

PROPOSED MODIFICATIONS TO APPENDIX I OF JAPAN

Notification from Japan under Article XXIV:6(a)¹ of the GPA

The following notification from the Permanent Mission of Japan was received on 30 September 2003 with the request that it be circulated to the Parties to the Agreement on Government Procurement.

1. Pursuant to Article XXIV, paragraph 6(a) of the WTO Agreement on Government Procurement (GPA), the Government of Japan wishes to notify the Committee on Government Procurement of the following modifications of a purely formal nature with regard to Annex 3 of Appendix I of the GPA:

- (a) delete the following from the "List of Entities" and the "List of Entities which procure the services, specified in Annex 4":

Group A:

- Social Welfare and Medical Service Corporation
- Japan Institute of Labour;

- (b) add the following to the "List of Entities" and the "List of Entities which procure the services, specified in Annex 4":

Group A:

- Welfare and Medical Service Agency
- The Japan Institute for Labour Policy and Training.

¹ Article XXIV:6(a) reads as follows: "Rectifications, transfers of an entity from one Annex to another or, in exceptional cases, other modifications relating to Appendices I through IV shall be notified to the Committee, along with information as to the likely consequences of the change for the mutually agreed coverage provided in this Agreement. If the rectifications, transfers or other modifications are of a purely formal or minor nature, they shall become effective provided there is no objection within 30 days. In other cases, the Chairman of the Committee shall promptly convene a meeting of the Committee. The Committee shall consider the proposal and any claim for compensatory adjustments, with a view to maintaining a balance of rights and obligations and a comparable level of mutually agreed coverage provided in this Agreement prior to such notification. In the event of agreement not being reached, the matter may be pursued in accordance with the provisions contained in Article XXII."

2. The above modifications are the results of the following organizational changes relating to entities listed in Annex 3:

- (a) "Social Welfare and Medical Service Corporation" is to be abolished on 1 October 2003 and its remaining functions are to be assigned to "Welfare and Medical Service Agency";
- (b) "Japan Institute of Labour" is to be abolished on 1 October 2003 and its remaining functions are to be assigned to "The Japan Institute for Labour Policy and Training".

3. Attachment A² contains the proposed modifications to Annex 3 of Appendix I in red-line/strikeout form. Attachment B² indicates how Annex 3 of Appendix I would appear after the proposed modifications have been made.

² Attachments A and B are in English only.

ATTACHMENT A

JAPAN

ANNEX 3

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

Supplies

Threshold:

130 thousand SDR

List of Entities:

1. Group A

- Water Resources Development Public Corporation
- Japan Regional Development Corporation
- Japan Green Resources Corporation
- Japan National Oil Corporation (c)
- Japan Railway Construction Public Corporation (a) (d)
- New Tokyo International Airport Authority
- Japan Highway Public Corporation
- Metropolitan Expressway Public Corporation
- Hanshin Expressway Public Corporation
- Honshu-Shikoku Bridge Authority
- Urban Development Corporation (a)
- Japan Science and Technology Corporation
- Japan Nuclear Cycle Development Institute (b)
- Japan Environment Corporation
- Japan International Cooperation Agency
- ~~Social Welfare and Medical Service Corporation~~
- ~~Welfare and Medical Service Agency~~
- Government Pension Investment Fund
- Agriculture and Livestock Industries Corporation
- Metal Mining Agency of Japan (c)
- Japan Small and Medium Enterprise Corporation
- Postal Life Insurance Welfare Corporation
- Labour Welfare Corporation

- Employment and Human Resources Development Organization of Japan
- Okinawa Development Finance Corporation
- National Life Finance Corporation
- Agriculture, Forestry and Fisheries Finance Corporation
- Japan Finance Corporation for Small Business
- Housing Loan Corporation
- Japan Finance Corporation for Municipal Enterprises
- Development Bank of Japan
- Japan Bank for International Cooperation
- Teito Rapid Transit Authority (a)
- Japan Tobacco Inc.
- Hokkaido Railway Company (a)
- East Japan Railway Company (a)
- Central Japan Railway Company (a)
- West Japan Railway Company (a)
- Shikoku Railway Company (a)
- Kyushu Railway Company (a)
- Japan Freight Railway Company (a)
- Nippon Telegraph and Telephone Co. (f)
- Northern Territories Issue Association
- Japan Consumers Information Center
- Japan Atomic Energy Research Institute (b)
- RIKEN (The Institute of Physical and Chemical Research) (b)
- Pollution-Related Health Damage Compensation Association
- Fund for the Promotion and Development of the Amami Islands
- Japan Foundation
- The Japan Scholarship Foundation

