ANNEX 16A

Schedule of Australia

Section A – Central Government Entities

Thresholds:

Unless otherwise specified, Chapter 16 (Government Procurement) covers procurement by entities listed in this Section, subject to the following thresholds:

Goods	SDR 130,000
Services	SDR 130,000
Construction Services	SDR 5,000,000

List of Entities:

- 1. Administrative Appeals Tribunal;
- 2. Attorney-General's Department;
- 3. Aged Care Quality and Safety Commission;
- 4. Asbestos Safety and Eradication Agency;
- 5. Australian Building and Construction Commission;
- 6. Australian Bureau of Statistics;
- 7. Australian Centre for International Agricultural Research;
- 8. Australian Crime Commission (Australian Criminal Intelligence Commission);
- 9. Australian Commission for Law Enforcement Integrity (ACLEI);
- 10. Australian Communications and Media Authority;
- 11. Australian Competition and Consumer Commission;
- 12. Australian Electoral Commission;
- 13. Australian Federal Police;
- 14. Australian Financial Security Authority;
- 15. Australian Fisheries Management Authority;
- 16. Australian Institute of Criminology;
- 17. Australian Institute of Family Studies (AIFS);
- 18. Australian Law Reform Commission;
- 19. Australian National Audit Office;
- 20. Australian National Preventative Health Agency (ANPHA);
- 21. Australian Office of Financial Management (AOFM);
- 22. Australian Prudential Regulation Authority;
- 23. Australian Public Service Commission;
- 24. Australian Radiation Protection and Nuclear Safety Agency (ARPANSA);
- 25. Australian Research Council;
- 26. Australian Securities and Investments Commission;
- 27. Australian Skills Quality Authority (National Vocational Education and Training Regulator);

- 28. Australian Taxation Office;
- 29. Australian Trade and Investment Commission (Austrade);
- 30. Australian Transaction Reports and Analysis Centre (AUSTRAC);
- 31. Australian Transport Safety Bureau;
- 32. Bureau of Meteorology;
- 33. Cancer Australia;
- 34. Clean Energy Regulator;
- 35. Climate Change Authority;
- 36. Commonwealth Grants Commission;
- 37. Department of Agriculture, Water and the Environment;
- 38. Department of Defence;
- 39. Department of Education, Skills and Employment;
- 40. Department of Finance;
- 41. Department of Foreign Affairs and Trade;
- 42. Department of Health;
- 43. Department of Home Affairs;
- 44. Department of Industry, Science, Energy and Resources;
- 45. Department of Infrastructure, Transport, Regional Development and Communications;
- 46. Department of Parliamentary Services;
- 47. Department of Social Services;
- 48. Department of the House of Representatives;
- 49. Department of the Prime Minister and Cabinet;
- 50. Department of the Senate;
- 51. Department of the Treasury;
- 52. Department of Veterans' Affairs;
- 53. Digital Transformation Agency;
- 54. Fair Work Commission;
- 55. Fair Work Ombudsman and Registered Organisations Commission Entity;
- 56. Federal Court of Australia;
- 57. Geoscience Australia;
- 58. Great Barrier Reef Marine Park Authority;
- 59. Independent Parliamentary Expenses Authority;
- 60. Inspector-General of Taxation;
- 61. IP Australia;
- 62. National Archives of Australia;
- 63. National Blood Authority;
- 64. National Capital Authority;
- 65. National Competition Council;
- 66. National Disability Insurance Scheme Quality and Safeguards Commission;
- 67. National Faster Rail Agency;
- 68. National Health and Medical Research Council (NHMRC);
- 69. National Health Funding Body;
- 70. National Indigenous Australians Agency;
- 71. National Mental Health Commission;
- 72. National Recovery and Resilience Agency;
- 73. North Queensland Water Infrastructure Authority;
- 74. Office of Parliamentary Counsel;

