

Chapter 15
Government Procurement

第15章 政府采购

Article 15.1: Definitions

For the purposes of this Chapter:

- (a) **build-operate-transfer contract and public works concession contract** mean any contractual arrangement the primary purpose of which is to provide for the construction or rehabilitation of physical infrastructure, plant, buildings, facilities, or other government owned works and under which, as consideration for a supplier’s execution of a contractual arrangement, a procuring entity grants the supplier, for a specified period of time, temporary ownership or a right to control and operate, and demand payment for, the use of such works for the duration of the contract;
- (b) **covered procurement** means a government procurement of goods, services including construction services, or both:
 - (i) by any contractual means, including purchase and rental or lease, with or without an option to buy , build-operate-transfer contracts and public works concessions contracts;
 - (ii) for which the value, as estimated in accordance with Article 15.5 equals or exceeds the relevant threshold specified in Annex 15-A;
 - (iii) that is conducted by a procuring entity;
 - (iv) is not excluded from coverage by this Agreement; and
 - (v) subject to the conditions specified in Annex 15-A;
- (c) **in writing or written** means any expression of information in words, numbers, or other symbols, including electronic expressions, that can be read, reproduced, and stored;
- (d) **international standard** means a standard that has been developed in conformity with the document referenced in Article 7.5 (International Standards – Technical Regulations, Standards and Conformity Assessment Procedures Chapter);
- (e) **limited tender procedure** means a procurement method where the procuring entity contacts a supplier or suppliers of its choice in accordance with Article 15.15;
- (f) **multi-use list** means a list of suppliers that a procuring entity has determined satisfy the conditions for participation in that list and that the procuring entity intends to use more than once;

第15.1条：定义

本章所称：

- (a) 建设-运营-移交合同和公共工程特许合同是指其主要目的是提供物理基础设施、工厂、建筑物、设施或其他政府所有工程的建设或修复的任何合同安排，在该合同安排下，作为供应商执行合同安排的对价，采购实体授予供应商在特定时间内临时所有权或控制及运营的权利，并要求在合同期间使用此类工程支付费用；
- (b) 受覆盖采购是指政府采购商品、服务（包括建筑服务）或两者：
 - (i) 通过任何合同方式，包括购买和租赁或租赁，以及有或无购买选择权的建设-运营-移交合同和公共工程特许合同； (ii) 其价值，根据第15.5条估算，等于或超过附件15-A中规定的相关阈值； (iii) 由采购实体进行的； (iv) 未被本协议排除在保障范围之外；并且 (v) 遵守附件15-A中规定的条件；
- (c) 书面形式或书面形式是指任何可以用文字、数字或其他符号表达的信息，包括电子表达，可以阅读、复制和存储；
- (d) 国际标准是指根据第7.5条（国际标准——技术法规、标准和合格评定程序章节）中引用的文件制定的标准；
- (e) 有限招标程序是指采购实体根据第15.15条联系其选择的供应商或供应商的采购方法；
- (f) 多用途供应商名单是指采购实体已确定满足该名单参与条件的供应商名单，并且采购实体打算多次使用该名单；

- (g) **offset** means any condition or undertaking that encourages local development or improves a Party’s balance of payments accounts such as the use of domestic content, the licensing of technology, investment, counter-trade and similar actions or requirements;
- (h) **open tender procedure** means those tendering procedures in which all interested suppliers may submit a tender;
- (i) **procuring entity** means an entity listed in Annex 15-A;
- (j) **publish** means to disseminate information in an electronic or paper medium that is distributed widely and is readily accessible to the general public;
- (k) **selective tender procedure** means those tendering procedures in which the procuring entity determines the suppliers that it will invite to submit tenders;
- (l) **supplier** means a person or group of persons that provides or could provide goods or services to a procuring entity; and
- (m) **technical specification** means a tendering requirement that:
 - (i) sets out the characteristics of:
 - (A) goods to be procured, including quality, performance, safety and dimensions, or the processes and methods for their production; or
 - (B) services to be procured, or the processes or methods for their provision, including any applicable administrative provisions;
 - (ii) addresses terminology, symbols, packaging, marking or labelling requirements, as they apply to a good or service; or
 - (iii) sets out conformity assessment procedures prescribed by a procuring entity.

Article 15.2: Scope and Coverage

- 1. This Chapter applies to any measure adopted or maintained by a Party regarding covered procurement.
- 2. This Chapter does not apply to:
 - (a) non-contractual agreements or any form of assistance provided by a Party, including grants, loans, equity infusions, fiscal incentives, subsidies, guarantees, cooperative agreements and sponsorship arrangements;

(g) 偏差补偿是指任何鼓励本地发展或改善一方国际收支账户的条件或承诺，例如使用国内含量、技术许可、投资、易货贸易和类似行动或要求；(h) 公开招标程序是指所有感兴趣的供应商都可以提交投标的招标程序；(i) 采购实体是指附件15-A中列出的实体；(j) 发布是指通过电子或纸质媒介传播信息，该媒介广泛分发且公众易于获取；(k) 选择性招标程序是指采购实体确定其将邀请提交投标的供应商的招标程序；(l) 供应商是指向采购实体提供或可能提供商品或服务的人或一组人；以及(m) 技术规格是指招标要求，包括：(i) 列出以下特征的特性：(A) 待采购商品，包括质量、性能、安全和尺寸，或其生产和方法的流程和方法；或(B) 待采购服务，或其提供的方法和流程，包括任何适用的行政管理规定；(ii) 涉及适用于商品或服务的术语、符号、包装、标记或标签要求；或(iii) 列出由采购实体规定的合格评定程序。

第15.2条：范围和覆盖范围

- 1. 本章适用于一方就受覆盖采购所采取或维持的任何措施。
- 2. 本章不适用于：(a) 非合同协议或一方提供的任何形式的援助

缔约方，包括拨款、贷款、股权注入、财政激励、补贴、担保、合作协议和赞助安排；

- (b) procurement for the direct purpose of providing foreign assistance;
- (c) procurement funded by international grants, loans or other assistance to the extent that the provision of such assistance is subject to conditions inconsistent with this Chapter;
- (d) public employment contracts;
- (e) procurement of a financial service as defined in Article 12.1(e) (Definitions – Financial Services Chapter).
- (f) procurement of goods and services by a procuring entity from another entity of the same Party, or between a procuring entity of a Party and a regional or local government of that Party, where no other supplier has been asked to tender;
- (g) procurement of goods and services outside the territory of the procuring Party, for consumption outside the territory of the procuring Party;
- (h) procurement funded by grants and/or sponsorship payments received from a person other than a procuring entity of a Party;
- (i) procurement of fiscal agency or depository services, liquidation and management services for regulated financial institutions, or services related to the sale, redemption and distribution of public debt, including loans and government bonds, notes, derivatives and other securities; or
- (j) the procurement or rental of land, existing buildings or other immovable property or rights thereon where not part of an arrangement for procurement of construction services.

Article 15.3: General Obligations

- 1. Each Party shall ensure that its procuring entities comply with this Chapter in conducting covered procurements.
- 2. No procuring entity may prepare, design, or otherwise structure or divide, in any stage of the procurement, any procurement in order to avoid the obligations of this Chapter.
- 3. Each Party shall apply to covered procurements of goods the rules of origin that it applies in the normal course of trade to those goods.

(b) 为直接提供外国援助而进行的采购；(c) 由国际拨款、贷款或其他援助资助的采购，但此类援助的提供受与本章不一致的条件约束；(d) 公共雇佣合同；(e) 根据第12.1(e)条（定义——金融服务章节）中定义的金融服务采购。(f) 采购实体从同一缔约方的另一实体或缔约方的采购实体与该缔约方的地区或地方政府之间的货物和服务采购，且未要求其他供应商投标；(g) 在采购缔约方的领土之外采购货物和服务，用于在采购缔约方的领土之外消费；(h) 由非缔约方采购实体从其他人处获得的拨款和/或赞助支付资助的采购；(i) 财政代理机构或存款服务、受监管金融机构的清算和管理服务，或与公债的出售、赎回和分配相关的服务，包括贷款和政府债券、票据、衍生品和其他证券；或(j) 采购或租赁土地、现有建筑物或其他不动产或相关权利，但并非用于建筑服务采购安排的一部分。

第十五条第三条：一般义务

- 1. 每在**进行受覆盖采购时**，~~在受覆盖采购时~~采购实体在开展受覆盖采购时遵守本章。
- 2. 任何采购实体都不得准备、设计或以其他方式构建或分割，在任何采购阶段，任何采购以避免本章的义务。在任何采购阶段，任何旨在规避本章节义务的采购。
- 3. 每一方应当将原产地规则适用于受覆盖采购的商品它在正常贸易过程中适用于那些商品。

Article 15.4: National Treatment and Non-Discrimination

1. Each Party shall accord to the goods, services and suppliers of the other Party treatment no less favourable than the most favourable treatment the Party accords to its own goods, services and suppliers.
2. Neither Party may:
 - (a) treat a locally established supplier less favourably than another locally established supplier on the basis of degree of foreign affiliation or ownership; or
 - (b) discriminate against a locally established supplier on the basis that the goods or services offered by that supplier for a particular procurement are goods or services of the other Party.
3. For greater clarity, all orders under contracts awarded for covered procurement, such as framework agreements or panel arrangements shall be subject to paragraphs 1 and 2.
4. The provisions of paragraphs 1 and 2 shall not apply to measures concerning customs duties and other charges of any kind imposed on, or in connection with, importation, the method of levying such duties and charges or other import regulations, including restrictions and formalities, and measures affecting trade in services other than measures governing covered procurement.