9 May 2003 (WT/Let/446)

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Supplies (cont'd)

- | | |
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| <ul style="list-style-type: none"> - Japan Arts Council - Japan Society for the Promotion of Science - University of the Air Foundation - National Stadium and School Health Center of Japan - Social Insurance Medical Fee Payment Fund - Association for Welfare of the Mentally and Physically Handicapped - Japan Racing Association - Mutual Aid Association of Agriculture, Forestry and Fishery Corporation Personnel - The National Association of Racing - Farmers' Pension Fund - Japan Keirin Association - Japan External Trade Organization - Japan Motorcycle Racing Organization - New Energy and Industrial Technology Development Organization - Japan National Tourist Organization - Japan Institute of Labour - <u>The Japan Institute for Labour Policy and Training</u> - Mutual Aid Fund for Official Casualties and Retirement of Volunteer Firemen - Corporation for Advanced Transport and Technology (e) - The Promotion and Mutual Aid Corporation for Private Schools of Japan - Organization for Workers' Retirement Allowance Mutual Aid <p>2. Group B</p> <ul style="list-style-type: none"> - National Archives of Japan - Communications Research Laboratory - National Research Institute of Fire and Disaster - National Research Institute of Brewing - National Center for University Entrance Examinations - National Institute of Special Education - National Olympics Memorial Youth Center - National Women's Education Center - National Youth Houses - National Children's Centers - The National Institute for Japanese Language | <ul style="list-style-type: none"> - National Science Museum - National Institute for Materials Science - National Research Institute for Earth Science and Disaster Prevention - National Aerospace Laboratory of Japan - National Institute of Radiological Sciences - National Museum of Art - National Museum - National Research Institute for Cultural Properties - National Center for Teachers' Development - National Institute of Health and Nutrition - National Institute of Industrial Safety - National Institute of Industrial Health - Center for Food Quality, Labeling and Consumer Services - National Center for Seeds and Seedlings - National Livestock Breeding Center - Fertilizer and Feed Inspection Station - Agricultural Chemicals Inspection Station - National Farmers Academy - Forest Tree Breeding Center - National Salmon Resources Center - National Fisheries University - National Agricultural Research Organization - National Institute of Agrobiological Sciences - National Institute for Agro-Environmental Sciences - National Institute for Rural Engineering - National Food Research Institute - Japan International Research Center for Agricultural Sciences - Forestry and Forest Products Research Institute - Fisheries Research Agency - Research Institute of Economy, Trade and Industry - National Center for Industrial Property Information - Nippon Export and Investment Insurance - National Institute of Advanced Industrial Science and Technology - National Institute of Technology and Evaluation - Public Works Research Institute - Building Research Institute |
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Supplies (cont'd)

- National Traffic Safety and Environment Laboratory
- National Maritime Research Institute
- Port and Airport Research Institute
- Electronic Navigation Research Institute
- Civil Engineering Research Institute of Hokkaido
- Marine Technical College
- National Institute for Sea Training
- Schools for Seafarers Training
- Civil Aviation College
- National Institute for Environmental Studies
- Labor Management Organization for USFJ Employees
- National Agency for Vehicle Inspection
- National Statistics Center
- Japan Mint
- National Printing Bureau

Services

Threshold:

Construction services:

15,000 thousand SDR for entities in Group A
4,500 thousand SDR for entities in Group B

Architectural, engineering and other technical services covered by this Agreement:
450 thousand SDR

Other services: 130 thousand SDR

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

1. Group A

- Water Resources Development Public Corporation
- Japan Regional Development Corporation
- Japan Green Resources Corporation
- Japan National Oil Corporation (c)
- Japan Railway Construction Public Corporation (a) (d)

