

ANNEX 16A : COVERAGE OF GOVERNMENT PROCUREMENT

Appendix 16A.1 : List of Entities

Schedule 1 : Central Government Entities which Procure in Accordance with Chapter 16 (Government Procurement) and its Annexes

1. Thresholds

Supplies

Specified in Schedule 1 of Appendix 16A.2

Thresholds SDR 100,000

Services

Services in Schedule 2 of Appendix 16A.2

Thresholds SDR 100,000

Construction Services

Specified in Schedule 3 of Appendix 16A.2

Thresholds SDR 5,000,000

2. Korea's List of Central Government Entities

- Board of Audit and Inspection
- Office of the Prime Minister
- Office for Government Policy Coordination
- Ministry of Gender Equality
- Ministry of Finance and Economy
- Ministry of Planning and Budget
- Financial Supervisory Commission
- Ministry of Unification
- Ministry of Government Administration and Home Affairs
- Civil Service Commission
- Ministry of Science and Technology
- Government Information Agency
- Government Legislation Agency
- Patriots and Veterans Administration Agency
- Ministry of Foreign Affairs and Trade

- Ministry of Justice
- Ministry of National Defense
- Ministry of Education and Human Resources Development
- Ministry of Culture and Tourism
- Cultural Properties Administration
- Ministry of Agriculture and Forestry
- Ministry of Commerce, Industry and Energy
- Ministry of Health and Welfare
- Food and Drug Administration
- Ministry of Labor
- Ministry of Construction and Transportation
- Ministry of Maritime Affairs and Fisheries
- Ministry of Information and Communications
- Ministry of Environment
- Public Procurement Service (limited to purchases for entities in this list only. Regarding procurement for entities in Schedule 2 and Schedule 3 in this list, the coverages and thresholds for such entities thereunder shall be applied.)
- National Tax Service
- Customs Service
- National Statistical Office
- Korea Meteorological Administration
- National Police Agency (except purchases for the purpose of maintaining public order)
- Supreme Public Prosecutors' Office
- Military Manpower Administration
- Rural Development Administration
- Forest Service
- Korean Intellectual Property Office
- Small and Medium Business Administration
- Korea National Railroad Administration (The Korean Government plans to change the NRA into a public corporation, in which case the Korean Government has the right to transfer the NRA from Schedule 1 to Schedule 3 without any consultation and/or compensatory measures.)
- National Maritime Police Agency (except purchases for the purpose of maintaining public order)

3. Singapore's List of Central Government Entities

- Auditor-General's Office
- Attorney-General's Office
- Cabinet Office
- Istana
- Judicature
- Ministry of Transport
- Ministry of Community Development and Sports
- Ministry of Education
- Ministry of Environment
- Ministry of Finance
- Ministry of Foreign Affairs
- Ministry of Health
- Ministry of Home Affairs
- Ministry of Information, Communications and the Arts
- Ministry of Manpower
- Ministry of Law
- Ministry of National Development
- Ministry of Trade and Industry
- Parliament
- Presidential Councils
- Prime Minister's Office
- Public Service Commission
- Ministry of Defence

This Chapter will generally apply to purchases by the Singapore Ministry of Defence of the following FSC categories (others being excluded) subject to the Government of Singapore's determinations under the provision of paragraph 1 of Article XXIII, the GPA.

FSC Description

- 22 Railway Equipment
- 23 Ground Effect Vehicles, Motor Vehicles, Trailers and Cycles
- 24 Tractors
- 25 Vehicular Equipment Components
- 26 Tires and Tubes
- 29 Engine Accessories