Article 15.5: Valuation of Contracts

1. In estimating the value of a procurement for the purpose of ascertaining whether it is a covered procurement, a procuring entity shall:
 - (a) take into account all forms of remuneration, including any premiums, fees, commissions, interest, other revenue streams that may be provided for under the contract and, where the procurement provides for the possibility of option clauses, the maximum total value of the procurement, inclusive of optional purchases; and
 - (b) without prejudice to paragraph 2, where the procurement is to be conducted in multiple parts, with contracts to be awarded at the same time or over a given period to one or more suppliers, base its calculation on the total maximum value of the procurement over its entire duration.
2. In the case of procurement by lease, rental, or hire purchase of goods or services, or procurement for which a total price is not specified, a procuring entity shall estimate the value on the basis of objective criteria or apply the following basis of valuation:

第15.4条：国民待遇和非歧视

1. 每一方应给予另一方的商品、服务和供应商不低于该缔约方给予其自身商品、服务和供应商的最优惠待遇的待遇。
2. 任何一方不得：
 - (a) 基于外国隶属关系或所有权的程度，将本地供应商与另一本地供应商相比对待得不利；或 (b) 基于该供应商为特定采购提供的商品或服务是另一方提供的商品或服务，而歧视本地供应商。
3. 为了更清晰，所有针对受覆盖采购授予合同的订单，例如框架协议或面板安排，均应受第1段和第2段约束。
4. 第1段和第2段的条款不适用于涉及关税和任何形式的进口相关其他费用的措施，包括征收此类关税和费用的方法或其他进口法规，包括限制和手续，以及影响服务贸易的措施，但不包括管理受覆盖采购的措施。

第15.5条：合同估值

1. 在估算采购价值以确定其是否为受覆盖采购的目的时，采购实体应当：
 - (a) 考虑所有形式的报酬，包括合同可能提供的任何溢价、费用、佣金、利息、其他收入来源，以及当采购提供选择条款的可能性时，采购的最大总价值，包括可选采购；以及 (b) 不受第2段规定的限制，当采购将分多部分进行，合同将在同一时间或特定期间内授予一个或多个供应商时，基于整个采购期间的总最大价值进行计算。
2. 在租赁、分期付款购买商品或服务，或未指定总价的采购情况下，采购实体应根据客观标准估算价值，或采用以下估值依据：

- (a) in the case of a fixed-term contract:
 - (i) where the term of the contract is 12 months or less, the total estimated maximum value for its duration; or
 - (ii) where the term of the contract exceeds 12 months, the total estimated maximum value, including any estimated residual value;
- (b) where the contract is for an indefinite period, the estimated monthly instalment multiplied by 48; and
- (c) where it is not certain whether the contract is to be a fixed-term contract subparagraph (b) shall be used.

3. Where the total estimated maximum value of a procurement over its entire duration is not known the procurement shall be a covered procurement, unless otherwise excluded under this Agreement.

Article 15.6: Prohibition of Offsets

A Party shall not seek, take account of, impose, or enforce offsets at any stage of a covered procurement.

Article 15.7: Publication of Procurement Measures

Each Party shall promptly publish its procurement laws, regulations, procedures and policy guidelines of general application relating to covered procurements, and any changes or additions to this information.

Article 15.8: Publication of Notice of Intended Procurement

- 1. In an open tendering procedure, a procuring entity shall publish a notice inviting interested suppliers to submit tenders (“notice of intended procurement”) in such a way as to be readily accessible to any interested supplier of the other Party for the entire period established for tendering.
- 2. Each notice of intended procurement shall include a description of the intended procurement, any conditions that suppliers must fulfil to participate in the procurement, the name of the procuring entity, the address where suppliers may obtain all documents relating to the procurement and the time limits for submission of tenders.
- 3. Where, in a selective tendering procedure, a procuring entity publishes a notice inviting applications for participation in a procurement, that notice shall be published in such a way as to be readily accessible to any interested supplier of the other Party.

- (a) 在固定期限合同的情况下：
 - (i) 合同期限为12个月或以下时，其期限的估计最高总价值；或
 - (ii) 合同期限超过12个月时，包括任何估计残值的估计最高总价值；
- (b) 合同期限为无限期时，估计月付款乘以48；以及 (c) 不能确定合同是否为固定期限合同时，应使用第 (b) 款。

3. 如果采购在其整个期限内的估计最高总价值未知，则该采购应为受覆盖采购，除非根据本协议另有规定。

第15.6条：禁止抵消

一方不得在任何受覆盖采购阶段寻求、考虑、强加或执行抵消。

第15.7条：采购措施的公布

每一方应当及时发布其关于受覆盖采购的通用适用采购法律、法规、程序和政策指南，以及对此信息的任何变更或补充。

第15.8条：意向采购通知的发布

- 1. 在公开招标程序中，采购实体应当以易于任何一方感兴趣的供应商获取的方式发布邀请感兴趣的供应商提交标书的通知（“意向采购通知”），并持续整个招标期间。
- 2. 每一份意向采购通知应当包括拟采购的描述、供应商必须满足以参与采购的任何条件、采购实体的名称、供应商可以获取所有与采购相关文件的地址以及提交标书的时间限制。
- 3. 在选择性招标程序中，如果采购实体发布通知邀请另一方感兴趣的供应商参与采购，该通知应以易于获取的方式发布。

Article 15.9: Procurement Plans

Each Party shall encourage its procuring entities to publish, prior to, or as early as possible in, each fiscal year, a notice regarding their procurement plans for that fiscal year that includes a description of each planned procurement and indicate the expected time of commencement of the related tender process.

Article 15.10: Time Limits

1. A procuring entity shall prescribe time limits for tendering that allow sufficient time for suppliers to prepare and submit responsive tenders, taking into account the nature and complexity of the procurement and the efficient operation of the procurement process. The time allowed for the submission of tenders shall not be set with the intention of causing a competitive disadvantage for suppliers of the other Party, or suppliers offering goods or services of the other Party, in submitting tenders in accordance with the requirements set out in the tender documentation.
2. Except as provided for in paragraphs 3 and 4, a procuring entity shall provide that the final date for the submission of tenders shall not be less than 30 days:
 - (a) from the date on which the notice of intended procurement is published; or
 - (b) where the procuring entity has used selective tendering, from the date on which the entity invites suppliers to submit tenders.
3. Under the following circumstances, a procuring entity may establish a time limit for tendering that is less than 30 days, provided that such time limit is sufficiently long to enable suppliers to prepare and submit responsive tenders and is in no case less than 10 days:
 - (a) where the procuring entity published a separate notice, including a notice of planned procurement under Article 15.9 at least 30 days and not more than 12 months in advance, and such separate notice contains:
 - (i) a description of the procurement;
 - (ii) the time limits for the submission of tenders or, where appropriate, applications for participation in a procurement; and
 - (iii) the address from which documents relating to the procurement may be obtained;
 - (b) where the procuring entity procures commercial goods or services that are sold or offered for sale to, and customarily purchased and used by, non-governmental buyers for non-governmental purposes, including

第15.9条：采购计划

每一方应鼓励其采购实体在每一财政年度之前或尽早发布关于该财政年度采购计划的通知，该通知应包括对每项计划采购的描述，并标明相关招标流程的预期开始时间。

第15.10条：时间限制

1. 采购实体应当为招标规定时间限制，以便供应商有足够的时间准备和提交响应性标书，并应考虑采购的性质和复杂性以及采购流程的高效运行。标书提交的时间限制不得设定为意图对另一方供应商或提供另一方商品或服务的供应商在按照投标文件中规定的要求提交标书时造成竞争劣势。
2. 除第3段和第4段的规定外，采购实体应当规定标书提交的最终日期不得少于30天：
 - (a) 从意向采购通知发布之日起；或 (b) 如果采购实体使用了选择性招标，从实体邀请供应商提交标书之日起。
3. 在以下情况下，采购实体可以设立少于30天的招标时间限制，但该时间限制应足够长，以便供应商能够准备和提交响应性标书，且在任何情况下不得少于10天：
 - (a) 当采购实体至少提前30天且不超过12个月发布单独的通知，包括第15.9条的计划采购通知时，且该单独通知包含：
 - (i) 采购的描述； (ii) 提交标书的时间限制，或在适当情况下，参与采购的申请时间限制；以及 (iii) 可以获取与采购相关文件的地址；
 - (b) 其中采购实体采购的商业货物或服务被出售或提供给非政府买家，且非政府买家习惯于为非政府目的购买和使用这些货物或服务，包括

goods and services with modifications customary in the commercial marketplace, as well as minor modifications not customarily available in the commercial marketplace;

- (c) in the case of second or subsequent publication of notices for procurement of a recurring nature;
- (d) where a state of urgency duly substantiated by the procuring entity renders impracticable the time limits specified in paragraph 2; or
- (e) when the intended procurement is for goods or services which can be easily and objectively specified and which reasonably imply less effort in the preparation and submission of responsive tenders.