- 75. Office of the Auditing and Assurance Standards Board;
- 76. Office of the Australian Accounting Standards Board;
- 77. Office of the Australian Information Commissioner;
- 78. Office of the Commonwealth Ombudsman;
- 79. Office of the Director of Public Prosecutions;
- 80. Office of the Inspector-General of Intelligence and Security;
- 81. Office of the Official Secretary to the Governor-General;
- 82. Office of the Special Investigator;
- 83. Organ and Tissue Authority;
- 84. Parliamentary Budget Office;
- 85. Productivity Commission;
- 86. Professional Services Review Scheme;
- 87. Royal Australian Mint;
- 88. Safe Work Australia;
- 89. Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority);
- 90. Services Australia;
- 91. Sport Integrity Australia;
- 92. Tertiary Education Quality and Standards Agency; and
- 93. Workplace Gender Equality Agency.

Notes to Section A:

- 1. Chapter 16 (Government Procurement) only covers those entities listed (including an office within a listed entity) in this Section.
- 2. Chapter 16 (Government Procurement) does not cover procurement by or on behalf of the Australian Government Solicitor.
- 3. Department of Defence:
 - (a) Chapter 16 (Government Procurement) does not cover Department of Defence procurement of the following goods due to Article 31.2 (Security Exceptions – General Provisions and Exceptions):

	Description	FSC
1	Weapons;	10
2	Fire Control Equipment;	12
3	Ammunition and Explosives;	13
4	Guided Missiles;	14

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5	Aircraft and Airframe Structural Components;	15
6	Aircraft Components and Accessories;	16
7	Aircraft Launching, Landing, and Ground Handling Equipment;	17
8	Space Vehicles;	18
9	Ships, Small Craft, Pontoons and Floating Docks;	19
10	Ship and Marine Equipment;	20
11	Ground Effect Vehicles, Motor Vehicles, Trailers, and Cycles;	23
12	Engines, Turbines, and Components;	28
13	Engines Accessories;	29
14	Bearings;	31
15	Water Purification and Sewage Treatment Equipment;	46
16	Valves;	48
17	Maintenance and Repair Shop Equipment;	49
18	Prefabricated Structures and Scaffolding;	54
19	Communication, Detection, and Coherent Radiation Equipment;	58
20	Electrical and Electronic Equipment Components;	59
21	Fiber Optics Materials, Components, Assemblies, and Accessories;	60
22	Electric Wire, and Power and Distribution Equipment;	61
23	Alarm, Signal and Security Detection Systems;	63

24	Instruments and Laboratory Equipment;	66

FSC

No code

25 Specialty Metals

Description

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

- (b) Chapter 16 (Government Procurement) does not cover the following services, as elaborated in the Common Classification System and the WTO system of classification MTN.GNS/W/120, due to Article 31.2 (Security Exceptions General Provisions and Exceptions) (For a complete listing of Common Classification System, see: http://www.sice.oas.org/trade/nafta/chap-105.asp):
 - (i) design, development, integration, test, evaluation, maintenance, repair, modification, rebuilding and installation of military systems and equipment (approximately equivalent to relevant parts of U.S. Product Service Codes A & J);
 - (ii) operation of Government-owned Facilities (approximately equivalent to U.S. Product Service Code M);
 - (iii) space services (AR, B4 & V3); and
 - (iv) services in support of military forces overseas.
- (c) Chapter 16 (Government Procurement) does not cover the procurement of goods and services by, or on behalf of, the Defence Intelligence Organisation, the Australian Signals Directorate, or the Australian Geospatial-Intelligence Organisation.
- In respect of paragraphs 1 and 2 of Article 16.4 (General Principles) the Australian Government reserves the right, pursuant to Article 31.2 (Security Exceptions General Provisions and Exceptions), to maintain the Australian industry capability program and its successor programs and policies.

