

Text of the Canada–Ukraine Free trade agreement – Annex 10: Market access schedule of Canada

Annex 10-1: Central Government Entities

Unless otherwise specified, this Chapter covers procurement by entities listed in this Annex, subject to the following thresholds:

Thresholds:

130,000 SDRs – Goods

130,000 SDRs – Services

5,000,000 SDRs – Construction Services

List of Entities:

- 1. Atlantic Canada Opportunities Agency (on its own account)*
- 2. Canada Border Services Agency*
- 3. Canada Employment Insurance Commission*
- 4. Canada Industrial Relations Board*
- 5. Canada Revenue Agency*
- 6. Canada School of Public Service*
- 7. Canadian Centre for Occupational Health and Safety*
- 8. Canadian Food Inspection Agency*

9. *Canadian Human Rights Commission*
10. *Canadian Institutes of Health Research*
11. *Canadian Intergovernmental Conference Secretariat*
12. *Canadian International Trade Tribunal*
13. *Canadian Nuclear Safety Commission*
14. *Canadian Radio-television and Telecommunications Commission (on its own account)*
15. *Canadian Transportation Accident Investigation and Safety Board*
16. *Canadian Transportation Agency (on its own account)*
17. *Copyright Board*
18. *Correctional Service of Canada*
19. *Courts Administration Service*
20. *Department of Agriculture and Agri-Food*
21. *Department of Canadian Heritage*
22. *Department of Citizenship and Immigration*
23. *Department of Employment and Social Development*
24. *Department of Finance*
25. *Department of Fisheries and Oceans*
26. *Department of Foreign Affairs, Trade and Development*
27. *Department of Health*
28. *Department of Indian Affairs and Northern Development*

29. *Department of Industry*
30. *Department of Justice*
31. *Department of National Defence*
32. *Department of Natural Resources*
33. *Department of Public Safety and Emergency Preparedness*
34. *Department of Public Works and Government Services (on its own account)*
35. *Department of the Environment*
36. *Department of Transport*
37. *Department of Veterans Affairs*
38. *Department of Western Economic Diversification (on its own account)*
39. *Director of Soldier Settlement*
40. *Director, The Veterans' Land Act*
41. *Economic Development Agency of Canada for the Regions of Quebec*
42. *Immigration and Refugee Board*
43. *Library and Archives of Canada*
44. *National Battlefields Commission*
45. *National Energy Board (on its own account)*
46. *National Farm Products Council*
47. *National Research Council of Canada*

48. *Natural Sciences and Engineering Research Council*
49. *Northern Pipeline Agency (on its own account)*
50. *Office of Infrastructure of Canada*
51. *Office of the Auditor General*
52. *Office of the Chief Electoral Officer*
53. *Office of the Commissioner for Federal Judicial Affairs*
54. *Office of the Commissioner of Official Languages*
55. *Office of the Co-ordinator, Status of Women*
56. *Office of the Governor General's Secretary*
57. *Office of the Superintendent of Financial Institutions*
58. *Offices of the Information and Privacy Commissioners of
Canada*
59. *Parks Canada Agency*
60. *Parole Board of Canada*
61. *Patented Medicine Prices Review Board*
62. *Privy Council Office*
63. *Public Health Agency of Canada*
64. *Public Service Commission*
65. *Public Service Labour Relations and Employment Board*
66. *Registrar of the Supreme Court of Canada*
67. *Registry of the Competition Tribunal*
68. *Royal Canadian Mounted Police*

- 69. *Royal Canadian Mounted Police External Review Committee*
- 70. *Royal Canadian Mounted Police Public Complaints Commission*
- 71. *Shared Services Canada*
- 72. *Social Sciences and Humanities Research Council*
- 73. *Statistics Canada*
- 74. *Transportation Appeal Tribunal of Canada*
- 75. *Treasury Board of Canada Secretariat*

Note to Annex 10-1

No entity listed in Annex 10-1 has the power to create subordinate entities.