4. A procuring entity may reduce the time limit for submission of a tender by up to five days when it:

- (a) publishes a notice of intended procurement in an electronic medium; or
- (b) in the context of a selective tendering procedure, issues an invitation to tender via an electronic medium;

and provides, to the extent practicable, the tender documentation via an electronic medium.

5. The application of paragraph 4 shall in no case result in the time limit for submissions being reduced to less than 10 days.

6. A procuring entity shall require all participating suppliers to submit tenders in accordance with a common deadline.

Article 15.11: Tender Documentation

1. A procuring entity shall provide on request to any supplier participating in a covered procurement or promptly publish, tender documentation that includes all the information necessary to permit suppliers to prepare and submit responsive tenders. The documentation shall include all criteria that the procuring entity will consider in awarding the contract.

2. Where a procuring entity, during the course of a covered procurement, modifies a notice or tender documentation provided to participating suppliers, it shall publish or transmit all such modifications in writing:

- (a) to all suppliers that are participating in the procurement at the time the notice or tender documentation is modified, if the identities of such suppliers are known, and in all other cases, in the same manner as the original information was transmitted; and

具有商业市场惯例修改的货物和服务，以及商业市场通常不提供的轻微修改；

- (c) 在拟采购具有周期性特征的采购时发布通知的再次或后续发布； (d) 采购实体充分证明紧急状态，导致第2段规定的时间限制无法执行；或(e) 拟采购的商品或服务可以轻松且客观地规定，并且合理地表明在准备和提交响应性标书方面需要较少的努力。

4. 当采购实体时，可将投标提交时间限制缩短最多五天：

- (a) 通过电子媒介发布意向采购通知；或(b) 在选择性招标程序的背景下，通过电子媒介发布投标邀请；

并提供，在切实可行的情况下，通过电子媒介提供投标文件。

第4段的适用在任何情况下均不得导致提交时间限制缩短至少于10天。

6. 采购实体应当要求所有参与供应商按照一个共同的截止日期提交投标。

第15.11条：投标文件

1. 采购实体应当应任何参与受覆盖采购的供应商的要求提供文件，或者及时发布投标文件，该文件包括所有必要的信息，以允许供应商准备和提交响应性标书。该文件应当包括采购实体在授予合同时考虑的所有标准。

2. 如果采购实体在受覆盖采购过程中修改提供给参与供应商的通知或投标文件，它应当以书面形式发布或传输所有此类修改：

- (a) 向所有在通知或投标文件修改时参与采购且身份已知的供应商，以及在其他所有情况下，以与原始信息相同的方式；和

(b) in adequate time to allow such suppliers to modify and re-submit their tenders, as appropriate.

3. A procuring entity shall promptly reply to any reasonable request for relevant information by a supplier participating in the procurement. A procuring entity may establish a reasonable time limit to request the relevant information.

4. Procuring entities shall not provide information with regard to a specific procurement in a manner which would have the effect of giving a potential supplier an unfair advantage over competitors.

Article 15.12: Technical Specifications

1. A procuring entity shall not prepare, adopt or apply any technical specification with the purpose or the effect of creating unnecessary obstacles to trade between the Parties.

2. In prescribing the technical specifications for the good or service being procured, a procuring entity shall:

- (a) specify the technical specifications, wherever appropriate, in terms of performance and functional requirements, rather than design or descriptive characteristics; and
- (b) base the technical specifications on relevant international standards, where such exist and are applicable to the procuring entity, except where the use of an international standard would fail to meet the procuring entity’s program requirements or would impose greater burdens than the use of a recognised national standard.

3. A procuring entity shall not prescribe technical specifications that require or refer to a particular trade mark or trade name, patent, copyright, design or type, specific origin or producer or supplier, unless there is no other sufficiently precise or intelligible way of otherwise describing the procurement requirements and provided that, in such cases, words such as “or equivalent” are included in the tender documentation.

4. A procuring entity shall not seek or accept, in a manner that would have the effect of precluding competition, advice that may be used in the preparation or adoption of any technical specification for a specific procurement from a person that may have a commercial interest in that procurement.

5. Notwithstanding paragraph 4, a procuring entity may:

- (a) conduct market research in developing specifications for a particular procurement; or
- (b) allow a supplier that has been engaged to provide design or consulting services to participate in procurements related to such services;

(b) 在适当的时间内，以便这些供应商能够修改并重新提交其标书。

3. 采购实体应当及时回复供应商参与采购提出的合理信息请求。采购实体可以设定合理的时间限制来请求相关信息。

4. 采购实体不得以可能使潜在供应商相对于竞争对手获得不公平优势的方式提供有关特定采购的信息。

第15.12条：技术规格

1. 采购实体不得制定、采纳或应用任何旨在或导致创建一方之间贸易不必要障碍的技术规格。

2. 在规定所采购货物或服务的技术规格时，采购实体应当：

- (a) 应当在适当情况下，以性能和功能要求，而不是设计或描述性特征来规定技术规格；以及 (b) 应当基于相关的国际标准来制定技术规格，只要这些标准存在并且适用于采购实体，除非使用国际标准将无法满足采购实体的项目要求，或者使用公认的国家标准负担更小。

3. 采购实体不得规定要求或引用特定商标、商号、专利、版权、设计或类型、特定来源或生产商或供应商的技术规格，除非没有其他足够精确或清晰的方式来描述采购要求，并且在这种情况下，投标文件中应包含“或同等”等词语。

4. 采购实体不得以排除竞争的方式寻求或接受建议，该建议可能被用于准备或采纳特定采购的技术规格，如果该人可能对该采购有商业利益。

5. 不论第4段的规定如何，采购实体可以：

- (a) 开展市场调研以制定特定采购的规范；或 (b) 允许已被聘用于提供设计或咨询服务之供应商参与与此类服务相关的采购；

provided it would not give any supplier an unfair advantage over other suppliers.

6. For greater clarity, this Article is not intended to preclude a procuring entity from preparing, adopting, or applying technical specifications to promote the conservation of natural resources and the environment.

Article 15.13: Conditions for Participation

1. A Party shall limit any conditions for participation in a covered procurement to those that ensure the supplier’s capability to fulfil the requirements of the procurement.

2. In assessing whether a supplier satisfies the conditions for participation, a Party:

- (a) shall evaluate the capabilities of a supplier on the basis of that supplier’s business activities both inside and outside the territory of the Party of the procuring entity;
- (b) shall base its determination solely on the conditions that a procuring entity has specified in advance in notices or tender documentation;
- (c) may not impose the condition that, in order for a supplier to participate in a procurement, the supplier has previously been awarded one or more contracts by a procuring entity of that Party or that the supplier has prior work experience in the territory of that Party; and
- (d) may require prior experience where relevant to meet the requirements of the procurement.

3. Nothing in this Article shall preclude a Party from excluding a supplier from a procurement on grounds such as:

- (a) bankruptcy;
- (b) false declarations; or
- (c) significant or persistent deficiencies in performance of any substantive requirement or obligation under a prior contract.

4. Where a Party requires suppliers to register or pre-qualify before being permitted to participate in a covered procurement that Party shall ensure that a notice inviting suppliers to apply for registration or pre-qualification is published sufficiently in advance of the procurement to allow for interested suppliers, including suppliers of the other Party, to initiate and, to the extent that it is compatible with the efficient operation of the procurement process, complete the registration or qualification procedures.

前提是不会给任何供应商相对于其他供应商造成不公平优势。

6. 为了更清晰，本条文的目的是为了排除采购实体准备、采用或应用技术规格以促进自然资源和环境保护的意图。

第15.13条：参与条件

1. 一方应当将覆盖采购的参与条件限制为那些确保供应商能够满足采购要求的条件。

2. 在评估供应商是否满足参与条件时，一方应当：

(a)基于该供应商在采购实体所在缔约方领土内外的业务活动，评估供应商的能力；(b)仅根据采购实体在通知或投标文件中预先指定的条件作出决定；(c)不得强加这样的条件，即为了使供应商能够参与采购，该供应商先前曾由该方的一个采购实体授予一个或多个合同，或该供应商在该方领土内具有先前的工作经验；以及(d)在相关情况下，可以要求先前经验以满足采购要求。

3. 本条款中的任何内容均不得妨碍一方基于以下理由将供应商排除在采购之外：

(a) 破产；(b) 虚假申报；或 (c) 在先前合同项下实质性要求或义务的性能存在重大或持续的缺陷。

4. 当一方要求供应商在获准参与受覆盖采购前进行注册或预资格认定时，该方应确保发布邀请供应商申请注册或预资格认定的通知，并确保在采购前有足够的时间，以便感兴趣的供应商，包括另一方供应商，能够启动并（在不影响采购流程高效运行的前提下）完成注册或资格认定程序。

5. The process of, and the time required for, registering or qualifying suppliers shall not be used in order to prevent or delay the inclusion of suppliers of the other Party on a list of suppliers or prevent such suppliers from being considered for a particular procurement.
6. A Party may establish a multi-use list provided that it publishes, annually or continuously, a notice inviting interested suppliers to apply for inclusion on the list. The notice shall include:
- (a) a description of the goods and services, or categories thereof, for which the list may be used;
 - (b) the requirements to be satisfied by suppliers;
 - (c) the name and address of the procuring entity or other government agency and other information necessary to contact the procuring entity and obtain all relevant documents relating to the list; and
 - (d) deadlines for submission of applications for inclusion on that list, where applicable.
7. A Party that maintains a multi-use list shall include on the list all suppliers that satisfy the requirements set out in the notice referred to in paragraph 6 within a reasonably short time.

