

ANNEX 11-A

GOVERNMENT PROCUREMENT SCHEDULES

SCHEDULE OF NEW ZEALAND

SECTION A

CENTRAL GOVERNMENT ENTITIES

Unless otherwise specified, Chapter 11 (Government Procurement) covers procurement by entities listed in this Section, subject to the following thresholds:

Thresholds

Goods: SDR 134,000

Services: SDR 134,000

Construction Services: SDR 5,800,000

List of Entities	
1.	Crown Law Office
2.	Department of Conservation
3.	Department of Corrections
4.	Department of Internal Affairs
5.	Department of the Prime Minister and Cabinet
6.	Education Review Office
7.	Inland Revenue Department
8.	Land Information New Zealand
9.	Ministry of Business, Innovation and Employment
10.	Ministry of Defence
11.	Ministry of Education
12.	Ministry of Foreign Affairs and Trade
13.	Ministry of Health
14.	Ministry of Housing and Urban Development
15.	Ministry of Justice
16.	Ministry of Social Development
17.	Ministry of Transport
18.	Ministry for Culture and Heritage
19.	Ministry for the Environment
20.	Ministry for Pacific Peoples
21.	Ministry for Primary Industries
22.	Ministry for Regulation
23.	Ministry for Women
24.	New Zealand Customs Service
25.	Oranga Tamariki–Ministry for Children
26.	Public Service Commission
27.	Serious Fraud Office
28.	Social Investment Agency

29.	Statistics New Zealand
30.	Te Puni Kōkiri Ministry of Māori Development
31.	The Treasury

SECTION B OTHER ENTITIES

None.

SECTION C GOODS

Unless otherwise specified, Chapter 11 (Government Procurement) covers procurement of all goods by the entities listed in Section A, unless excluded under Section E.

SECTION D SERVICES

This chapter applies to all services listed in New Zealand's Schedule of Specific Commitments provided under Annex 9-C of Chapter 9 (Trade in Services) except the following procurements which are specifically excluded:

- (a) procurement of research and development services;
- (b) procurement of public health, education and welfare services;
- (c) all construction services listed in Division 51 of the Provisional Central Product Classification (CPC Prov.) as set out in document MTN.GNS/W/120;
and
- (d) procurements listed in Section E of this Schedule.

Notes to Section D

1. The procurement of services is subject to the limitations and conditions specified in New Zealand's schedule of specific commitments provided under Annex 9-C of Chapter 9 (Trade in Services).
2. Procurement by procuring entities covered under Section A of any of the services covered under this Section is a covered procurement under this Chapter only to the extent that the United Arab Emirates has covered that service under Section D (Services) of its Schedule (Annex 11-A: Government Procurement Schedule of the UAE).

SECTION E
GENERAL NOTES

1. The following general notes apply without exception to Chapter 11 (Government Procurement), including to Sections A through D.
2. Chapter 11 (Government Procurement) does not cover:
 - (a) procurement of goods or services in respect of contracts for construction, refurbishment, or furnishing of chanceries abroad;
 - (b) procurement of goods or services outside the territory of New Zealand for consumption outside the territory of New Zealand;
 - (c) commercial sponsorship arrangements;
 - (d) any procurement made by an entity covered under Section A to this Schedule on behalf of an organisation that is not an entity covered under this Chapter;
 - (e) procurement by an entity covered under Section A to this Schedule from another government entity;
 - (f) procurement of storage or hosting of government data and related services based on storage or processing outside the territory of New Zealand to protect government information;
 - (g) any procurement for the purposes of developing, protecting, or preserving national treasures of artistic, historic, archaeological value of cultural heritage;
 - (h) procurement that is of a commercial, industrial, or for profit nature; and
 - (i) all public private partnership contracts.
3. For greater certainty, a procuring entity may apply limited tendering procedures in relation to unsolicited unique proposals¹.
4. For greater certainty, governmental provision of goods and services to persons or governmental authorities not specifically covered under this Chapter is not covered.

¹ As defined and handled according to the New Zealand Government guidance document, "Unsolicited Unique Proposals – How to deal with uninvited bids" (May 2013), updated from time to time.

SECTION F TIME PERIODS

The minimum time period referred to in Article 11.14(2) for New Zealand is 10 days.

SECTION G MEDIA FOR PUBLICATION OF PROCUREMENT INFORMATION

Laws and regulations:

www.legislation.govt.nz

Online Procurement Portal:

www.gets.govt.nz

SECTION H THRESHOLD ADJUSTMENT FORMULA

1. The thresholds shall be adjusted in every even-numbered year with each adjustment taking effect on January 1, beginning on January 1 of the first even-numbered year after the date of entry into force of this Agreement for New Zealand.
2. Every two years, New Zealand shall calculate and publish the value of the thresholds under this Schedule expressed in New Zealand 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 New Zealand dollar in terms of the Special Drawing Rights (SDR) over the two-year period preceding October 1 of the year before the adjusted thresholds are to take effect.
4. New Zealand shall consult if a major change in its national currency relative to the SDR or to the national currency of another Party were to create a significant problem with regard to the application of Chapter 11 (Government Procurement).