in January 1994. Any commitments by subfederal entities will be bound in legislation implementing a final procurement agreement.

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In addition, during this period, the U.S. will consider ways in which, as part of a balanced agreement, federally-mandated measures affecting subfederal procurements would be removed in a timely manner. In the context of a balanced agreement, both sides would oppose the enactment of legislation that would render ineffective the bidding opportunities provided by that agreement.

Sincerely,

/S/

Ambassador Michael Kantor

TANC offers these agreements electronically as a public service for general reference. Every effort has been made to ensure that the text presented is complete and accurate. However, copies needed for legal purposes should be obtained from official archives maintained by the appropriate agency.