Article 15.14: Tendering Procedures

1. A procuring entity shall only use open or selective tendering procedures consistent with the provisions of this Chapter, except as provided for in Article 15.15.
2. A procuring entity may use selective tendering procedures in accordance with Article 15.4 and the procurement laws, regulations, procedures and policies of its Party.
3. To ensure effective competition under selective tendering procedures, a procuring entity shall invite tenders from the largest number of domestic suppliers and suppliers of the other Party that is consistent with the efficient operation of the procurement system. It shall select the suppliers to participate in the procedure in a fair and non-discriminatory manner.

Article 15.15: Limited Tendering

1. Provided that it does not use this provision for the purpose of avoiding competition, to protect domestic suppliers or in a manner that discriminates against suppliers of the other Party, a procuring entity may use limited tendering procedures.

5. 注册或资格认定供应商的程序及所需时间不得被用于阻止或延迟将另一方供应商列入供应商名单，或阻止此类供应商被考虑参与特定采购。
6. 一方可以建立多用途供应商名单，前提是它发布通知，邀请感兴趣的供应商申请加入该名单。通知应包括：
- (a) 该名单可能用于的货物和服务的描述，或其类别；
 - (b) 供应商应满足的要求；
 - (c) 采购实体或其他政府机构的名称和地址，以及联系采购实体和获取与该名单相关的所有相关文件的其他必要信息；以及
 - (d) 提交加入该名单的申请的截止日期，如适用。
7. 维护多用途名单的一方应在合理的时间内，将满足第6段所述通知中规定的所有要求的所有供应商列入该名单。

第15.14条：招标程序

1. 采购实体应仅使用与本章规定一致的开采或选择性招标程序，除非第15.15条另有规定。
2. 采购实体可依据第15.4条及缔约方的采购法律、法规、程序和政策，使用选择性招标程序。
3. 为确保选择性招标程序下的有效竞争，采购实体应邀请尽可能多的国内供应商及另一方供应商投标，且应确保投标供应商的选择与采购系统的有效运行相一致。采购实体应以公平和非歧视的方式选择参与该程序的供应商。

第15.15条：有限招标

1. 如果不用于规避竞争、保护国内供应商或以歧视另一方供应商的方式，采购实体可以使用有限招标程序。

2. When a procuring entity applies limited tendering it may choose, according to the nature of the procurement, not to apply Articles 15.8, 15.10, 15.11, 15.12, 15.13, 15.14, 15.16.1 and 15.16.3 to 15.16.6. A procuring entity may use limited tendering only under the following circumstances:

- (a) where, in response to a prior notice, invitation to participate, or invitation to tender:
 - (i) no tenders were submitted or no suppliers requested participation;
 - (ii) no tenders were submitted that conform to the essential requirements in the tender documentation; or
 - (iii) no suppliers satisfied the conditions for participation;and the procuring entity does not substantially modify the essential requirements of the procurement;
- (b) where, for works of art, or for reasons connected with the protection of exclusive rights, such as patents or copyrights, or proprietary information, or where there is an absence of competition for technical reasons, the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute exists;
- (c) for additional deliveries by the original supplier or its authorised agent that are intended either as replacement parts, extensions, or continuing services for existing equipment, software, services or installations, where a change of supplier would compel the procuring entity to procure goods or services not meeting requirements of interchangeability with existing equipment, software, services, or installations;
- (d) for goods purchased on a commodity market;
- (e) where a procuring entity procures a prototype or a first good or service that is intended for limited trial or developed at its request in the course of, and for, a particular contract for research, experiment, study, or original development;
- (f) where additional construction services that were not included in the initial contract but that were within the objectives of the original tender documentation have, due to unforeseen circumstances, become necessary to complete the construction services described therein. However, the total value of contracts awarded for additional construction services may not exceed 50 per cent of the amount of the initial contract;
- (g) for new construction services consisting of the repetition of similar construction services that conform to a basic project for which an

2. 当采购实体采用有限招标时，根据采购的性质，可以选择不适用第15.8条、第15.10条、第15.11条、第15.12条、第15.13条、第15.14条、第15.16.1条和第15.16.3条至第15.16.6条。采购实体只有在以下情况下才能使用有限招标：

- (a) 在对预先通知、参与邀请或投标邀请作出回应的情况下：(i) 未提交标书或供应商未请求参与；(ii) 未提交符合投标文件中基本要求的标书；或 (iii) 没有供应商满足参与条件；并且采购实体未实质性修改采购的基本要求，

采购要求；
- (b) 在艺术品方面，或因保护专有权利（如专利或版权）或专有信息等原因，或因技术原因缺乏竞争，导致商品或服务只能由特定供应商提供且不存在合理替代方案或替代品的情况下；(c) 为原始供应商或其授权代理人提供的附加交付，旨在作为现有设备、软件、服务或安装的替换部件、扩展或持续服务，而更换供应商将迫使采购实体采购不符合与现有设备、软件、服务或安装互操作性的商品或服务要求的情况；(d) 在商品市场上购买的商品；(e) 采购实体采购原型或第一项货物或服务，该货物或服务旨在进行有限试验，或在特定研究合同、实验、研究或原始开发过程中按其要求开发；(f) 由于不可预见的情况，初始合同中未包含的附加建筑服务，但符合原始投标文件目标，且完成其中所述建筑服务已变得必要。然而，附加建筑服务合同的总额不得超过初始合同金额的50%；(g) 由符合基本项目的新建筑服务组成，该基本项目是按照本章规定使用公开招标或选择性招标授予初始合同的，并且采购实体在关于初始建筑服务的意向采购通知中已表明，可能使用有限招标程序来授予此类新建筑服务的合同；

initial contract was awarded following use of open tendering or selective tendering in accordance with this Chapter, and for which the procuring entity has indicated in the notice of intended procurement concerning the initial construction service that limited tendering procedures might be used in awarding contracts for such new construction services;

- (h) for purchases made under exceptionally advantageous conditions that only arise in the very short term, such as from unusual disposals, unsolicited innovative proposals, liquidation, bankruptcy or receivership and not for routine purchases from regular suppliers;
- (i) where a contract is awarded to the winner of a design contest provided that:
 - (i) the contest has been organised in a manner that is consistent with this Chapter, and
 - (ii) the contest is judged by an independent jury with a view to a design contract being awarded to the winner; or
- (j) in so far as is strictly necessary where, for reasons of extreme urgency brought about by events unforeseen by the procuring entity, the goods or services could not be obtained in time by means of an open or selective tendering procedure.

3. A procuring entity shall maintain a record or prepare a written report providing specific justification for any contract awarded by means other than open or selective tendering procedures, as provided for in this Article.

Article 15.16: Treatment of Tenders and Awarding of Contracts

1. A procuring entity shall receive and open all tenders under procedures that guarantee the fairness and impartiality of the procurement process.
2. A procuring entity shall treat all tenders in confidence to the extent permitted by its domestic law. In particular, it shall not provide information to particular suppliers that might prejudice fair competition between suppliers.
3. A procuring entity shall not penalise any supplier whose tender is received after the time specified for receiving tenders if the delay is due solely to mishandling on the part of the procuring entity.
4. A procuring entity shall require that in order to be considered for award, a tender must be submitted in writing and must, at the time it is submitted, conform to the essential requirements of the tender documentation.
5. Unless a procuring entity determines that it is not in the public interest to award a contract, it shall award the contract to the supplier that the procuring entity

初始合同是按照本章规定的公开招标或选择性招标授予的，并且采购实体在关于初始建筑服务的意向采购通知中已表明，可能使用有限招标程序来授予此类新建筑服务的合同；

- (h) 对于因异常有利条件而仅在极短期限内发生的采购，例如非正常处置、非主动创新提案、清算、破产或接管，而非常规采购的常规供应商采购不适用；
- (i) 当合同授予设计竞赛的获胜者时，前提是：
 - (i) 竞赛的组织方式与本章节一致，并且 (ii) 竞赛由独立陪审团进行评判，旨在将设计合同授予获胜者；或
- (j) 在绝对必要时，由于采购实体无法预见的事件导致的极端紧急情况，导致商品或服务无法通过公开或选择性招标程序及时获得。

3. 采购实体应当保存记录或准备书面报告，为除公开或选择性招标程序以外的任何合同授予提供具体理由，如本条款所述。

第15.16条：投标处理和合同授予

1. 采购实体应当依照保证采购程序公平性和公正性的程序，接收并开标。
2. 采购实体应当根据其国内法的规定，对投标保密。特别是，不得向特定供应商提供可能妨碍供应商之间公平竞争的信息。
3. 如果延迟是由于采购实体方面的疏忽造成的，采购实体不得惩罚在接收投标截止时间后收到投标的任何供应商。
4. 采购实体应当要求，为了被考虑授予，投标必须以书面形式提交，并且在提交时必须符合投标文件的基本要求。
5. 除非采购实体确定授予合同不符合公共利益，否则应当将合同授予采购实体

has determined to satisfy the conditions for participation and whose tender is determined to be the most advantageous or best value for money, in accordance with the requirements and evaluation criteria specified in the notices and tender documentation.