Annex 10-2: Other Entities

Unless otherwise specified, this Chapter covers procurement by the entities listed in this Annex, subject to the following thresholds:

Thresholds:

355,000 SDRs – Goods

355,000 SDRs – Services

5,000,000 SDRs – Construction Services

List of Federal Enterprises:

1. *Canada Post Corporation*

2. *Canadian Museum of History*
3. *Canadian Museum of Nature*
4. *Canadian Tourism Commission*
5. *Defence Construction (1951) Ltd.*
6. *National Capital Commission*
7. *National Gallery of Canada*
8. *National Museum of Science and Technology*
9. *Royal Canadian Mint*
10. *Via Rail Canada Inc.*

Notes to Annex 10-2

1. For greater certainty, Article 10.17 (Disclosure of Information) applies to procurements by Via Rail Canada Inc. and the Royal Canadian Mint, respecting the protection of the commercial confidentiality of information provided.
2. This Chapter does not include procurement by or on behalf of the Royal Canadian Mint of direct inputs for use in minting anything other than Canada legal tender.

Annex 10-3: Goods

1. Unless otherwise specified and subject to paragraph 2, this Chapter covers all goods.

2. Subject to the application of Article 10.4.1 of this Chapter, with respect to procurement by the Department of National Defence, the Royal Canadian Mounted Police, and the Department of Fisheries and Oceans for the Canadian Coast Guard, this Chapter covers only the goods described in the Federal Supply Classifications (FSC) listed below:

- FSC 22. Railway equipment*
- FSC 23. Motor vehicles, trailers and cycles (except buses in 2310 and except military trucks and trailers in 2320 and 2330 and tracked combat, assault and tactical vehicles in 2350 and wheeled combat, assault and tactical vehicles in 2355 formerly classified in 2320)*
- FSC 24. Tractors*
- FSC 25. Vehicular equipment components*
- FSC 26. Tires and tubes*
- FSC 29. Engine accessories*
- FSC 30. Mechanical power transmission equipment*
- FSC 32. Woodworking machinery and equipment*
- FSC 34. Metal working machinery*
- FSC 35. Service and trade equipment*
- FSC 36. Special industry machinery*
- FSC 37. Agricultural machinery and equipment*

- FSC 38. Construction, mining, excavating and highway maintenance equipment
- FSC 39. Materials handling equipment
- FSC 40. Rope, cable, chain and fittings
- FSC 41. Refrigeration and air conditioning equipment
- FSC 42. Fire fighting, rescue and safety equipment (except 4220: Marine lifesaving and diving equipment; and 4230: Decontaminating and impregnating equipment)
- FSC 43. Pumps and compressors
- FSC 44. Furnace, steam plant, drying equipment and nuclear reactors
- FSC 45. Plumbing, heating and sanitation equipment
- FSC 46. Water purification and sewage treatment equipment
- FSC 47. Pipe, tubing, hose and fittings
- FSC 48. Valves
- FSC 49. Maintenance and repair shop equipment
- FSC 52. Measuring tools
- FSC 53. Hardware and abrasives
- FSC 54. Prefabricated structures and scaffolding
- FSC 55. Lumber, millwork, plywood and veneer
- FSC 56. Construction and building materials
- FSC 61. Electric wire and power and distribution equipment

- FSC 62. Lighting fixtures and lamps
- FSC 63. Alarm and signal systems
- FSC 65. Medical, dental and veterinary equipment and supplies
- FSC 66. Instruments and laboratory equipment (except 6615: Automatic pilot mechanisms and airborne Gyro components; and 6665: Hazard detecting instruments and apparatus)
- FS 67. Photographic equipment
- FSC 68. Chemicals and chemical products
- FSC 69. Training aids and devices
- FSC 70. General purpose automatic data processing equipment, software, supplies and support equipment (except 7010: Automatic Data Processing Equipment (ADPE) configurations)
- FSC 71. Furniture
- FSC 72. Household and commercial furnishings and appliances
- FSC 73. Food preparation and serving equipment
- FSC 74. Office machines, text processing system and visible record equipment
- FSC 75. Office supplies and devices
- FSC 76. Books, maps and other publications (except 7650: drawings and specifications)
- FSC 77. Musical instruments, phonographs and home-type radios