Section B – Sub-Central Government Entities

Thresholds:

Unless otherwise specified, Chapter 16 (Government Procurement) covers procurement by entities listed in this Section, subject to the following thresholds:

Goods	SDR 355,000
Services	SDR 355,000
Construction Services	SDR 5,000,000

List of Entities:

Australian Capital Territory

- 1. ACT Audit Office;
- 2. ACT Gambling and Racing Commission;
- 3. ACT Health Directorate;
- 4. ACT Insurance Authority;
- 5. ACT Ombudsman;
- 6. Canberra Health Services;
- 7. Canberra Institute of Technology;
- 8. Chief Minister, Treasury and Economic Development Directorate;
- 9. City Renewal Authority;
- 10. Community Services Directorate;
- 11. Cultural Facilities Corporation;
- 12. Education Directorate;
- 13. Environment, Planning and Sustainable Development Directorate;
- 14. Housing ACT;
- 15. Independent Competition and Regulatory Commission;
- 16. Justice and Community Safety Directorate;
- 17. Legal Aid ACT;
- 18. Major Projects Canberra;
- 19. Transport Canberra and City Services Directorate; and
- 20. Suburban Land Agency.

Note for the Australian Capital Territory: For the entities listed for the Australian Capital Territory, Chapter 16 (Government Procurement) does not cover the procurement of health and welfare services, education services, utility services or motor vehicles.

New South Wales

- 1. Advocate for Children and Young People;
- 2. Art Gallery of NSW;
- 3. Children's Guardian and Office of Children's Guardian;

- 4. Commissioner of Fire and Rescue NSW and Fire and Rescue NSW;
- 5. Commissioner of the NSW Rural Fire Service and Office of the NSW Rural Fire Service;
- 6. Commissioner of the NSW State Emergency Service and Office of the NSW State Emergency Service;
- 7. Crown Solicitor and Crown Solicitor's Office;
- 8. Department of Communities and Justice;
- 9. Department of Customer Service;
- 10. Department of Education;
- 11. Department of Planning, Industry and Environment;
- 12. Department of Premier and Cabinet;
- 13. Director of Public Prosecutions and Office of the Director of Public Prosecutions;
- 14. Environment Protection Authority and Environment Protection Authority Staff Agency;
- 15. Health Care Complaints Commission and Health Care Complaints Commission Staff Agency;
- 16. Hunter and Central Coast Development Corporation;
- 17. Independent Planning Commission and Office of the Independent Planning Commission;
- 18. Information Commissioner and Information and Privacy Commission;
- 19. Infrastructure NSW;
- 20. Inspector of the Law Enforcement Conduct Commission and Office of the Inspector of the Law Enforcement Conduct Commission;
- 21. Insurance and Care NSW (icare);
- 22. Law Enforcement Conduct Commission and Office of the Law Enforcement Conduct Commission;
- 23. Legal Aid Commission of NSW and Legal Aid Commission Staff Agency (Legal Aid NSW);
- 24. Ministry of Health;
- 25. Multicultural NSW and Multicultural NSW Staff Agency;
- 26. New South Wales Crime Commission and New South Wales Crime Commission Staff Agency;
- 27. NSW Education Standards Authority (NESA) and NSW Education Standards Authority Staff Agency;
- 28. New South Wales Electoral Commission and NSW Electoral Commission Staff Agency;
- 29. NSW Food Authority;
- 30. New South Wales Land and Housing Corporation (Housing NSW);
- 31. New South Wales Rural Assistance Authority;
- 32. Ombudsman and the Ombudsman's Office;
- 33. Parliamentary Counsel and Parliamentary Counsel's Office;
- 34. Place Management NSW;
- 35. Public Service Commissioner and Public Service Commission;
- 36. Regional NSW;
- 37. Resilience NSW;
- 38. State Insurance Regulatory Authority;
- 39. State Library of NSW;

- 40. Sydney Olympic Park Authority;
- 41. TAFE NSW;
- 42. Taronga Conservation Society Australia;
- 43. The Audit Office of New South Wales;
- 44. The Treasury;
- 45. Transport for NSW; and
- 46. Venues NSW.