6. A procuring entity shall not cancel a procurement or modify awarded contracts in order to avoid the obligations of this Chapter.

Article 15.17: Information on Awards

1. A procuring entity shall promptly inform suppliers participating in a tendering procedure of its contract award decision. On request, a procuring entity shall provide a supplier whose tender was not selected for award the reasons for not selecting its tender.

2. Each Party shall require its procuring entities either to promptly publish, or to publish no later than 60 days after award of a contract, a notice that includes at least the following information about the award:

- (a) the name of the procuring entity;
- (b) a description of the goods or services procured;
- (c) the value of the contract award; and
- (d) the name of the winning supplier.

3. A procuring entity shall maintain records and reports of tendering procedures relating to covered procurements, including the reports provided for in Article15.15.3, and shall retain such records and reports for a period of at least three years.

Article 15.18: Domestic Review of Supplier Challenges

1. Each Party shall maintain at least one impartial administrative or judicial authority that is independent of its procuring entities to receive and review, in a non-discriminatory, timely, transparent and effective manner, complaints that suppliers submit, in accordance with the Party’s law, relating to a covered procurement. Where such an authority is not a court it shall either be subject to judicial review or shall have procedural guarantees similar to those of a court.

2. Each Party shall make information on complaint mechanisms generally available.

Article 15.19: Modifications and Rectifications

1. A Party may modify its coverage under this Chapter provided that it:

已确定满足参与条件且其投标被确定为最有利或最具成本效益的供应商，并依据通知和投标文件中规定的要求和评价标准。

6. 采购实体不得取消采购或修改已授予的合同，以规避本章的义务。

第15.17条：关于授予的信息

1. 采购实体应及时通知参与招标程序的供应商其合同授予决定。如供应商要求，采购实体应向未中标的供应商提供未选中其投标的原因。

2. 各方应要求其采购实体要么及时发布，要么在合同授予后60天内发布包含至少以下授予信息的通知：

- (a) 采购实体的名称；(b) 采购的商品或服务的描述；(c) 合同授予的价值；以及(d) 中标供应商的名称。

3. 采购实体应当保存与受覆盖采购相关的招标程序的记录和报告，包括第15.15.3条规定的报告，并应当保存这些记录和报告至少三年。

第15.18条：供应商挑战的国内审查

1. 每一方应当至少设立一个独立于其采购实体的公正的行政或司法机构，以非歧视、及时、透明和有效的方式接收和审查供应商根据其法律提交的与受覆盖采购相关的投诉。如果该机构不是法院，则应当受到司法审查，或者应当具有与法院相似的程序保障。

2. 每一方应当使投诉机制的信息普遍可得。

第15.19条：修改和更正

1. 一方可以修改其在本章项下的保障范围，前提是它：

- (a) notifies the other Party in writing and simultaneously offers acceptable compensatory adjustments to the other Party to maintain a level of coverage comparable to that existing prior to the modification, except as provided in paragraphs 2 and 3; and
- (b) the other Party does not object in writing within 30 days of the notification.

2. Each Party may make rectifications of a purely formal nature to its coverage under this Chapter, or minor amendments to its Schedule in Annex 15-A provided that it notifies the other Party in writing and the other Party does not object in writing within 30 days of the notification. A Party that makes such a rectification or minor amendment need not provide compensatory adjustments.

3. A Party need not provide compensatory adjustments in those circumstances where the Parties agree that the proposed modification covers an entity over which a Party has effectively eliminated its control or influence. Where the Parties do not agree that such government control or influence has been effectively eliminated, the objecting Party may request further information or consultations with a view to clarifying the nature of any government control or influence and reaching agreement on the entity’s continued coverage under this Chapter.

4. Where appropriate, the Joint FTA Committee shall adopt the modification, rectification or minor amendment notified by the Party concerned.

Article 15.20: Confidential Information

When a person of a Party makes available confidential information to the other Party or its procuring entities, the latter Party shall ensure that such information is kept confidential and is not used for a purpose other than that for which it was made available. However, disclosure of confidential information may occur where a Party or its procuring entities are required to make disclosure under its domestic law or where disclosure is authorised by the person that furnished the information.

Article 15.21: Encouraging use of Electronic Communications in Procurement

1. The Parties shall seek to provide opportunities for government procurement to be undertaken through the Internet or a comparable computer-based telecommunications network.

2. In order to facilitate commercial opportunities for their suppliers under this Chapter, each Party shall maintain a single electronic portal for accessing information on government procurement supply opportunities in its territory and on measures relating to government procurement.

3. The Parties shall encourage, to the extent possible, the use of electronic means for the provision of tender documents and receipt of tenders.

- (a) 以书面形式通知另一方并同时提供可接受的向另一方提供补偿性调整，以维持与修改前相当的保障范围，但第2段和第3段另有规定；以及

- (b) 另一方在收到通知后30天内未书面提出异议通知。

2. 每一方可对其在本章项下的保障范围进行纯形式上的更正，或对其附件15-A中的清单进行轻微修订，前提是其以书面形式通知另一方，且另一方在收到通知后30天内未书面提出异议。进行此类更正或轻微修订的一方无需提供补偿性调整。

3. 在各方同意拟议的修改覆盖了某一方已有效消除其控制或影响的实体的情况下，一方无需提供补偿性调整。如果各方不认为此类政府控制或影响已被有效消除，提出异议的一方可以要求提供更多信息或进行磋商，以澄清任何政府控制或影响的性质，并就实体在本章项下的持续保障达成协议。

4. 在适当的情况下，联合自由贸易委员会应采纳有关缔约方通知的修改、更正或轻微修订。

第15.20条：机密信息

当一方人员向另一方或其采购实体提供机密信息时，后者应确保该信息被保密，并且仅用于提供该信息的目的。但是，在有关缔约方或其采购实体根据其国内法被要求披露机密信息，或由提供信息的人员授权披露的情况下，机密信息的披露可能会发生。

第15.21条：鼓励在采购中使用电子通信

1. 各方应努力为通过互联网或类似的基于计算机的电信网络进行政府采购提供机会。

2. 为了促进本章下其供应商的商业机会，每一方应维护一个单一的电子门户，用于获取其领土内有关政府采购供应机会和与政府采购相关的措施的信息。

3. 一方应当在不超出可能范围的情况下，鼓励使用电子方式提供投标文件和接收投标。

4. The Parties shall ensure that policies and procedures adopted for the use of electronic means in procurement:
- (a) protect documentation from unauthorised and undetected alteration; and
 - (b) provide appropriate levels of security for data on, and passing through, the procuring entity’s network.

5. Each Party shall encourage its procuring entities to publish the notices covered by Article 15.9 on a website accessible through the electronic portal referred to in paragraph 2.

Article 15.22: Ensuring Integrity in Procurement Practices

Each Party shall ensure that criminal or administrative penalties exist to address corruption in its government procurement, and that its entities have in place policies and procedures to eliminate, to the extent possible, any potential conflict of interest on the part of those engaged in or having influence over a procurement.

Article 15.23: Exceptions

1. Provided that such measures are not applied in a manner that would constitute a means of arbitrary or unjustifiable discrimination between Parties where the same conditions prevail or a disguised restriction on trade between the Parties, nothing in this Chapter shall be construed to prevent a Party from adopting or maintaining measures:
- (a) necessary to protect public morals, order or safety;
 - (b) necessary to protect human, animal, or plant life or health;
 - (c) necessary to protect intellectual property; or
 - (d) relating to goods or services of handicapped persons, of philanthropic or not for profit institutions, or of prison labour.
2. The Parties understand that subparagraph (b) includes environmental measures necessary to protect human, animal, or plant life or health.
3. Further to Article 22.2 (Security Exceptions – General Provisions and Exceptions Chapter), nothing in this Chapter shall be construed to prevent a Party from taking any action which it considers necessary for the protection of its essential security interests relating to government procurement indispensable for national security or for national defence purposes.