- FSC 78. Recreational and athletic equipment
- FSC 79. Cleaning equipment and supplies
- FSC 80. Brushes, paints, sealers and adhesives
- FSC 81. Containers, packaging and packing supplies
- FSC 85. Toiletries
- FSC 87. Agricultural supplies
- FSC 88. Live animals
- FSC 91. Fuels, lubricants, oils and waxes
- FSC 93. Non-metallic fabricated materials
- FSC 94. Non-metallic crude materials
- FSC 96. Ores, minerals and their primary products
- FSC 99. Miscellaneous

Annex 10-4: Services

Unless otherwise specified, this Chapter covers the services listed below.

The subject matter of construction services is addressed in Annex 10-5. The services listed in this Annex and Annex 10-5 are identified in accordance with the United Nations Provisional Central Product Classification (CPC Prov.), which may be found at: [UN Classifications Registry](#)

<i>Description</i>		<i>CPC Prov. Reference No</i>
1.	<i>Repair services of personal and household goods</i>	<i>633</i>
2.	<i>Hotel and similar accommodation services</i>	<i>641</i>
3.	<i>Food and beverage serving services</i>	<i>642-643</i>
4.	<i>Travel agency and tour operator services</i>	<i>7471</i>
5.	<i>Commercial courier services (including multi-modal)</i>	<i>7512</i>
6.	<i>Electronic data interchange (EDI)</i>	<i>7523</i>
7.	<i>Electronic mail</i>	<i>7523</i>
8.	<i>Enhanced/value-added facsimile services, including store and forward, store and retrieve</i>	<i>7523</i>
9.	<i>Code and protocol conversion</i>	<i>-</i>
10.	<i>On-line information and data base retrieval</i>	<i>7523</i>
11.	<i>Voice mail</i>	<i>7523</i>
12.	<i>Real estate services involving own or leased property</i>	<i>821</i>
13.	<i>Real estate services on a fee or contract basis</i>	<i>822</i>
14.	<i>Leasing or rental services concerning machinery</i>	<i>83106-83109</i>

<i>Description</i>		<i>CPC Prov. Reference No</i>
	<i>and equipment without operator</i>	<i>only</i>
15.	<i>Leasing or rental services concerning personal and household goods</i>	<i>83203-83209 only</i>
16.	<i>Consultancy services related to the installation of computer hardware</i>	<i>841</i>
17.	<i>Software implementation services, including systems and software consulting services, systems analysis, design, programming and maintenance services</i>	<i>842</i>
18.	<i>Data processing services, including processing, tabulation and facilities management services</i>	<i>843</i>
19.	<i>On-line information and/or data processing (including transaction processing)</i>	<i>843</i>
20.	<i>Data base services</i>	<i>844</i>
21.	<i>Maintenance and repair services of office machinery and equipment including computers</i>	<i>845</i>
22.	<i>Other computer services</i>	<i>849</i>
23.	<i>Legal Services (advisory services on foreign and</i>	<i>861</i>

<i>Description</i>		<i>CPC Prov. Reference No</i>
	<i>international law only)</i>	
24.	<i>Accounting, auditing and book-keeping services</i>	<i>862</i>
25.	<i>Taxation Services (excluding legal services)</i>	<i>863</i>
26.	<i>General management consulting services</i>	<i>86501</i>
27.	<i>Marketing management consulting services</i>	<i>86503</i>
28.	<i>Human resources management consulting services</i>	<i>86504</i>
29.	<i>Production management consulting services</i>	<i>86505</i>
30.	<i>Services related to management consulting (except 86602 Arbitration and conciliation services)</i>	<i>8660</i>
31.	<i>Architectural services</i>	<i>8671</i>
32.	<i>Engineering services</i>	<i>8672</i>
33.	<i>Integrated engineering services (excluding 86731 Integrated engineering services for transportation infrastructure turnkey projects)</i>	<i>8673</i>
34.	<i>Urban planning and landscape architectural</i>	<i>8674</i>