Notes for New South Wales:

- 1. For entities listed for New South Wales, Chapter 16 (Government Procurement) does not cover:
 - (a) procurement of health and welfare services, education services or motor vehicles;
 - (b) procurements undertaken by a covered entity on behalf of a non-covered entity;
 - (c) procurement related to the functions of the Privacy Commission by the Information and Privacy Commission; or
 - (d) procurement by Transport for NSW, related to the functions of the Transport Construction Authority, and The Country Rail Infrastructure Authority or its successor agencies.
- 2. For TAFE NSW, Chapter 16 (Government Procurement) shall only apply to this entity, following an implementation period of 24 months from entry into force of this Agreement, to allow for necessary changes to technology systems, policies and processes.

Northern Territory

- 1. Aboriginal Areas Protection Authority;
- 2. Auditor General's Office;
- 3. Department of the Attorney-General and Justice;
- 4. Department of the Chief Minister and Cabinet;
- 5. Department of Corporate and Digital Development;
- 6. Department of Education;
- 7. Department of Environment, Parks and Water Security;
- 8. Department of Health;
- 9. Department of Industry, Tourism and Trade;
- 10. Department of Infrastructure, Planning and Logistics;
- 11. Department of the Legislative Assembly;
- 12. Department of Territory Families, Housing and Communities;
- 13. Department of Treasury and Finance;
- 14. Health and Community Services Complaints Commission;
- 15. Museum and Art Gallery of the Northern Territory;

- 16. Land Development Corporation;
- 17. Northern Territory Electoral Commission;
- 18. Northern Territory Police, Fire and Emergency Services;
- 19. Office of the Commissioner for Public Employment;
- 20. Ombudsman's Office;
- 21. Racing Commission;
- 22. Remuneration Tribunal;
- 23. Strehlow Research Centre;
- 24. Utilities Commission of the Northern Territory; and
- 25. Work Health Authority.

Note for the Northern Territory: For entities listed for the Northern Territory, Chapter 16 (Government Procurement) does not cover set-asides on behalf of the Charles Darwin University pursuant to Partnership Agreements between the Northern Territory Government and Charles Darwin University.

Queensland

- 1. Entities declared to be departments pursuant to section 14 of the *Public Service Act 2008* (Qld);
- 2. Motor Accident Insurance Commission;
- 3. Nominal Defendant;
- 4. Public Safety Business Agency;
- 5. Public Service Commission; and
- 6. Public Trust Office.

Note for Queensland: For the entities listed for Queensland, Chapter 16 (Government Procurement) does not cover:

- (a) procurement by covered entities on behalf of non-covered entities;
- (b) procurement undertaken by departments, or parts of departments, which deliver health, education, training or arts services; or
- (c) procurement of health services, education services, training services, arts services, welfare services, government advertising and motor vehicles.

South Australia

- 1. Adelaide Cemeteries Authority;
- 2. Adelaide Festival Centre Trust;
- 3. Adelaide Venue Management Corporation;
- 4. Attorney-General's Department;
- 5. Auditor-General's Department;
- 6. Courts Administration Authority;
- 7. Defence SA;
- 8. Department for Child Protection;

- 9. Department for Correctional Services;
- 10. Department for Education;
- 11. Department for Environment and Water;
- 12. Department for Energy and Mining;
- 13. Department for Health and Wellbeing;
- 14. Department for Innovation and Skills;
- 15. Department for Trade, Tourism and Investment;
- 16. Department of Human Services;
- 17. Department of Planning, Transport and Infrastructure;
- 18. Department of Primary Industries and Regions South Australia;
- 19. Department of the Premier and Cabinet;
- 20. Department of Treasury and Finance;
- 21. Electoral Commission of South Australia;
- 22. Environment Protection Authority;
- 23. HomeStart Finance;
- 24. Independent Gambling Authority;
- 25. Parliament of South Australia;
- 26. Public Trustee;
- 27. Return to Work Corporation of South Australia;
- 28. South Australia Country Fire Service;
- 29. South Australia Police;
- 30. South Australian Fire and Emergency Services Commission;
- 31. South Australian Forestry Corporation;
- 32. South Australian Metropolitan Fire Service;
- 33. South Australian Tourism Commission;
- 34. South Australian Water Corporation;
- 35. State Emergency Service;
- 36. State Procurement Board;
- 37. TAFE SA;
- 38. Urban Renewal Authority; and
- 39. West Beach Trust.