4. 一方应当确保为电子方式在采购中的使用所采纳的政策和程序：

(a) 保护文件免受未经授权且未被检测到的更改；以及 (b) 为存储在采购实体的网络中以及通过该网络传输的数据提供适当级别的安全保护。

5. 每一方应鼓励其采购实体在电子门户第2段所述的网站上发布第15.9条涵盖的通知。

第15.22条：确保采购实践中的完整性

每一方应确保存在刑事或行政处罚以解决其政府采购中的腐败问题，并确保其实体已制定政策和程序，以消除从事或对采购施加影响的个人可能存在的任何潜在利益冲突。

第15.23条：例外情况

1. 如果此类措施并非以任意或不当歧视的方式在相同条件下对一方实施，或以隐蔽方式限制一方之间的贸易，则本章的任何规定均不得解释为禁止一方采取或维持措施：
- (a) 保护公共道德、秩序或安全所必需的；(b) 保护人类、动物或植物的生命或健康所必需的；(c) 保护知识产权的；或 (d) 与残疾人商品或服务、慈善或非营利机构商品或服务，或监狱劳动商品或服务相关的。
2. 各方理解，子句 (b) 包括保护人类、动物或植物的生命或健康所必需的环境措施。
3. 根据 第22.2条（安全例外——总规定和例外 章节），本章任何内容均不得解释为禁止一方采取其认为对其基本安全利益所必需的、与国防目的或国家安全相关的政府采购措施。

Article 15.24: Consultations on Government Procurement

1. Each Party shall use the contact point referred in Chapter 19 (Transparency). The contact point shall be included in all communications between the Parties made pursuant to this Article.
2. For the purpose of this Article each Party shall reply to any request from the other party for an explanation of any matter relating to the application of this Chapter, including matters related to its procurement laws, regulations and policy guidelines.
3. The Parties shall exchange information relating to the development and use of electronic communication in government procurement systems, shall exchange statistics and other information; and shall make efforts to increase understanding of their respective government procurement systems. The Parties shall also exchange information on their respective approaches to maximise access for small and medium enterprises to the government procurement market.
4. As provided for in Article 15.19, each Party shall inform the other Party of any developments which may modify its coverage under this Chapter.

Article 15.25: Further Negotiations

On request of either Party, the Parties shall enter into negotiations with a view to extending coverage under this Chapter on a reciprocal basis, if a Party provides, through an international agreement entered into after entry into force of this Agreement, access to its procurement market for suppliers of a non-Party beyond what it provides under this Agreement to suppliers of the other Party.

第15.24条：政府采购磋商

1. 每一方应使用第19章（透明度）中提到的联系点。该联系点应包含在根据本条一方之间进行的所有通信中。
2. 为适用本条，每一方应答复另一方的请求，就与本章节适用相关的事项提供解释，包括与其采购法律、法规和政策指南相关的事项。
3. 各方应交换有关政府采购系统中电子通信的开发和使用的资料，交换统计数据和其他资料；并应努力增进对各自政府采购系统的理解。各方亦应就其各自为使中小企业最大限度地获得政府采购市场准入的方法交换信息。
4. 如第15.19条所述，每一方应将可能修改其在本章节项下保障范围的任何发展通知另一方。

第15.25条：进一步谈判

根据任何一方的要求，各方应进行谈判，以期在相互基础上扩大本章规定的保障范围，如果一方通过在本协议生效后缔结的国际协议，为其非缔约方供应商提供的采购市场准入超过其根据本协议为另一方供应商提供的准入。

Annex 15-A

Section 1: Central Government Entities

1. This Chapter applies to central government entities listed in each Party’s Schedule to this Section where the value of the procurement is estimated, in accordance with Article 15.5, to equal or exceed the thresholds specified below:
- (a) for procurement of goods and services:
A\$87,000 or CLP\$35,911,000
 - (b) for procurement of construction services:
A\$9,570,000 or CLP\$3,940,806,000
2. The monetary thresholds set out in paragraph 1 shall be adjusted in accordance with Section 8 of this Annex

附件15-A

第一节：中央政府实体

1. 本章适用于根据第15.5条，采购价值估计等于或超过下述门槛的每一方在本节清单中列出的中央政府实体：
- (a) 用于采购货物和服务：87,000澳元或35,911,000 CLP元 (b) 用于采购建筑服务：9,570,000澳元或3,940,806,000 CLP元
2. 第1段中规定的货币门槛应按照本附件第8节进行调整

Schedule of Australia^{1,2}

澳大利亚清单^{1,2}

1. Agriculture, Fisheries and Forestry Portfolio

Department of Agriculture, Fisheries and Forestry
Dairy Adjustment Authority
Biosecurity Australia

2. Attorney-General's Portfolio

Attorney-General's Department
Administrative Appeals Tribunal
Australian Crime Commission
Australian Customs Service
Australian Federal Police
AUSTRAC
CrimTrac Agency
Family Court of Australia
Federal Court of Australia
Federal Magistrates Court
Human Rights and Equal Opportunity Commission
Insolvency and Trustee Service Australia (ITSA)
National Capital Authority
National Native Title Tribunal
Office of Parliamentary Counsel
Office of the Director of Public Prosecutions

3. Broadband, Communications and the Digital Economy Portfolio

Department of Broadband, Communications and the Digital Economy

4. Defence Portfolio

Department of Defence³
Department of Veterans' Affairs
Defence Materiel Organisation³

5. Education, Employment and Workplace Relations Portfolio

Department of Education, Employment and Workplace Relations
Australian Industrial Registry
Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority)
Office of the Workplace Ombudsman
Workplace Authority

6. Environment, Heritage and the Arts Portfolio

Department of Environment, Water, Heritage and the Arts
Bureau of Meteorology

7. Families, Housing, Community Services and Indigenous Affairs Portfolio

Department of Families, Housing, Community Services and Indigenous Affairs
Equal Opportunity for Women in the Workplace Agency

8. Finance and Deregulation Portfolio

Department of Finance and Deregulation
Australian Electoral Commission
Australian Reward Investment Alliance⁴
ComSuper

1. 农业、渔业和林业组合部门 农业、渔业和林业
部 乳制品调整局 澳大利亚生物安全局

2. 总检察长组合部门 总检察长部 行政上诉法庭 澳
大利亚犯罪委员会 澳大利亚海关服务 澳大利亚联
邦警察 澳大利亚金融犯罪和监管审讯局 犯罪追踪
机构 家庭法院 澳大利亚联邦法院 澳大利亚联邦地
方法院 澳大利亚人权与平等机会委员会 澳大利亚
破产和信托服务局 (ITSA) 国家首都管理局 国家
原住民土地权利法庭办公室 议会法律顾问办公室
公共检察官办公室

3. 宽带、通信和数字经济组合部门 宽带、通信和数字经济部

4. 国防组合部门 国防部³ 退伍军
人事务部 国防物资组织³

5. 教育、就业和工作关系组合部门 教育、就业和工作关系部 澳大利亚工业登
记处 海员安全、康复和补偿局 (Seacare Authority) 工作申诉专员办公室
工作管理局

6. 环境、遗产和艺术组合部门 环境、水利、遗产和艺术
部 气象局

7. 家庭、住房、社区服务和原住民事务组合部门 家庭、住房、社区服务和
原住民事务部 工作场所妇女平等机会机构

8. 财务和去管制组合部门 财务和去管制
部 澳大利亚选举委员会 澳大利亚奖励投
资联盟⁴ 澳大利亚超级基金监管机构

9. Foreign Affairs and Trade Portfolio

Department of Foreign Affairs and Trade
AusAid

Australian Centre for International Agricultural Research

10. Health and Ageing Portfolio⁵

Department of Health and Ageing

Australian Radiation Protection and Nuclear Safety Agency (ARPANSA)

National Blood Authority

Professional Services Review Scheme

11. Human Services Portfolio

Department of Human Services

Centrelink

12. Infrastructure, Transport, Regional Development and Local Government Portfolio

Department of Infrastructure, Transport, Regional Development and Local Government

13. Immigration and Citizenship Portfolio

Department of Immigration and Citizenship

Migration Review Tribunal and Refugee Review Tribunal

14. Innovation, Industry, Science and Research Portfolio

Department of Innovation, Industry, Science and Research

Australian Research Council

IP Australia

15. Prime Minister and Cabinet Portfolio

Department of the Prime Minister and Cabinet

Australian National Audit Office

Australian Public Service Commission

Office of the Commonwealth Ombudsman

Office of the Inspector-General of Intelligence and Security

Office of the Official Secretary of the Governor-General

Office of the Privacy Commissioner

Office of the Renewable Energy Regulator

National Archives of Australia

16. Resources, Energy and Tourism Portfolio

Department of Resources, Energy and Tourism

Geoscience Australia

17. Treasury Portfolio

Department of the Treasury

Australian Bureau of Statistics

Australian Competition and Consumer Commission

Australian Office of Financial Management (AOFM)

Australian Taxation Office

Commonwealth Grants Commission

Inspector General of Taxation

National Competition Council

Productivity Commission

Royal Australian Mint

18. Parliamentary Departments

Department of the House of Representatives

Department of the Senate

9. 外交和贸易组合部门

外交与贸易部 澳大利亚国际发展署 澳大利亚国际农业研究中心

10. 健康与老龄化组合⁵

健康与老龄化部 澳大利亚辐射防护与核安全局 国家血液管理局 专业服务审查计划

11. 人类服务组合

人类服务部 中心链接

12. 基础设施、交通、区域发展和地方政府部

13. 移民与公民部

移民与公民部 移民审查法庭和难民审查法庭

14. 创新、工业、科学与研究部

创新、工业、科学与研究部 澳大利亚研究委员会 澳大利亚知识产权局

15. 总理及内阁事务

总理及内阁部 澳大利亚国家审计署 澳大利亚公共服务委员会 联邦监察专员办公室 情报与安全总监察长办公室 总督府官方秘书办公室 隐私专员办公室 可再生能源监管办公室 澳大利亚国家档案馆