<i>Description</i>		<i>CPC Prov. Reference No</i>
	<i>services</i>	
35.	<i>Technical testing and analysis services including quality control and inspection (except with reference to FSC 58 and transportation equipment)</i>	8676
36.	<i>Building-cleaning services</i>	874
37.	<i>Packaging services</i>	876
38.	<i>Services incidental to forestry and logging, including forest management</i>	8814
39.	<i>Services incidental to mining, including drilling and field services</i>	883
40.	<i>Repair services incidental to metal products, machinery and equipment</i>	8861-8864, 8866
41.	<i>Sewage and refuse disposal, sanitation and similar services</i>	940

Notes to Annex 10-4:

1. Canada's coverage in telecommunications services is limited to enhanced or value added services for the supply of which the

underlying telecommunications facilities are leased from providers of public telecommunications transport networks.

2. This Chapter does not cover procurement of the following:

- (a) services for the management and operation of government facilities or privately-owned facilities used for government purposes, including federally-funded research and development;*
- (b) public utilities;*
- (c) architectural and engineering services related to airfield, communications and missile facilities;*
- (d) shipbuilding and repair and related architectural and engineering services;*
- (e) all services, with reference to those goods purchased by the Department of National Defence, the Royal Canadian Mounted Police and the Department of Fisheries and Oceans for the Canadian Coast Guard which are not covered by this Chapter; and*
- (f) services procured in support of military forces located overseas.*

Annex 10-5: Construction Services

1. Unless otherwise specified and subject to paragraph 2, this Chapter covers all construction services identified in Division 51 of the United Nations Provisional Central Product Classification (CPC Prov.).

2. This Chapter does not cover procurement of the following:

- (a) dredging services; and
- (b) construction services procured by or on behalf of the Department of Transport.

Annex 10-6: General Notes

The following General Notes apply to this Chapter, including to Annexes 10-1 through 10-5.

1. This Chapter does not cover procurement in respect of:

- (a) shipbuilding and repair, including related architectural and engineering services;
- (b) urban rail and urban transportation equipment, systems, components and materials incorporated therein as well as all project related materials of iron or steel;
- (c) communications, detection and coherent radiation equipment (FSC 58);
- (d) agricultural goods made in furtherance of agricultural support programmes or human feeding programmes;

- (e) an international crossing between Canada and another country, including the design, construction, operation or maintenance of the crossing as well as any related infrastructure; and
- (f) transportation services that form a part of, or are incidental to, a procurement contract.

2. This Chapter does not apply to:

- (a) any form of preference, including set asides, to benefit micro, small and medium enterprises; and
- (b) any measure adopted or maintained with respect to Aboriginal peoples, nor to set asides for aboriginal businesses; existing aboriginal or treaty rights of any of the Aboriginal peoples of Canada protected by section 35 of the *Constitution Act, 1982* are not affected by this Chapter.

3. For greater certainty, this Chapter shall be interpreted in accordance with the following:

- (a) procurement in terms of Canadian coverage is defined as contractual transactions to acquire goods or services for the direct benefit or use of the government. The procurement process is the process that begins after a procuring entity has decided on its

requirement and continues through to and including contract award. It does not include procurements between one government entity or government enterprise and another government entity or government enterprise;

- (b) if a contract to be awarded by a procuring entity is not covered by this Chapter, this Chapter shall not be construed to cover any good or service component of that contract;
- (c) any exclusion that is related either specifically or generally to a procuring entity will also apply to any successor entity or entities, in such a manner as to maintain the value of the coverage of Canada's Annexes to its Market Access for this Chapter;
- (d) this Chapter is subject to the terms and conditions set out in Canada's Schedule to the General Agreement on Trade in Services (GATS);
- (e) nothing in this Chapter shall be construed to prevent Canada, or its procuring entities, from adopting or maintaining any measure to protect confidential or otherwise protected information; and
- (f) this Chapter does not cover procurement by a procuring entity on behalf of another entity where the procurement would not be covered by this Chapter if it were conducted by the other entity itself.