- New Tokyo International Airport Authority
- Japan Highway Public Corporation
- Metropolitan Expressway Public Corporation
- Hanshin Expressway Public Corporation
- Honshu-Shikoku Bridge Authority
- Urban Development Corporation (a)
- Japan Science and Technology Corporation
- Japan Nuclear Cycle Development Institute (b)
- Japan Environmental Corporation
- Japan International Cooperation Agency
- ~~Social Welfare and Medical Service Corporation~~
- ~~Welfare and Medical Service Agency~~
- Government Pension Investment Fund
- Agriculture and Livestock Industries Corporation
- Metal Mining Agency of Japan (c)
- Japan Small and Medium Enterprise Corporation
- Postal Life Insurance Welfare Corporation
- Labour Welfare Corporation
- Employment and Human Resources Development Organization of Japan
- Okinawa Development Finance Corporation
- National Life Finance Corporation
- Agriculture, Forestry and Fisheries Finance Corporation
- Japan Finance Corporation for Small Business
- Housing Loan Corporation
- Japan Finance Corporation for Municipal Enterprises
- Development Bank of Japan
- Japan Bank for International Cooperation
- Teito Rapid Transit Authority (a)
- Japan Tobacco Inc. (g)
- Hokkaido Railway Company (a)(g)
- East Japan Railway Company (a)(g)
- Central Japan Railway Company (a)(g)
- West Japan Railway Company (a)(g)
- Shikoku Railway Company (a)(g)
- Kyushu Railway Company (a)(g)
- Japan Freight Railway Company (a)(g)
- Nippon Telegraph and Telephone Co. (f)(g)
- Northern Territories Issue Association
- Japan Consumers Information Center

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Services (cont'd)

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| <ul style="list-style-type: none"> - Japan Atomic Energy Research Institute (b) - RIKEN (The Institute of Physical and Chemical Research) (b) - Pollution-Related Health Damage Compensation Association - Fund for the Promotion and Development of the Amami Islands - Japan Foundation - The Japan Scholarship Foundation - Japan Arts Council - Japan Society for the Promotion of Science - University of the Air Foundation - National Stadium and School Health Center of Japan - Social Insurance Medical Fee Payment Fund - Association for Welfare of the Mentally and Physically Handicapped - Japan Racing Association - Mutual Aid Association of Agriculture, Forestry and Fishery Corporation Personnel - The National Association of Racing - Farmers' Pension Fund - Japan Keirin Association - Japan External Trade Organization - Japan Motorcycle Racing Organization - New Energy and Industrial Technology Development Organization - Japan National Tourist Organization - Japan Institute of Labour - <u>The Japan Institute for Labour Policy and Training</u> - Mutual Aid Fund for Official Casualties and Retirement of Volunteer Firemen - Corporation for Advanced Transport and Technology (e) - The Promotion and Mutual Aid Corporation for Private Schools of Japan - Organization for Workers' Retirement Allowance Mutual Aid | <ul style="list-style-type: none"> - National Center for University Entrance Examinations - National Institute of Special Education - National Olympics Memorial Youth Center - National Women's Education Center - National Youth Houses - National Children's Centers - The National Institute for Japanese Language - National Science Museum - National Institute for Materials Science - National Research Institute for Earth Science and Disaster Prevention - National Aerospace Laboratory of Japan - National Institute of Radiological Sciences - National Museum of Art - National Museum - National Research Institute for Cultural Properties - National Center for Teachers' Development - National Institute of Health and Nutrition - National Institute of Industrial Safety - National Institute of Industrial Health - Center for Food Quality, Labeling and Consumer Services - National Center for Seeds and Seedlings - National Livestock Breeding Center - Fertilizer and Feed Inspection Station - Agricultural Chemicals Inspection Station - National Farmers Academy - Forest Tree Breeding Center - National Salmon Resources Center - National Fisheries University - National Agricultural Research Organization - National Institute of Agrobiological Sciences - National Institute for Agro-Environmental Sciences - National Institute for Rural Engineering - National Food Research Institute - Japan International Research Center for Agricultural Sciences - Forestry and Forest Products Research Institute |
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2. Group B

- National Archives of Japan
- Communications Research Laboratory
- National Research Institute of Fire and Disaster
- National Research Institute of Brewing

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Services (cont'd)