16. 资源、能源与旅游事务

资源、能源与旅游部 澳大利亚地质科学局

17. 财政事务

财政部 澳大利亚统计局 澳大利亚竞争与消费者委员会 澳大利亚财务管理办公室 (AOFM) 澳大利亚税务局 联邦拨款委员会 税务总监察长 国家竞争委员会 生产力委员会 澳大利亚皇家铸币厂

18. 议会部门

众议院部 参议院部

Notes to the Schedule of Australia

1. This Chapter covers only those entities subordinate to the relevant portfolio which are listed in this Schedule.
2. This Chapter does not cover the procurement of motor vehicles by any entity listed in this Section.
3. Department of Defence and Defence Materiel Organisation

(a) This Chapter does not cover the procurement of the following goods due to Article 15.23:

	Approximately equivalent to:
Weapons	FSC 10
Fire Control Equipment	FSC 12
Ammunition and Explosives	FSC 13
Guided Missiles	FSC 14
Aircraft and Airframe Structural Components	FSC 15
Aircraft Components and Accessories	FSC 16
Aircraft Launching, Landing & Ground Handling Equipment	FSC 17
Space Vehicles	FSC 18
Ships, Small Craft, Pontoons and Floating Docks	FSC 19
Ship and Marine Equipment	FSC 20
Ground Effect Vehicles, Motor Vehicles, Trailers and Cycles	FSC 23
Engines, Turbines and Components	FSC 28
Engines Accessories	FSC 29
Bearings	FSC 31
Water Purification and Sewage Treatment Equipment	FSC 46
Valves	FSC 48
Maintenance and Repair Shop Equipment	FSC 49
Prefabricated Structures and Scaffolding	FSC 54
Communication, Detection and Coherent Radiation Equipment	FSC 58
Electrical and Electronic Equipment Components	FSC 59
Fiber Optics Materials, Components, Assemblies and Accessories	FSC 60
Electric Wire, and Power and Distribution Equipment	FSC 61
Alarm, Signal and Security Detection Systems	FSC 63
Instruments and Laboratory Equipment	FSC 66
Specialty Metals	No Code

NB: Whether a good is included within the scope of this Note shall be determined solely according to the descriptions provided in the left column above. United States Federal Supply Codes (FSC) are provided for reference purposes only. (For a

澳大利亚附表说明

1. 本章仅涵盖属于相关部门且列于本清单下的实体。
2. 本章不涵盖本节所列任何实体采购机动车辆。
3. 国防部和国防物资组织

(a) 由于第15.23条，本章不涵盖采购以下商品：

	大约相当于：
武器	FSC 10
火控设备	FSC 12
弹药和爆炸物	FSC 13
制导导弹	FSC 14
飞机和机翼结构组件	FSC 15
飞机部件和附件	FSC 16
飞机发射、着陆和地面处理设备	FSC 17
航天器	FSC 18
船舶、小型船只、浮筒和浮码头	FSC 19
船舶和海洋设备	FSC 20
地面效应车辆、机动车辆、拖车和自行车	FSC 23
发动机、涡轮机和组件	FSC 28
发动机附件	FSC 29
轴承	FSC 31
水净化和污水处理设备	FSC 46
阀门	FSC 48
维护和修理店设备	FSC 49
预制结构和脚手架	FSC 54
通信、探测和相干辐射设备	FSC 58
电气和电子设备组件	FSC 59
光纤材料、组件、组装和附件	FSC 60
电线和电力及配电设备	FSC 61
警报、信号和安全检测系统	FSC 63
仪器和实验室设备	FSC 66
特种金属	无代码

注意：商品是否属于本说明范围应根据上方左侧提供的描述单独确定。美国联邦供应代码（FSC）仅供参考。（有关美国联邦供应代码的完整列表，其中与澳大利亚类别大致相当，请参见<style id='1'> <https://www.fbo.gov></style>）。

complete listing of the United States Federal Supply Codes, to which the Australian categories are approximately equivalent, see <https://www.fbo.gov>).

(b) For Australia, this Chapter does not cover the following services, as elaborated in the Common Classification System and the WTO system of classification – MTN.GNS/W/120, due to Article 15.23. (*For a complete listing of Common Classification System, see: <http://www.sice.oas.org/trade/nafta/chap-105.asp>*):

- Design, development, integration, test, evaluation, maintenance, repair, modification, rebuilding and installation of military systems and equipment (approximately equivalent to relevant parts of U.S. Product Service Codes A & J);
- Operation of Government-owned facilities (approximately equivalent to U.S. Product Service Code M);
- Space services (AR, B4 & V3); and
- Services in support of military forces overseas.

(c) This Chapter does not cover the procurement of goods and services by, or on behalf of, the Defence Intelligence Organisation, the Defence Signals Directorate or the Defence Imagery and Geospatial Organisation.

(d) In respect of Article 15.4, the Australian Government reserves the right, pursuant to Article 15.23, to maintain the Australian Industry Involvement program and its successor programs and policies.

4. Department of Finance and Deregulation

This Chapter does not cover procurement by the Australian Reward Investment Alliance of investment management, investment advisory or master custody and safekeeping services for the purposes of managing and investing the assets of Australian Government superannuation funds.

5. Health and Ageing Portfolio

This Chapter does not apply to procurement of health and welfare services.

有关美国联邦供应代码的完整列表，其中与澳大利亚类别大致相当，请参见 <https://www.fbo.gov>).

(b) 对于澳大利亚而言，本章不涵盖以下服务，这些服务在共同分类系统和WTO分类系统中有详细说明——MTN.GNS/W/120，根据第15.23条。（关于共同分类系统的完整列表，请参阅：<http://www.sice.oas.org/trade/nafta/chap-105.asp>）：

- 军事系统和设备的设计、开发、集成、测试、评估、维护、修理、修改、重建和安装（大约相当于美国产品服务代码A和J的相关部分）；
- 政府所有设施的操作（大约相当于美国产品服务代码M）；
- 空间服务（AR、B4和V3）；以及 • 支持海外军事力量的服务。

(c) 本章不涵盖由国防情报局、国防信号局或国防影像和地理空间组织采购的货物和服务。

(d) 关于第15.4条，澳大利亚政府根据第15.23条保留维护澳大利亚产业参与计划及其后续计划和政策的权利。

4. 财务和去管制部

本章不涵盖澳大利亚奖励投资联盟为管理和投资澳大利亚政府养老金基金的资产而采购的投资管理、投资咨询或主托管和安全保管服务。

5. 健康与老龄化组合

本章不适用于健康和社会福利服务的采购。

Schedule of Chile

智利清单

- 1. *Presidencia de la República*
- 2. *Ministerio de Interior*
- 3. *Ministerio de Relaciones Exteriores*
- 4. *Ministerio de Defensa Nacional*
- 5. *Ministerio de Hacienda*
- 6. *Ministerio Secretaría General de la Presidencia*
- 7. *Ministerio Secretaría General de Gobierno*
- 8. *Ministerio de Economía, Fomento y Reconstrucción*
- 9. *Ministerio de Minería*
- 10. *Ministerio de Planificación y Cooperación*
- 11. *Ministerio de Educación*
- 12. *Ministerio de Justicia*
- 13. *Ministerio de Trabajo y Previsión Social*
- 14. *Ministerio de Obras Públicas*
- 15. *Ministerio de Transporte y Telecomunicaciones*
- 16. *Ministerio de Salud*
- 17. *Ministerio de Vivienda y Urbanismo*
- 18. *Ministerio de Bienes Nacionales*
- 19. *Ministerio de Agricultura*
- 20. *Ministerio Servicio Nacional de la Mujer*
- 21. *Ministerio de Energía*

Gobiernos Regionales

Intendencia Región de Arica y Parinacota
Gobernación de Arica
Gobernación de Parinacota

Intendencia Región de Tarapacá
Gobernación de Iquique
Gobernación de Tamarugal

Intendencia Región de Antofagasta
Gobernación de Antofagasta
Gobernación de Loa
Gobernación de Tocopilla

Intendencia Región de Atacama
Gobernación de Copiapó
Gobernación de Huasco
Gobernación de Chañaral

Intendencia Región de Coquimbo
Gobernación de El Elqui

- 1. 共和国总统府 2. 内政部 3. 外交部 4. 国防部 5. 财政部 6. 总统府秘书处 7. 政府秘书处 8. 经济、促进和重建部 9. 矿业部 10. 规划和合作部 11. 教育部 12. 司法部 13. 劳工和社会保障部 14. 公共工程 部 15. 交通和电信部 16. 卫生部 17. 住房和城市发展部 18. 国有资产管理部 19. 农业部 20. 国家妇女服务部 21. 能源部