Notes for South Australia:

- 1. For the entities listed for South Australia, Chapter 16 (Government Procurement) does not cover the procurement of health and welfare services, education services, advertising services, or motor vehicles.
- 2. For Adelaide Venue Management Corporation, HomeStart Finance, Return to Work Corporation of South Australia, South Australian Forestry Corporation, South Australian Water Corporation and the Urban Renewal Authority, Chapter 16 (Government Procurement) shall only apply to these entities from 1 July 2022 or entry in force of this Agreement, whichever date is later.

Tasmania

- 1. Brand Tasmania;
- 2. Department of Communities Tasmania;
- 3. Department of Education;
- 4. Department of Health;
- 5. Department of Justice;
- 6. Department of Police, Fire and Emergency Management;
- 7. Department of Premier and Cabinet;
- 8. Department of Primary Industries, Parks, Water and Environment;
- 9. Department of State Growth;
- 10. Department of Treasury and Finance;
- 11. Director of Inland Fisheries;
- 12. House of Assembly;
- 13. Integrity Commission;
- 14. Legislative Council;
- 15. Legislature-General;
- 16. Macquarie Point Development Corporation (MPDC);
- 17. Marine and Safety Tasmania (MAST);
- 18. Office of the Director of Public Prosecutions;
- 19. Office of the Governor;
- 20. Office of the Ombudsman;
- 21. Royal Tasmanian Botanical Gardens;
- 22. State Fire Commission;
- 23. Tasmanian Audit Office; and
- 24. Tourism Tasmania.

Note for Tasmania: For the entities listed for Tasmania, Chapter 16 (Government Procurement) does not cover the procurement of health and welfare services, education services, or advertising services.

Victoria

- 1. Commission for Children and Young People;
- 2. Department of Education and Training;
- 3. Department of Environment, Land, Water and Planning;
- 4. Department of Health and Human Services;
- 5. Department of Jobs, Precincts and Regions;
- 6. Department of Justice and Community Safety;
- 7. Department of Premier and Cabinet;
- 8. Department of Transport;
- 9. Department of Treasury and Finance;
- 10. Essential Services Commission;
- 11. Game Management Authority;
- 12. Independent Broad-Based Anti-corruption Commission;
- 13. Infrastructure Victoria;
- 14. Office of Public Prosecutions;
- 15. Office of the Chief Commissioner of Police (Victoria Police);

- 16. Office of the Commissioner for Environmental Sustainability;
- 17. Office of the Legal Services Commissioner;
- 18. Office of the Ombudsman;
- 19. Office of the Road Safety Camera Commissioner;
- 20. Office of the Victorian Information Commissioner;
- 21. Office of the Victorian Inspectorate;
- 22. Commercial Passenger Vehicle Commission;
- 23. Victorian Auditor-General's Office;
- 24. Victorian Commission for Gambling and Liquor Regulation;
- 25. Victorian Electoral Commission;
- 26. Victorian Equal Opportunity and Human Rights Commission;
- 27. Victorian Public Sector Commission; and
- 28. Victorian Responsible Gambling Foundation.

Note for Victoria: For entities listed for Victoria, Chapter 16 (Government Procurement) does not cover:

- (a) the procurement of motor vehicles; or
- (b) procurement by covered entities on behalf of non-covered entities.

Western Australia

- 1. Botanic Gardens and Parks Authority;
- 2. Corruption and Crime Commission (Western Australia);
- 3. Country High Schools Hostels Authority;
- 4. Department of Biodiversity, Conservation and Attractions;
- 5. Department of Communities;
- 6. Department of Education;
- 7. Department of Fire and Emergency Services;
- 8. Department of Finance;
- 9. Department of Health;
- 10. Department of Jobs, Tourism, Science and Innovation;
- 11. Department of Justice;
- 12. Department of Local Government, Sport and Cultural Industries;
- 13. Department of Mines, Industry Regulation and Safety;
- 14. Department of Planning, Lands and Heritage;
- 15. Department of Primary Industries and Regional Development;
- 16. Department of Training and Workforce Development;
- 17. Department of Transport;
- 18. Department of Treasury;
- 19. Department of the Premier and Cabinet;
- 20. Department of the Registrar Western Australian Industrial Relations Commission;
- 21. Department of Water and Environmental Regulation;
- 22. Equal Opportunity Commission;
- 23. Gascoyne Development Commission;
- 24. Goldfields Esperance Development Commission;