Annex 10-7: Threshold Adjustment Formula

- 1. The thresholds expressed in Canada's national currency shall be adjusted at two-year intervals with each adjustment taking effect on January 1, beginning on January 1, 2018.*
- 2. The thresholds referred to in Annexes 10-1 and 10-2, shall be converted into Canada's national currency in accordance with Annex 3 of the Decisions on Procedural Matters under the WTO Agreement on Government Procurement by the WTO Committee on Government Procurement (GPA/1).*
- 3. Canada shall notify Ukraine in writing of Canada's adjusted thresholds converted into its national currency by January 15 of the year in which the adjusted thresholds take effect.*
- 4. If, during any year, a major change in the applicable currency of either Party creates a significant problem with regard to the application of this Chapter, the Parties shall consult to determine whether an interim adjustment is appropriate.*
- 5. The Parties shall agree on a suitable alternative threshold adjustment formula if:*

- (a) *Canada withdraws from the Annex to the WTO Protocol Amending the GPA (Revised GPA) pursuant to Article XXII of that Agreement; or*
- (b) *the Revised GPA is terminated; or*
- (c) *the threshold adjustment formula referenced in paragraph 2 is altered.*

Annex 10-8: Extended Transparency Commitments

The provisions of Article 10.4; Article 10.6; Articles 10.7.1 to 10.7.3; Article 10.8.3(b); Articles 10.9.14 and 10.9.15; Articles 10.10.7 and 10.10.11; Article 10.11.1; Articles 10.15.4 and 10.15.5; and Article 10.17, or the corresponding provisions incorporated pursuant Article 10.3, apply if:

- (a) *the procuring entity uses an open tendering process; and*
- (b) *the procurement is for goods, services or construction services in excess of CDN \$124,000 for Canada for entities listed in Annex 10-1 and is below the applicable thresholds in Annex 10-1 or otherwise excluded in Annexes 10-3, 10-4 or 10-5.*

Annex 10-9: Means of Publication

- (a) *Electronic or paper media utilized for the publication of laws, regulations, judicial decisions, administrative rulings of general application, standard contract clauses, and procedures regarding government procurement covered by this Chapter pursuant to Article 10.6*

1. Laws and Regulations:

- (a) Statutes of Canada;
- <https://laws.justice.gc.ca/>
- (b) Canada Gazette.
- <https://canadagazette.gc.ca/gazette/sp-pe-fra-eng.php>

2. Judicial Decisions:

- (a) Supreme Court Judgements;
- https://decisions.scc-csc.ca/scc-csc/scccsc/en/2013/nav_date.do
- (b) Federal Court Reports;
- <https://reports.fja-cmf.gc.ca/fja-cmf/en/nav.do>
- (c) Federal Court of Appeal;
- <https://www.fca-caf.gc.ca/>
- (d) Canadian International Trade Tribunal.
- <http://www.citt-tcce.gc.ca/>

3. Administrative Rulings and Procedures:

- (a) Government Electronic Tendering System (GETS);
- <https://buyandsell.gc.ca/>

- (b) Canada Gazette;
- <https://gazette.gc.ca/>
- (c) Contracting Policy.
- <https://www.tbs-sct.canada.ca/pol/doc%1eeng.aspx?id=14494§ion=text>
- (d) Electronic or paper media utilised for the publication of notices required by Articles 10.7, 10.9.7 and 10.16.2 pursuant to Article 10.6

