

ENMIENDAS DEL APÉNDICE I DEL JAPÓN

Notificaciones del Japón de conformidad con el apartado a) del párrafo 6 del artículo XXIV¹

El 9 de marzo de 2001 se recibió la siguiente notificación de la Misión Permanente del Japón, con la petición de que se distribuyera a las Partes en el Acuerdo sobre Contratación Pública (1994).

De conformidad con el apartado a) del párrafo 6 del artículo XXIV del Acuerdo sobre Contratación Pública, el Gobierno del Japón desea notificar al Comité de Contratación Pública la siguiente rectificación de carácter puramente formal al anexo 1 del apéndice I del Acuerdo sobre Contratación Pública.

Dicha rectificación es necesaria a causa de los siguientes cambios organizativos de las entidades del Gobierno central en el anexo 1 y de dos entidades en el anexo 3. La rectificación no modifica la cobertura mutuamente convenida estipulada en este Acuerdo.

- 1) Como parte de la reforma del Gobierno central del Japón, 90 compromisos del Gobierno dependientes en la actualidad de entidades del Gobierno central del anexo 1 serán dirigidos por Instituciones Administrativas Independientes (IAI). En virtud de las 60 leyes nuevas que establecen IAI individuales, dichas instituciones serán legalmente independientes del Gobierno central y podrán llevar a cabo sus compromisos (gestión de museos nacionales, institutos de investigación y centros de inspección, por ejemplo) de manera más efectiva, eficaz y transparente. (Véanse [sitio Web en inglés] http://www.mofa.go.jp/about/hq/central_gov/gist.html; [sitio Web en japonés] <http://www.kantei.go.jp/jp/chuo-syochu/>).

Dado que 57 de las 60 IAI* deben crearse y empezar a operar el 1º de abril de 2001, hemos decidido añadir dichas entidades al anexo 3 relativo a suministros y servicios (véanse las 57 entidades subrayadas en el Grupo B de la "Lista de entidades" y la "Lista de entidades que procuran los servicios, detalladas en el anexo 4" del anexo 3 del anexo A del presente documento) de manera que el Acuerdo se les pueda aplicar

¹ En el apartado a) del párrafo 6 del artículo XXIV se establece lo siguiente: "las rectificaciones, transferencias o enmiendas de otro tipo de carácter puramente formal o menores surtirán efecto a condición de que en un plazo de 30 días no se presente objeción a ellas. De no ser así, el Presidente del Comité convocará prontamente una reunión del Comité. El Comité examinará la propuesta y las posibles demandas de arreglos compensatorios, con el fin de mantener un equilibrio de derechos y obligaciones y un nivel comparable del alcance mutuamente convenido previsto en el presente Acuerdo antes de la notificación de que se trate. En caso de que no se llegue a un acuerdo, podrá llevarse adelante la cuestión con arreglo a las disposiciones del artículo XXII".

* Las otras tres IAI se crearán después del 1º de abril de 2001. En el futuro, el Japón notificará al Comité las rectificaciones similares del anexo 3 relativas a dichas IAI.

con los mismos valores de umbral y condiciones estipulados en el anexo 1 para entidades del Gobierno central.

Por lo tanto, deberán introducirse las modificaciones necesarias en relación con los valores de umbral para los servicios de construcción y la Nota 3 del anexo 3 y en relación con el anexo 5 y las notas generales como consecuencia de la inclusión en el anexo 3 de las 57 IAI (véanse las partes subrayadas o las páginas pertinentes del anexo A).

- 2) El "National Education Center "indicado en el anexo 3 será suprimido el 1º de abril de 2001 y no se creará ninguna entidad para sustituirlo. En consecuencia, se le debe eliminar de la "Lista de entidades" y la "Lista de entidades que procuran los servicios, detalladas en el anexo 4" del anexo 3.
- 3) La Pension Welfare Service Public Corporation incluida en el anexo 3 quedará suprimida el 1º de abril de 2001, y su función será transferida al Government Pension Investment Fund. En consecuencia, la Pension Welfare Service Public Corporation debe sustituirse por el Government Pension Investment Fund en la "Lista de entidades" y la "Lista de entidades que procuran los servicios, detalladas en el anexo 4" del anexo 3.

Así pues, deben corregirse siguiendo el anexo A de este documento (versión con rayas rojas) las páginas 1/4 a 4/4 del anexo 3; la página 1/1 del anexo 5; y la página 1/1 de las notas generales del apéndice I del Japón del documento WT/Let/330 del 1º de marzo de 2000. El anexo B muestra las páginas sustituidas del sistema de hojas amovibles con el aspecto que tendrán después de la aceptación de las presentes modificaciones.²

² Ambos anexos existen únicamente en inglés.

ATTACHMENT A

JAPAN

(Authentic in the English language only)

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
- 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)
- ¹ - 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

¹ Note by the Secretariat: Please note that this modification is not part of the present notification by Japan. It reflects the rectification circulated by the Secretariat in WT/Let/386, dated 16 March 2001.

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Supplies (cont'd)

- | | |
|---|---|
| <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 - 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 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 |
|---|---|
2. Group B
- | |
|---|
| <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
- Civil Aviation College
- National Institute for Environmental Studies

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
- 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
- ¹¹
- 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)

- | | |
|---|--|
| <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 - 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 |
|---|--|
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

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.

ANNEX 5

Construction Services

Definition:

A construction services contract is a contract which has as its objective the realization by whatever means of civil or building works, in the sense of Division 51 of the Central Product Classification (CPC).

List of Division 51, CPC:

All services listed in Division 51.

Threshold: 4,500 thousand SDR for entities set out in ANNEX 1;
15,000 thousand SDR for those in ANNEX 2; and
15,000 thousand SDR for those in Group A in ANNEX 3; and
4,500 thousand SDR for those in Group B in ANNEX 3.

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GENERAL NOTES

1. For goods and services (including construction services) of Canada and suppliers of such goods and services, this Agreement does not apply to procurement by the entities listed in Annexes 2 and 3 (except for those listed in Group B set out in Annex 3).
2. In case Parties do not apply Article XX to suppliers or service providers of Japan in contesting the award of contract by entities, Japan may not apply the Article to suppliers or service providers of the Parties in contesting the award of contracts by the same kind of entities.

ATTACHMENT B

JAPAN

(Authentic in the English language only)

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

- | | |
|--|---|
| <ul style="list-style-type: none"> - 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 - 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 | <ul style="list-style-type: none"> - 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)

- | | |
|---|---|
| <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 - 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 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 |
|---|---|
2. Group B
- | |
|---|
| <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
- Civil Aviation College
- National Institute for Environmental Studies

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
- 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)

- 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
 - 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
 - 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
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

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.

ANNEX 5

Construction Services

Definition:

A construction services contract is a contract which has as its objective the realization by whatever means of civil or building works, in the sense of Division 51 of the Central Product Classification (CPC).

List of Division 51, CPC:

All services listed in Division 51.

Threshold: 4,500 thousand SDR for entities set out in ANNEX 1;
15,000 thousand SDR for those in ANNEX 2; and
15,000 thousand SDR for those in Group A in ANNEX 3; and
4,500 thousand SDR for those in Group B in ANNEX 3.

GENERAL NOTES

1. For goods and services (including construction services) of Canada and suppliers of such goods and services, this Agreement does not apply to procurement by the entities listed in Annexes 2 and 3 (except for those listed in Group B set out in Annex 3).
2. In case Parties do not apply Article XX to suppliers or service providers of Japan in contesting the award of contract by entities, Japan may not apply the Article to suppliers or service providers of the Parties in contesting the award of contracts by the same kind of entities.