- 25. Governor's Establishment;
- 26. Great Southern Development Commission;
- 27. Heritage Council of Western Australia;
- 28. Kimberley Development Commission;
- 29. Law Reform Commission of Western Australia;
- 30. Legislative Assembly;
- 31. Legislative Council;
- 32. Main Roads Western Australia;
- 33. Mid West Development Commission;
- 34. Minerals Research Institute of Western Australia;
- 35. National Trust of Australia (WA);
- 36. Office of the Auditor General;
- 37. Office of the Director of Public Prosecutions;
- 38. Office of the Information Commissioner;
- 39. Office of the Inspector of Custodial Services;
- 40. Office of the Parliamentary Commissioner for Administrative Investigations;
- 41. Parliamentary Services Department;
- 42. Peel Development Commission;
- 43. Pilbara Development Commission;
- 44. Public Sector Commission;
- 45. Public Transport Authority;
- 46. Rottnest Island Authority;
- 47. Rural Business Development Corporation;
- 48. Salaries and Allowances Tribunal;
- 49. Small Business Development Corporation;
- 50. South West Development Commission;
- 51. State Library of Western Australia;
- 52. Swan River Trust;
- 53. Western Australia Police;
- 54. Western Australian Electoral Commission;
- 55. Western Australian Land Information Authority (Landgate);
- 56. Western Australian Planning Commission;
- 57. Western Australian Sports Centre Trust (trading as VenuesWest);
- 58. Wheatbelt Development Commission; and
- 59. Zoological Parks Authority.

Note for Western Australia: For greater certainty, consistent with paragraph 11 of Article 16.8 (Qualification of Suppliers), in relation to procurements from the Department of Finance, Building Management and Works' Prequalification Scheme; and Main Road's National Prequalification System for Civil (Road and Bridge) Construction Contracts Scheme, requests for participation in a procurement from suppliers not already prequalified at the time of tender release will not be considered due to the time and complexity involved in assessing requests. This does not preclude suppliers from applying at any time to become prequalified. Prequalification ensures the financial security of building and construction contractors and does not discriminate between local suppliers and the suppliers of the other Party.

Note to Section B:

1. Chapter 16 (Government Procurement) only covers those entities listed in this Section.

Section C – All Other Entities

Thresholds:

Unless otherwise specified, Chapter 16 (Government Procurement) covers procurement by entities listed in this Section, subject to the following thresholds:

Goods	SDR 400,000
Services	SDR 400,000
Construction Services	SDR 5,000,000

List of Entities:

- 1. Australian Digital Health Agency;
- 2. Australian Human Rights Commission;
- 3. Australian Institute of Health and Welfare;
- 4. Australian Institute of Marine Science;
- 5. Australian Maritime Safety Authority;
- 6. Australian National Maritime Museum;
- 7. Australian Nuclear Science and Technology Organisation;
- 8. Australian Pesticides and Veterinary Medicines Authority;
- 9. Australian War Memorial;
- 10. Comcare;
- 11. Commonwealth Scientific and Industrial Research Organisation;
- 12. Director of National Parks;
- 13. Export Finance and Insurance Corporation;
- 14. Grains Research and Development Corporation;
- 15. Independent Hospital Pricing Authority;
- 16. Murray-Darling Basin Authority;
- 17. National Gallery of Australia;
- 18. National Museum of Australia;
- 19. National Portrait Gallery of Australia;
- 20. Old Parliament House;
- 21. Regional Investment Corporation;
- 22. Reserve Bank of Australia;
- 23. Sydney Harbour Federation Trust; and
- 24. Tourism Australia.