- 30 Mechanical Power Transmission Equipment
- 31 Bearings
- 32 Woodworking Machinery and Equipment
- 34 Metalworking Machinery
- 35 Service and Trade Equipment
- 36 Special Industry Machinery
- 37 Agricultural Machinery and Equipment
- 38 Construction, Mining, Excavating and Highway Maintenance Equipment
- 39 Materials Handling Equipment
- 40 Rope, Cable, Chain and Fittings
- 41 Refrigeration, Air Conditioning and Air Circulating Equipment
- 42 Fire Fighting, Rescue and Safety Equipment
- 43 Pumps and Compressors
- 44 Furnace, Steam Plant and Drying Equipment
- 45 Plumbing, Heating and Sanitation Equipment
- 46 Water Purification and Sewage Treatment Equipment
- 47 Pipe, Tubing, Hose and Fittings
- 48 Valves
- 51 Hand-tools
- 52 Measuring Tools
- 53 Hardware and Abrasives
- 54 Prefabricated Structures and Scaffolding
- 55 Lumber, Millwork, Plywood and Veneer
- 56 Construction and Building Materials
- 61 Electric Wire, and Power and Distribution Equipment
- 62 Lighting, Fixtures and Lamps
- 63 Alarm, Signal and Security Detection Systems
- 65 Medical, Dental and Veterinary Equipment and Supplies
- 67 Photographic Equipment
- 68 Chemicals and Chemical Products
- 69 Training Aids and Devices
- 70 General Purpose Automatic Data Processing Equipment, Software, Supplies and Support Equipment
- 71 Furniture
- 72 Household and Commercial Furnishings and Appliances
- 73 Food Preparation and Serving Equipment
- 74 Office Machines, Text Processing Systems and Visible Record Equipment

- 75 Office Supplies and Devices
- 76 Books, Maps and other Publications
- 77 Musical Instruments, Phonographs and Home-Type Radios
- 78 Recreational and Athletic Equipment
- 79 Cleaning Equipment and Supplies
- 80 Brushes, Paints, Sealers and Adhesives
- 81 Containers, Packaging and Packing Supplies
- 83 Textiles, Leather, Furs, Apparel and Shoe Findings, Tents and Flags
- 84 Clothing, Individual Equipment, and Insignia
- 85 Toiletries
- 87 Agricultural Supplies
- 88 Live Animals
- 89 Subsistence
- 91 Fuels, Lubricants, Oils and Waxes
- 93 Non-metallic Fabricated Materials
- 94 Non-metallic Crude Materials
- 95 Metal Bars, Sheets and Shapes
- 96 Ores, Minerals, and their Primary Products
- 99 Miscellaneous

4. Notes to Schedule 1 of Appendix 16A.1

For Korea

- 1. The above central government entities include their subordinate linear organizations, special local administrative organs, and attached organs as prescribed in the Government Organization Act of Korea.
- 2. Chapter 16 (Government Procurement) and its Annexes do not apply to the products and services procured with a view to sale or to resale or to use in the production of goods or provision of services for sale.
- 3. Chapter 16 (Government Procurement) and its Annexes do not apply to the single tendering procurement including set-asides for small- and medium-sized businesses according to the Act Relating to Contracts to which the State is a Party and its Presidential Decree, and the procurement of agricultural, fishery and livestock

products according to the Food-grain Management Law, the Law Concerning Marketing and Price Stabilization of Agricultural and Fishery Products, and the Livestock Law.

4. The Defense Logistics Agency shall be considered as part of the Ministry of National Defense. Subject to the decision of the Korean Government under the provisions of paragraph 1, Article XXIII of the GPA, for MND purchases, this Agreement will generally apply to the following FSC categories only, and for services and construction services listed in Schedule 2 and Schedule 3 of Appendix 16A.2, it will apply only to those areas which are not related to national security and defense.

<u>FSC</u>	<u>Description</u>
2510	Vehicular cab, body, and frame structural components
2520	Vehicular power transmission components
2540	Vehicular furniture and accessories
2590	Miscellaneous vehicular components
2610	Tires and tubes, pneumatic, non-aircraft
2910	Engine fuel system components, non-aircraft
2920	Engine electrical system components, non-aircraft
2930	Engine cooling system components, non-aircraft
2940	Engine air and oil filters, strainers and cleaners, non-aircraft
2990	Miscellaneous engine accessories, non-aircraft
3020	Gears, pulleys, sprockets and transmission chain
3416	Lathes
3417	Milling machines
3510	Laundry and dry cleaning equipment
4110	Refrigeration equipment
4230	Decontaminating and impregnating equipment
4520	Space heating equipment and domestic water heaters
4940	Miscellaneous maintenance and repair shop specialized equipment
5120	Hand tools, non-edged, non-powered
5410	Prefabricated and portable buildings
5530	Plywood and veneer
5660	Fencing, fences and gates
5945	Relays and solenoids
5965	Headsets, handsets, microphones and speakers