4. Government Electronic Tendering System (GETS);

<https://buyandsell.gc.ca/procurement-data/tender-and-award-content-page-bookmarks-and-links>

5. MERX, Cebra Inc.

<http://www.merx.ca/>

- (a) Website address or addresses where the Party publishes procurement statistics

6. Purchasing Activity Report.

https://www.tbs-sct.canada.ca/pubs_pol/dcgpubs/con_data/siglisten.g.asp

Text of the Canada–Ukraine Free trade agreement – Annex 10: Market access schedule of Ukraine

Annex 10-1: Central Government Entities

Thresholds:

130 000 SDR – Goods

130 000 SDR – Services

5 000 000 SDR – Construction Services

List of Entities:

- 1. Office of the Verkhovna Rada (Parliament) of Ukraine;*
- 2. Administrative Department of the Secretariat of Government of Ukraine;*
- 3. Department for State Affairs;*
- 4. The Antimonopoly Committee of Ukraine;*
- 5. Office of General Prosecutor of Ukraine;*
- 6. Accounting Chamber of Ukraine;*
- 7. The Secretariat of Council for National Security and Defence of Ukraine;*
- 8. High Council of Justice;*

9. *Constitutional Court of Ukraine;*
10. *The Supreme Court of Ukraine;*
11. *Supreme Administrative Court of Ukraine;*
12. *Supreme Economic Court of Ukraine;*
13. *High Specialized Court of Ukraine for Civil and Criminal Cases;*
14. *Pension Fund of Ukraine;*
15. *National bank of Ukraine;*
16. *Ministry of Agrarian Policy and Food of Ukraine;*
17. *Ministry of Internal Affairs of Ukraine;*
18. *Ministry of Ecology and Natural Resources of Ukraine;*
19. *Ministry of Economic Development and Trade of Ukraine;*
20. *Ministry of Energy and Coal Industry of Ukraine;*
21. *Ministry of Foreign Affairs of Ukraine;*
22. *Ministry of Infrastructure of Ukraine;*
23. *Ministry of Culture of Ukraine;*
24. *Ministry of Youth and Sport of Ukraine;*
25. *Ministry of Defence of Ukraine;*
26. *Ministry of Education and Science of Ukraine;*
27. *Ministry of Healthcare of Ukraine;*
28. *Ministry of Regional Development, Construction and Housing
and Communal Services of Ukraine;*
29. *Ministry of Social Policy of Ukraine;*

30. Ministry of Finance of Ukraine;
31. Ministry of Justice of Ukraine;
32. Ministry of Information Policy of Ukraine;
33. State Administration for Courts of Ukraine;
34. State Aviation Administration of Ukraine;
35. State Archival Service of Ukraine;
36. State Enforcement Service of Ukraine;
37. State Treasury Service of Ukraine;
38. State Migration Service of Ukraine;
39. State Penitentiary Service of Ukraine;
40. State Regulatory Service of Ukraine;
41. State Registration Service of Ukraine;
42. State Service of Geology and Mineral Resources of Ukraine;
43. State Service of Export Control of Ukraine;
44. State Intellectual Property Service of Ukraine;
45. State Statistics Service of Ukraine;
46. State Service on medicine (drugs) and on Drug Control of
Ukraine;
47. State Service of Ukraine on Transport Security;
48. State Service of Ukraine on Food Safety and Consumer
Protection;

