

CHAPTER 13: GOVERNMENT PROCUREMENT

ARTICLE 13.1

Objectives

1. The Parties recognise that government procurement laws, regulations, policies, practices, and procedures can be an impediment to trade in goods and services between the Parties inconsistent with the objectives of this Agreement.
2. The Parties shall work progressively to reduce and eliminate barriers to the supply of goods and services between the Parties arising from government procurement laws, regulations, policies, practices and procedures, and to increase transparency in government procurement.

ARTICLE 13.2

Procurement Principles

The Parties reaffirm their desire to promote and implement, to the extent possible:

- (a) the APEC Non-Binding Principles on Government Procurement relating to transparency, value for money, open and effective competition, fair dealing, accountability and due process, and non-discrimination; and
- (b) the APEC Transparency Standard for Government Procurement.³

ARTICLE 13.3

Exchange of Information on Government Procurement

1. The Parties shall exchange information in a timely manner on their respective government procurement policies, practices and procedures, including on any proposed reforms or alterations to their existing government procurement regimes.

³ As endorsed by the APEC Ministers Responsible for Trade in June 2004, and APEC Leaders in November 2004.

2. The Parties designate the following bodies to act as contact points for the exchange of information:

Thailand: Ministry of Finance, Comptroller General's Department, Public Procurement Management Office; and

New Zealand: Ministry of Economic Development, Regulatory and Competition Policy Branch.

3. The designated bodies shall also act as contact points for the exchange of information with suppliers of the other Party interested in procurement opportunities in particular sectors.

ARTICLE 13.4

Working Group

1. The Parties shall establish a Working Group consisting of government representatives of the Parties having responsibility for government procurement.

2. The Working Group shall meet or correspond regularly to discuss all relevant issues relating to government procurement, including the review of this Chapter.

ARTICLE 13.5

Future Negotiations

The Working Group shall report to the CEP Joint Commission within 12 months of the entry into force of this Agreement with recommendations on the commencement of bilateral negotiations to expand the application of this Chapter.

ARTICLE 13.6

Dispute Settlement

Chapter 17 shall not apply to this Chapter unless specifically authorised by the further negotiations mandated by Article 13.5.