5985	Antennae, waveguide, and related equipment
5995	Cable, cord, and wire assemblies: communication equipment
6505	Drugs and biologicals
6220	Electric vehicular lights and fixtures
6840	Pest control agents disinfectants
6850	Miscellaneous chemical, specialties
7310	Food cooking, baking, and serving equipment
7320	Kitchen equipment and appliances
7330	Kitchen hand tools and utensils
7350	Table ware
7360	Sets, kits, outfits, and modules food preparation and serving
7530	Stationery and record forms
7920	Brooms, brushes, mops, and sponges
7930	Cleaning and polishing compounds and preparations
8110	Drums and cans
9150	Oils and greases: cutting, lubricating, and hydraulic
9310	Paper and paperboard

For Singapore

1. Chapter 16 (Government Procurement) and its Annexes shall not apply to any procurement in respect of:
 - (a) construction contracts for chanceries abroad and headquarters buildings made by the Ministry of Foreign Affairs; and
 - (b) contracts made by the Internal Security Department, Criminal Investigation Department, Security Branch and Central Narcotics Bureau of the Ministry of Home Affairs as well as procurement that have security considerations made by the Ministry.
2. Chapter 16 (Government Procurement) and its Annexes shall not apply to any procurement made by a covered entity on behalf of a non-covered entity.

Schedule 2 : Sub-Central Government Entities which Procure in Accordance with Chapter 16 (Government Procurement) and its Annexes

1. Thresholds

Supplies

Specified in Schedule 1 of Appendix 16A.2

Thresholds SDR 200,000

Services

Services in Schedule 2 of Appendix 16A.2

Thresholds SDR 200,000

Construction Services

Specified in Schedule 3 of Appendix 16A.2

The current GPA thresholds for construction services will be maintained as an interim measure until the matter on the common thresholds has been resolved at the review meeting provided in this Agreement provided under Article 22.1. At this meeting, the WTO GPA revision on the thresholds may be considered.

2. Korea's List of Sub-Central Government Entities

- Seoul Metropolitan Government
- City of Busan
- City of Daegu
- City of Incheon
- City of Gwangju
- City of Daejon
- Kyonggi-do
- Gangwon-do
- Chungcheongbuk-do
- Chungcheongnam-do
- Gyeongsangbuk-do
- Gyeongsangnam-do
- Jeollabuk-do
- Jeollanam-do
- Jeju-do

3. Singapore's List of Sub-Central Government Entities

Not applicable for Singapore (Singapore does not have any Sub-Central Government)

4. Notes to Schedule 2 of Appendix I

For Korea

1. The above sub-central administrative government entities include their subordinate organizations under direct control and offices as prescribed in the Local Autonomy Law of the Republic of Korea.
2. Chapter 16 (Government Procurement) and its Annexes do not apply to the products and services procured with a view to sale or to resale or to use in the production of goods or provision of services for sale.
3. Chapter 16 (Government Procurement) and its Annexes do not apply to the single tendering procurement including set-asides for small-and-medium-sized businesses according to the Local Finance Law and its Presidential Decree.

Schedule 3 : All other Entities which Procure in Accordance with the Provisions of Chapter 16 (Government Procurement) and its Annexes

1. Thresholds

Supplies

Specified in Schedule 1 of Appendix 16A.2

Thresholds SDR 400,000

Services

Specified in Schedule 2 of Appendix 16A.2

The current GPA position for the services and services' thresholds of Schedule 3 entities will be maintained as an interim measure until the services and services'

thresholds matter on Schedule 3 entities have been resolved at the review meeting of this Agreement provided under Article 22.1. At this meeting, the WTO-GPA revision on the thresholds may be considered.

Construction Services

Specified in Schedule 3 of Appendix 16A.2

The current GPA thresholds for construction services will be maintained as an interim measure until the matter on the common thresholds has been resolved at the review meeting of this Agreement provided under Article 22.1. At this meeting, the WTO GPA revision on the thresholds may be considered.