49. *State Service of Ukraine on Geodesy, Cartography and Cadastre;*
50. *State Service of Ukraine on Labour;*
51. *State Emergency Service of Ukraine;*
52. *State Service for Financial Monitoring of Ukraine;*
53. *State Fiscal Service of Ukraine;*
54. *State Service of Ukraine on Autonomous Republic of Crimea, Sevastopol city and Temporarily Displaced Persons;*
55. *State Service for Veterans and Members of the Antiterrorist Campaign of Ukraine;*
56. *State Agency of Roads of Ukraine;*
57. *State Water Resources Agency of Ukraine;*
58. *State Agency on Energy Efficiency and Energy Saving of Ukraine;*
59. *State Agency of Electronic Government of Ukraine;*
60. *State Agency of Forest Resources of Ukraine;*
61. *State Agency of Ukraine on Donbas Reconstruction;*
62. *State Agency of Reserves of Ukraine;*
63. *State Agency of Fisheries of Ukraine;*
64. *The State Agency of Ukraine for an Exclusion Zone (Chernobyl zone);*
65. *State Agency of Ukraine for Cinema;*

66. *State Space Agency of Ukraine;*
67. *State Architectural and Construction Inspection of Ukraine;*
68. *State Environmental Inspection of Ukraine;*
69. *State Inspection of Education in Ukraine;*
70. *State Inspection of Energy Supervision of Ukraine;*
71. *State Inspection of Nuclear Regulation of Ukraine;*
72. *State Financial Inspection of Ukraine;*
73. *Administration of the State Border Guard Service of Ukraine;*
74. *State Committee for Television and Radio Broadcasting of Ukraine;*
75. *State Property Fund of Ukraine;*
76. *Administration of the State Service for Special Communication and Information Protection of Ukraine;*
77. *National Agency of Ukraine on Civil Service;*
78. *Ukrainian Institute of National Memory;*
79. *National Council on Television and Radio of Ukraine;*
80. *National Commission for the State Regulation of Communications and Informatization of Ukraine;*
81. *National Commission for the State Regulation of Energy and Communal Utilities of Ukraine;*
82. *National Commission on Securities and Stock Market of Ukraine;*

- 83. *National Commission for the State Regulation of Financial Services Markets of Ukraine;*
- 84. *Social Insurance Fund for Temporary Disability;*
- 85. *Social Insurance Fund for Industrial Accidents;*
- 86. *Security Service of Ukraine;*
- 87. *Central Election Commission;*
- 88. *National Academy of Sciences of Ukraine;*
- 89. *National Academy of Medical Sciences of Ukraine;*
- 90. *National Academy of Agricultural Sciences of Ukraine.*

Annex 10-2: Other Entities

Thresholds:

400 000 SDR – Goods

400 000 SDR – Services

5 000 000 SDR – Construction Services

1. *Ukrainian State Enterprise of Post “UKRPOSHTA”;*
2. *State Administration of Railway Transport;*
3. *Utility Enterprise “Kyivskyi Metropoliten”;*
4. *State Enterprise “Dnipropetrovskyi Metropoliten”;*
5. *Utility Enterprise “Harkivskyi Metropoliten”;*
6. *State enterprise “International airport Boryspil”;*

7. Communal enterprise “Airport Vinnitsya”;
8. International airport “Dnipropetrovsk”;
9. Communal enterprise “International airport Zaporizhzhia”;
10. Communal enterprise “International airport Kyiv”;
11. Communal enterprise “International airport Kriviy Rig”;
12. State enterprise “International airport Lviv”;
13. Communal enterprise “International airport Mykolayiv”;
14. Communal enterprise “International airport Odesa”;
15. Communal enterprise “Airport Poltava”;
16. Communal enterprise “International airport Rivne”;
17. Communal enterprise “Airport Sumy”;
18. Communal enterprise “Airport Ternopol”;
19. Communal enterprise “International airport Uzhgorod”;
20. Communal enterprise “International airport Chernivtsi”;
21. Communal enterprise “Airport Kherson”;
22. Communal enterprise “Airport Cherkasy”.

Annex 10-3: Goods

The Chapter covers all goods procured by the entities included in Annexes 10-1 and 10-2.