Notes to Section C:

- 1. Chapter 16 (Government Procurement) only covers those entities listed in this Section.
- 2. Chapter 16 (Government Procurement) does not cover the procurement of telecommunications services by the Australian War Memorial.

Section D – Goods

- 1. Unless otherwise specified, Chapter 16 (Government Procurement) covers procurement of all goods by the entities listed in Sections A, B and C.
- 2. Chapter 16 (Government Procurement) does not cover the procurement of blood and blood-related products, including plasma derived products.

Section E – Services

- 1. Unless otherwise specified, Chapter 16 (Government Procurement) covers all services procured by the entities listed in Sections A, B and C.
- 2. Chapter 16 (Government Procurement) does not cover the procurement of:
 - (a) plasma fractionation services;
 - (b) government advertising services;
 - (c) health and welfare services; and
 - (d) research and development services.

Section F – Construction Services

Chapter 16 (Government Procurement) applies to procurement of all construction services in Division 51 of the Provisional Central Product Classification (CPC Prov.) and the Services Sectoral Classification List published by the WTO (WTO document MTN.GNS/W/120), procured by the entities listed in Sections A, B and C, unless otherwise specified in Chapter 16 (Government Procurement), including in this Schedule.

Section G – General Notes

The following General Notes apply without exception to Chapter 16 (Government Procurement), including all Sections of this Schedule.

- 1. Chapter 16 (Government Procurement) does not apply to:
 - (a) any form of preference to benefit small and medium enterprises;
 - (b) measures to protect national treasures of artistic, historic, or archaeological value;
 - (c) measures for the health and welfare of Indigenous people;
 - (d) measures for the economic and social advancement of Indigenous people; and
 - (e) procurement of goods and services outside the territory of the procuring Party for consumption outside the territory of the procuring Party.
- 2. For greater certainty:
 - (a) Chapter 16 (Government Procurement) does not apply to procurement funded by grants and sponsorship payments received from persons not listed in Section A, B and C;
 - (b) Chapter 16 (Government Procurement) does not apply to procurement by a procuring entity from another government entity; and
 - (c) a procuring entity may use limited tendering procedures for unsolicited innovative proposals under paragraph 1 of Article 16.12 (Limited Tendering).

Section H – Threshold Adjustment Formula

- 1. The thresholds shall be adjusted in every even-numbered year with each adjustment taking effect on 1 January, beginning on 1 January of the first even numbered year after the date of entry into force of this Agreement for Australia.
- 2. Every two years, Australia shall calculate and convert the value of the thresholds under Chapter 16 (Government Procurement) expressed in Australian dollars. These calculations shall be based on the conversion rates published by the International Monetary Fund in its monthly *International Financial Statistics*.
- 3. The conversion rates shall be the average of the daily values of the Australian dollar in terms of the Special Drawing Rights (SDR) over the two-year period preceding 1 October or 1 November of the year before the adjusted thresholds are to take effect, and rounded to the nearest thousand Australian dollars.
- 4. Australia shall notify the United Kingdom of the current thresholds in its currency immediately after this Agreement enters into force, and the adjusted thresholds in its currency thereafter in a timely manner.
- 5. Australia shall consult if a major change in its national currency relative to the SDR or to the national currency of the United Kingdom were to create a significant problem with regard to the application of Chapter 16 (Government Procurement).

Section I – Procurement Information

All information required by Article 16.5 (Information on the Procurement System) is published in Appendices II and III of the *Agreement* on *Government Procurement*, as amended by the *Protocol Amending the Agreement on Government Procurement*, in Annex 4 to the WTO Agreement. These are accessible via the WTO Integrated Government Procurement Market Access Information (e-GPA) Portal, as follows:

- (a) <u>Appendix II</u> laws, regulations, judicial decisions, administrative rulings, contract clauses, and procedures regarding covered government procurement.
- (b) <u>Appendix III</u> procurement notices, multi-use lists of suppliers, and award information.