- Fisheries Research Agency
- Research Institute of Economy, Trade and Industry
- National Center for Industrial Property Information
- Nippon Export and Investment Insurance
- National Institute of Advanced Industrial Science and Technology
- National Institute of Technology and Evaluation
- Public Works Research Institute
- Building Research Institute
- National Traffic Safety and Environment Laboratory
- National Maritime Research Institute
- Port and Airport Research Institute
- Electronic Navigation Research Institute
- Civil Engineering Research Institute of Hokkaido
- Marine Technical College
- National Institute for Sea Training
- Schools for Seafarers Training
- Civil Aviation College
- National Institute for Environmental Studies
- Labor Management Organization for USFJ Employees
- National Agency for Vehicle Inspection
- National Statistics Center
- Japan Mint
- National Printing Bureau

Notes to Annex 3

1. Products and services procured with a view to resale or with a view to use in the production of goods for sale are not included.
2. This Agreement shall not apply to contracts to be awarded to co-operatives or associations in accordance with laws and regulations existing at the time of the entry into force of this Agreement for Japan.

3. This Agreement shall not apply to contracts which the entities in Group A award for purposes of their daily profit-making activities which are exposed to competitive forces in markets. This note shall not be used in a manner which circumvents the provisions of this Agreement.

4. Notes to specific entities:

- (a) Procurement related to operational safety of transportation is not included.
- (b) Procurement which could lead to the disclosure of information incompatible with the purpose of the Treaty on the Non-Proliferation of Nuclear Weapons or with international agreements on intellectual property rights is not included. Procurement for safety-related activities aiming at utilization and management of radioactive materials and responding to emergencies of nuclear installation is not included.
- (c) Procurement related to geological and geophysical survey is not included.
- (d) Procurement of advertising services, construction services and real estate services is not included.
- (e) Procurement of ships to be jointly owned with private companies is not included.
- (f) Procurement of public electrical telecommunications equipment and of services related to operational safety of telecommunications is not included.
- (g) Procurement of the services specified in Annex 4, other than construction services, is not included.

ATTACHMENT B

JAPAN

ANNEX 3

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

Supplies

Threshold:

130 thousand SDR

List of Entities:

1. Group A

- Water Resources Development Public Corporation
- Japan Regional Development Corporation
- Japan Green Resources Corporation
- Japan National Oil Corporation (c)
- Japan Railway Construction Public Corporation (a)(d)
- New Tokyo International Airport Authority
- Japan Highway Public Corporation
- Metropolitan Expressway Public Corporation
- Hanshin Expressway Public Corporation
- Honshu-Shikoku Bridge Authority
- Urban Development Corporation (a)
- Japan Science and Technology Corporation
- Japan Nuclear Cycle Development Institute (b)
- Japan Environment Corporation
- Japan International Cooperation Agency
- Welfare and Medical Service Agency
- Government Pension Investment Fund
- Agriculture and Livestock Industries Corporation
- Metal Mining Agency of Japan (c)
- Japan Small and Medium Enterprise Corporation
- Postal Life Insurance Welfare Corporation
- Labour Welfare Corporation
- Employment and Human Resources Development Organization of Japan
- Okinawa Development Finance Corporation
- National Life Finance Corporation
- Agriculture, Forestry and Fisheries Finance Corporation
- Japan Finance Corporation for Small Business
- Housing Loan Corporation
- Japan Finance Corporation for Municipal Enterprises
- Development Bank of Japan
- Japan Bank for International Cooperation
- Teito Rapid Transit Authority (a)
- Japan Tobacco Inc.
- Hokkaido Railway Company (a)
- East Japan Railway Company (a)
- Central Japan Railway Company (a)
- West Japan Railway Company (a)
- Shikoku Railway Company (a)
- Kyushu Railway Company (a)
- Japan Freight Railway Company (a)
- Nippon Telegraph and Telephone Co. (f)
- Northern Territories Issue Association
- Japan Consumers Information Center
- Japan Atomic Energy Research Institute (b)
- RIKEN (The Institute of Physical and Chemical Research) (b)
- Pollution-Related Health Damage Compensation Association
- Fund for the Promotion and Development of the Amami Islands
- Japan Foundation
- The Japan Scholarship Foundation