2. Korea's List of All Other Entities

- Korea Development Bank
- Industrial Bank of Korea
- Korea Minting and Security Printing Corporation
- Korea Electric Power Corporation (except purchases of products in the categories of HS Nos. 8504, 8535, 8537 and 8544)
- Korea Coal Corporation
- Korea Resources Corporation
- Korea National Oil Corporation
- Korea General Chemical Corporation
- Korea Trade-Investment Promotion Agency
- Korea Highway Corporation
- Korea National Housing Corporation
- Korea Water Resources Corporation
- Korea Land Corporation
- Korea Agriculture and Rural Infrastructure Corporation
- Agricultural and Fishery Marketing Corporation
- Korea National Tourism Organization
- Korea Labor Welfare Corporation
- Korea Gas Corporation
- *Korea Telecom (except purchases of common telecommunications commodity products and telecommunications network equipment)

* Korea has applied to remove this entity at the WTO-GPA level. When the entity has

been removed at WTO GPA level, it would also be removed from the list in this Annex.

3. Singapore's All Other Entities

- Agency for Science, Technology and Research
- Board of Architects
- Civil Aviation Authority of Singapore
- Building and Construction Authority
- Economic Development Board
- Housing and Development Board
- Info-communications Development Authority of Singapore
- Inland Revenue Authority of Singapore
- International Enterprise Singapore
- Land Transport Authority of Singapore
- Jurong Town Corporation
- Maritime and Port Authority of Singapore
- Monetary Authority of Singapore
- Nanyang Technological University
- National Parks Board
- National University of Singapore
- Preservation of Monuments Board
- Professional Engineers Board
- Public Transport Council
- Sentosa Development Corporation
- Singapore Broadcasting Authority
- Singapore Tourism Board
- Standards, Productivity and Innovation Board
- Urban Redevelopment Authority

4. Notes to Schedule 3 of Appendix 16A.1

For Korea

1. Chapter 16 (Government Procurement) and its Annexes do not apply to the single tendering procurement including set-asides for small- and medium-sized businesses according to the Government Invested Enterprise Management Law and Accounting

Regulations on Government Invested Enterprise.

2. Chapter 16 (Government Procurement) and its Annexes do not apply to the products and services procured with a view to sale or to resale or to use in the production of goods or provision of services for sale.

For Singapore

1. Chapter 16 (Government Procurement) and its Annexes shall not apply to any procurement made by a covered entity on behalf of a non-covered entity.

Appendix 16A.2 : Scope of Supplies, Services and Construction Services

Schedule 1 : Supplies

1. For Korea

Subject to the General Notes to Korea in the GPA, Chapter 16 (Government Procurement) and its Annexes apply to all supplies covered unless otherwise specified in Schedules 1 through 3 of Appendix 16A.1.

2. For Singapore

This Chapter applies to all goods covered under Singapore's Appendix I, unless otherwise specified in Schedules 1 through 3 of Appendix 16A.1.

Schedule 2 : Services (other than construction services)

1. For Korea

Chapter 16 (Government Procurement) and its Annexes apply to the following services of the Universal List of Services, as contained in document MTN.GNS/W/120 (other services are to be excluded):

GNS/W/120	CPC	Description
1.A.b.	862	Accounting, auditing and bookkeeping services
1.A.c.	863	Taxation services
1.A.d.	8671	Architectural services
1.A.e.	8672	Engineering services
1.A.f.	8673	Integrated engineering services
1.A.g.	8674	Urban planning and landscape architectural services
1.B.a.	841	Consultancy services related to the installation of computer hardware
1.B.b.	842	Software implementation services
1.B.c.	843	Data processing services
1.B.d.	844	Data base services
1.B.e.	845	Maintenance and repair services of office machinery and equipment (including computers)
1.E.a.	83013	Rental/leasing services without operators relating to ships
1.E.b.	83104	Rental/leasing services without operators relating to aircraft
1.E.c.	83101, 83105*	Rental/leasing services without operators relating to other transport equipment (only passenger vehicles for less than fifteen passengers)
1.E.d.	83106, 83108, 83109 87107	Rental/leasing services without operators relating to other machinery and equipment Rental/leasing services without operator relating to construction machinery and equipment
1.F.a.	8711, 8719	Advertising agency services
1.F.b.	864	Market research and public opinion polling services
1.F.c.	865	Management consulting services