Annex 10-4: Services

The Chapter covers all services procured by the entities included in Annexes 10-1 and 10-2 except for:

- (a) services of international mediation courts, international commercial arbitrages provided for consideration and resolution of disputes involving the procuring entity;*
- (b) services of financial institutions, including international financial institutions, related to the raising of credit resources and funds for the chartered capital by a procuring entity;*
- (c) research and development services identified in division 85 of the United Nations Provisional Central Product Classification (CPC Prov.), which may be found at: [UN Classifications Registry](https://unstats.un.org/unsd/cr/registry/default.asp?Lg=1);(https://unstats.un.org/unsd/cr/registry/default.asp?Lg=1)*
- (d) financial and related services identified in Division 81 of the United Nations Provisional Central Product Classification (CPC Prov.) procured or provided by the National Bank of Ukraine.*

Annex 10-5: Construction Services

The Chapter covers all construction services identified in Division 51 of the United Nations Provisional Central Product Classification (CPC Prov.) procured by the entities included in Annexes 10-1 and 10-2.

Annex 10-6: General Notes

1. This Chapter with respect to services and construction services is subject to the limitations and conditions specified in Ukraine's schedule of the *General Agreement on Trade in Services (GATS)*.

2. This Chapter shall not apply to the following procurement:

- (a) construction services procured by diplomatic representations abroad;
- (b) goods and services for the design, development and production of protected paper, banknotes, coins of Ukraine, their storage and the record-keeping thereof as well as personal identification documents, documents regarding special legal status, citizenship documents, including passports, and other documents requiring special security features or brands of paid excise tax pursuant to the laws of Ukraine and goods or services required for their manufacture.

Annex 10-7: Threshold Adjustment Formula

1. The thresholds expressed in Ukraine's national currency shall be adjusted at two-year intervals with each adjustment taking effect on January 1, beginning on January 1, 2018.

2. Ukraine shall calculate and convert the value of the thresholds into its own national currency using the conversion rate of its National Bank. The conversion rate will be the average of the daily values of the national currency in terms of the SDR over the two-year period preceding 1 October or 1 November of the year prior to the thresholds becoming effective.

3. Ukraine shall notify Canada in writing of Ukraine's adjusted thresholds converted into its national currency by January 15 of the year in which the adjusted thresholds take effect.

4. If, during any year, a major change in the applicable currency of either Party creates a significant problem with regard to the application of this Chapter, the Parties shall consult to determine whether an interim adjustment is appropriate.

5. The Parties shall agree on a suitable alternative threshold adjustment formula if:

- (a) Canada withdraws from the Annex to the WTO Protocol Amending the GPA (Revised GPA) pursuant to Article XXII of that Agreement; or
- (b) the Revised GPA ceases to exist; or
- (c) the threshold adjustment formula referenced in paragraph 2 is altered.

Annex 10-8: Extended Transparency Commitments

1. The provisions of Article 10.4, Article 10.6; Articles 10.7.1 to 10.7.3; Article 10.8.3(b); Articles 10.9.14 and 10.9.15; Articles 10.10.7 and 10.10.11; Article 10.11.1; Articles 10.15.4 and 10.15.5; and Article 10.17, or the corresponding provisions incorporated pursuant to Article 10.3, apply if:

- (a) the procuring entity uses an open tendering process; and
- (b) the procurement is for goods, services or construction services in excess of CDN\$124,000 in the national currency for Ukraine for entities listed in Annex 10-1 and is below the applicable thresholds in Annex 10-1 or otherwise excluded in Annexes 10-3, 10-4 or 10-5.

Annex 10-9: Means of Publication

Legislation and Jurisprudence: official website of the Parliament of Ukraine (<http://portal.rada.gov.ua/>) and the Ministry of Economic development and trade of Ukraine (<https://me.gov.ua/?lang=uk-UA>)(in Ukrainian and partially in English).

Notices of procurement: website on government procurement (in Ukrainian and partially in English):

[Ukrainian Public Procurements](#)

[\(https://ips.vdz.ua/\)](https://ips.vdz.ua/)

[Prozorro](#)

[\(https://prozorro.gov.ua/\)](https://prozorro.gov.ua/)