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Supplies (cont'd)

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2. Group B
- | |
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| <ul style="list-style-type: none"> - National Archives of Japan - Communications Research Laboratory - National Research Institute of Fire and Disaster - National Research Institute of Brewing - National Center for University Entrance Examinations - National Institute of Special Education - National Olympics Memorial Youth Center - National Women's Education Center - National Youth Houses - National Children's Centers - The National Institute for Japanese Language |
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Supplies (cont'd)

- National Traffic Safety and Environment Laboratory
- National Maritime Research Institute
- Port and Airport Research Institute
- Electronic Navigation Research Institute
- Civil Engineering Research Institute of Hokkaido
- Marine Technical College
- National Institute for Sea Training
- Schools for Seafarers Training
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- National Institute for Environmental Studies
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4,500 thousand SDR for entities in Group B

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Other services: 130 thousand SDR

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- Japan Green Resources Corporation
- Japan National Oil Corporation (c)
- Japan Railway Construction Public Corporation (a)(d)

- New Tokyo International Airport Authority
- Japan Highway Public Corporation
- Metropolitan Expressway Public Corporation
- Hanshin Expressway Public Corporation
- Honshu-Shikoku Bridge Authority
- Urban Development Corporation (a)
- Japan Science and Technology Corporation
- Japan Nuclear Cycle Development Institute (b)
- Japan Environmental Corporation
- Japan International Cooperation Agency
- Welfare and Medical Service Agency
- Government Pension Investment Fund
- Agriculture and Livestock Industries Corporation
- Metal Mining Agency of Japan (c)
- Japan Small and Medium Enterprise Corporation
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- Development Bank of Japan
- Japan Bank for International Cooperation
- Teito Rapid Transit Authority (a)
- Japan Tobacco Inc. (g)
- Hokkaido Railway Company (a)(g)
- East Japan Railway Company (a)(g)
- Central Japan Railway Company (a)(g)
- West Japan Railway Company (a)(g)
- Shikoku Railway Company (a)(g)
- Kyushu Railway Company (a)(g)
- Japan Freight Railway Company (a)(g)
- Nippon Telegraph and Telephone Co. (f)(g)
- Northern Territories Issue Association
- Japan Consumers Information Center

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Services (cont'd)

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 - RIKEN (The Institute of Physical and Chemical Research) (b)
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 - Japan Foundation
 - The Japan Scholarship Foundation
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 - University of the Air Foundation
 - National Stadium and School Health Center of Japan
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 - Association for Welfare of the Mentally and Physically Handicapped
 - Japan Racing Association
 - Mutual Aid Association of Agriculture, Forestry and Fishery Corporation Personnel
 - The National Association of Racing
 - Farmers' Pension Fund
 - Japan Keirin Association
 - Japan External Trade Organization
 - Japan Motorcycle Racing Organization
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 - Japan National Tourist Organization
 - The Japan Institute for Labour Policy and Training
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 - National Salmon Resources Center
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 - National Institute of Agrobiological Sciences
 - National Institute for Agro-Environmental Sciences
 - National Institute for Rural Engineering
 - National Food Research Institute
 - Japan International Research Center for Agricultural Sciences
 - Forestry and Forest Products Research Institute
2. Group B
- National Archives of Japan
 - Communications Research Laboratory
 - National Research Institute of Fire and Disaster
 - National Research Institute of Brewing

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Services (cont'd)

- Fisheries Research Agency
- Research Institute of Economy, Trade and Industry
- National Center for Industrial Property Information
- Nippon Export and Investment Insurance
- National Institute of Advanced Industrial Science and Technology
- National Institute of Technology and Evaluation
- Public Works Research Institute
- Building Research Institute
- National Traffic Safety and Environment Laboratory
- National Maritime Research Institute
- Port and Airport Research Institute
- Electronic Navigation Research Institute
- Civil Engineering Research Institute of Hokkaido
- Marine Technical College
- National Institute for Sea Training
- Schools for Seafarers Training
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- (e) Procurement of ships to be jointly owned with private companies is not included.
- (f) Procurement of public electrical telecommunications equipment and of services related to operational safety of telecommunications is not included.
- (g) Procurement of the services specified in Annex 4, other than construction services, is not included.