GNS/W/120	CPC	Description
1.F.d.	86601	Project management services
1.F.e.	86761*	Composition and purity testing and analysis services (only inspection, testing and analysis services of air, water, noise level and vibration level)
	86764	Technical inspection services
1.F.f.	8811*, 8812*	Consulting services relating to agriculture and animal husbandry
	8814*	Services incidental to forestry (excluding aerial fire fighting and disinfection)
1.F.g.	882*	Consulting services relating to fishing
1.F.h.	883*	Consulting services relating to mining
1.F.m.	86751, 86752	Related scientific and technical consulting services
1.F.n.	633, 8861	Maintenance and repair of equipment
	8862, 8863	
	8864, 8865	
	8866	
1.F.p.	875	Photographic services
1.F.q.	876	Packaging services
1.F.r.	88442*	Printing (screen printing, gravure printing, and services relating to printing)
1.F.s.	87909*	- Stenography services - Convention agency services
1.F.t.	87905	Translation and interpretation services
2.C.j.	7523*	On-line information and data-base retrieval
2.C.k.	7523*	Electronic data interchange
2.C.l.	7523*	Enhanced/value-added facsimile services including store and forward, store and retrieve
2.C.m.	-	Code and protocol conversion
2.C.n.	843*	On-line information and/or data processing (including transaction processing)
2.D.a.	96112*, 96113*	Motion picture and video tape production and distribution services (excluding those services for cable TV broadcasting)
2.D.e.	-	Record production and distribution services (sound recording)
6.A.	9401*	Refuse water disposal services (only collection and

GNS/W/120	CPC	Description
6.B.	9402*	treatment services of industrial waste water)
6.D.	9404*, 9405*	Industrial refuse disposal services (only collection, transport, and disposal services of industrial refuse)
	9406*, 9409*	Cleaning services of exhaust gases and noise abatement services (services other than construction work services)
11.A.b.	7212*	Environmental testing and assessment services (only environmental impact assessment services)
11.A.d.	8868*	International transport, excluding cabotage
11.F.b.	71233*	Maintenance and repair of vessels
	748*	Transportation of containerized freight, excluding cabotage
11.H.c		Freight transport agency services <ul style="list-style-type: none"> - Maritime agency services - Maritime freight forwarding services - Shipping brokerage services - Air cargo transport agency services - Customs clearance services
11.I.	-	Freight forwarding for rail transport

Note to Korean Schedule 2 of Appendix 16A.2.

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

2. For Singapore

The following services as contained in document MTN.GNS/W/120 are offered (others being excluded):

<u>CPC</u>	<u>Description</u>
641-643	Hotels and Restaurants (incl. catering)
7523	Electronic Mail
7523	Voice Mail
7523	On-Line Information and Database Retrieval
7523	Electronic Data Interchange
74710	Travel Agencies and Tour Operators

7472	Tourist Guide Services
7512	Courier Services
84100	Consultancy Services Related to the Installation of Computer Hardware
84210	Systems and Software Consulting Services
843	Data Processing Services
844	Database Services
862	Accounting, Auditing and Book-keeping Services
865	Management Consulting Services
8671	Architectural Services
8672	Engineering Services
874	Building-Cleaning Services
87905	Translation and Interpretation Services
932	Veterinary Services
96112	Motion Picture or Video Tape Production Services
96113	Motion Picture or Video Tape Distribution Services
96121	Motion Picture Projection Services
96122	Video Tape Projection Services
96311	Library Services
-	Biotechnology Services
-	Commercial Market Research
-	Exhibition Services
-	Interior Design Services, Excluding Architecture
-	Professional, Advisory and Consulting Services relating to Agriculture, Forestry, Fishing and Mining, Including Oilfield Services

Note to Singapore's Schedule 2 of Appendix 16A.2

The offer regarding services is subject to the limitations and conditions specified in the Government of Singapore's offer under the GATS negotiations.

Schedule 3 : Construction Services

1. For Korea

Chapter 16 (Government Procurement) and its Annexes apply to the following construction services of the Division 51 of the Central Product Classification (other services are to be excluded).

List of construction services offered:

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

2. For Singapore

The following construction services in the sense of Division 51 of the Central Product Classification as contained in document MTN.GNS/W/120 are offered (others being excluded):

<u>CPC</u>	<u>Description</u>
512	General construction work for buildings
513	General construction work for civil engineering
514, 516	Installation and assembly work
517	Building completion and finishing work
511, 515, 518	Others

Note to Singapore's Annex 3 of Appendix 16A.2

1. The offer regarding construction services is subject to the limitations and conditions specified in the Government of Singapore's offer under the GATS negotiations.

Appendix 16A.3 : General Notes

NIL