地方政府

阿里卡和帕拉纳科塔地区总督府 阿里卡省 帕拉纳科塔省

塔拉帕卡地区总督府 伊基克省 塔马鲁加尔省

安托法加斯塔地区总督府 安托法加斯塔省 洛亚省 托科皮利亚省

阿塔卡马地区总督府 科皮亚波省 瓦斯科省 查纳尔省

科奇巴地区总督府 埃尔埃尔基省

Gobernación de Limarí
Gobernación de Choapa

Intendencia Región de Valparaíso
Gobernación de Valparaíso
Gobernación de Quillota
Gobernación de San Antonio
Gobernación de San Felipe
Gobernación de Los Andes
Gobernación de Petorca
Gobernación de Isla de Pascua

Intendencia Región del Libertador Bernardo O´Higgins
Gobernación de Cachapoal
Gobernación de Colchagua
Gobernación de Cardenal Caro

Intendencia Región del Maule
Gobernación de Curicó
Gobernación de Talca
Gobernación de Linares
Gobernación de Cauquenes

Intendencia Región del Bío Bío
Gobernación de Concepción
Gobernación de Ñuble
Gobernación de Bío-Bío
Gobernación de Arauco

Intendencia Región de La Araucanía
Gobernación de Cautín
Gobernación de Malleco

Intendencia Región de Los Ríos
Gobernación de Valdivia
Gobernación de Ranco

Intendencia Región de Los Lagos
Gobernación de Llanquihue
Gobernación de Osorno
Gobernación de Chiloé
Gobernación de Palena

Intendencia Región de Aysén del General Carlos Ibañez del Campo
Gobernación de Coihaique
Gobernación de Puerto Aysén
Gobernación de General Carrera
Gobernación de Capitán Prat

Intendencia Región de Magallanes y de la Antártica Chilena

利马里省 乔阿帕省

瓦尔帕莱索地区行政长官 瓦尔
帕莱索省 基拉瓦省 圣安东尼奥
省 圣费利佩省 安第斯省 佩托
尔卡省 复活岛省

自由人伯纳多·奥希金斯地区行政长官 卡查波尔省
科奇加瓜省 红衣主教卡罗省

马乌莱地区行政长官 库里
科省 塔尔卡省 利纳雷斯省
考克内斯省

比奥比奥地区行政长官 康塞
普西翁省 尼布勒省 比奥比奥
省 阿拉乌科省

阿拉乌卡尼亚地区行政长官 考廷
省 马莱科省

莱罗斯地区行政长官 瓦利迪
维亚省 兰科省

拉 lagos地区行政长官 拉兰奇
胡埃省 奥斯orno省 奇洛埃省
帕莱纳省

阿森森将军卡洛斯·伊巴涅斯·德尔·卡门地区行政长官 科伊哈克
省 阿森森港省 将军卡雷拉省 普拉特船长省

麦哲伦和智利南极地区行政长官

Gobernación de Magallanes
Gobernación de Última Esperanza
Gobernación de Tierra del Fuego
Gobernación de Antártica Chilena

Intendencia Región Metropolitana
Gobernación de Maipo
Gobernación de Cordillera
Gobernación de Talagante
Gobernación de Melipilla
Gobernación de Chacabuco
Gobernación de Santiago

马格达莱纳省 最后希望省 火地
岛省 智利南极省

大都会区执政官 马伊波省 安第
斯山脉省 塔拉加nte省 梅利皮
亚省 查卡布科省 圣地亚哥省

Section 2: Sub-Central Government Entities

- 1. This Chapter applies to the sub-central government entities listed in each Party’s Schedule to this Section where the value of the procurement is estimated, in accordance with Article 15.5, to equal or exceed:
 - (a) for procurement of goods and services:
A\$679,000 or CLP\$279,557,000
 - (b) for procurement of construction services:
A\$9,570,000 or CLP\$3,940,806,000
- 2. The monetary thresholds set out in paragraph 1 shall be adjusted in accordance with Section 8 of this Annex.
- 3. This Section covers only those entities specifically listed below.

第2节：次级中央政府实体

- 1. 本章适用于各缔约方在本节清单中列出的次级中央政府实体，根据第15.5条，采购的价值估计等于或超过：
 - (a) 采购货物和服务：67.9万美元或2.7955亿港币 (b) 采购建筑服务：
9,570,000澳元或3,940,806,000 CLP元
- 2. 第1段中规定的货币门槛应按照本附件第8节进行调整。
- 3. 本节仅涵盖下方特别列出的实体。

Schedule of Australia

Australian Capital Territory¹

ACT Auditor-General’s Office
ACT Electoral Commission
ACT Gambling and Racing Commission
ACT Health
ACT Human Rights Commission
ACT Insurance Authority
ACT Planning and Land Authority
ACT Planning and Land Council
ACT Workcover
Chief Minister’s Department
Cultural Facilities Corporation
Department of Disability, Housing and Community Services
Department of Education and Training
Department of Justice and Community Safety
Department of Treasury
Territory and Municipal Services
Director of Public Prosecutions
Environment Commissioner
Legal Aid Commission of the ACT
National Exhibition Centre Trust
Ombudsman of the ACT
Independent Competition and Regulatory Commission

Note to the Schedule of Australia

1. For the entities listed for the Australian Capital Territory, this Chapter does not cover the procurement of health and welfare services, education services, utility services or motor vehicles.

New South Wales^{1,2}

Department of Primary Industries
Office of the Rural Assistance Authority
Office of the NSW Food Authority
Attorney General’s Department
Department of Environment and Climate Change
Office of the Legal Aid Commission
Office of the Director of Public Prosecutions NSW
Department of Commerce
Office of the Motor Accidents Authority
Office of the WorkCover Authority
Office for Children
Department of Ageing, Disability and Home Care
Department of Community Services

澳大利亚清单

澳大利亚首都领地¹

澳大利亚首都领地审计长办公室 澳大利亚首都领地选举委员会 澳大利亚首都领地赌博和赛马委员会 澳大利亚首都领地卫生局 澳大利亚首都领地人权委员会 澳大利亚首都领地保险管理局 澳大利亚首都领地规划和土地管理局 澳大利亚首都领地规划和土地委员会 澳大利亚首都领地工作保险局 首席部长部 文化设施公司 残疾人、住房及社区服务部 教育和培训部 司法及社区安全部 财政部 领地和市政服务 公共检察官 环境专员 澳大利亚首都领地法律援助委员会 国家展览中心信托 澳大利亚首都领地监察长 独立竞争与监管委员会

澳大利亚附表说明

1. 对于为澳大利亚首都领地列出的实体，本章不涵盖健康和社会福利服务的采购、教育服务的采购、公用事业服务的采购或机动车辆的采购。

新南威尔士州^{1,2}

初级产业部 农村援助局办公室 新南威尔士州食品局办公室 总检察长部 环境和气候变化部 法律援助委员会办公室 公共检察官办公室 新南威尔士州商业部 汽车事故管理局办公室 工作保险局办公室 儿童事务办公室 老龄化、残疾和居家护理部 社区服务部

Aboriginal Housing Office Group of Staff
Department of Aboriginal Affairs
Department of Education and Training
Office of the Board of Studies
Department of Water and Energy
Department of Health
Office of the Health Care Complaints Commission
Department of Planning
Office of the Sydney Harbour Foreshore Authority
Department of Corrective Services
Department of Juvenile Justice
Ministry for Police
Office of the New South Wales Crime Commission
Office of the Police Integrity Commission
Office of the Community Relations Commission
Ombudsman’s Office
Department of Premier and Cabinet
Office of the New South Wales Electoral Commission
The Audit Office of New South Wales
Department of State and Regional Development
Department of Lands
Department of Local Government
Department of Rural Fire Service
New South Wales Fire Brigades
State Emergency Service
Department of Arts, Sport and Recreation
Ministry of Transport
Office of the Sydney Olympic Park Authority
The Treasury
Tourism New South Wales Division

Notes to the Schedule of Australia

- 1. For the entities listed for New South Wales, this Chapter does not cover the procurement of health and welfare services, education services or motor vehicles.
- 2. For the entities listed for New South Wales, this Chapter does not apply to procurements undertaken by a covered entity on behalf of a non-covered entity.

Northern Territory¹

Department of Chief Minister
Auditor General’s Office
Department of the Legislative Assembly
Ombudsman’s Office
Remuneration Tribunal
Aboriginal Areas Protection Authority
Department of Business, Economic and Regional Development
Land Development Corporation
Department of Primary Industry, Fisheries and Mines

原住民住房办公室 员工组 原住民事务部 教育和培训部 课程标准局办公室 水利和能源部 卫生部 医疗投诉委员会办公室 规划部 悉尼港滨岸管理局办公室 矫正服务部 青少年司法部 警察部 新南威尔士州犯罪委员会办公室 警察诚信委员会办公室 社区关系委员会办公室 监察专员办公室 总理和内阁部 新南威尔士州选举委员会办公室 新南威尔士州审计办公室 州和区域发展部 土地部 地方政府部 农村消防服务部 新南威尔士州消防队 州紧急服务 艺术、体育和休闲部 交通部 悉尼奥林匹克公园管理局办公室 财政部 新南威尔士州旅游部门

澳大利亚附表说明

- 1. 对于列出的新南威尔士州实体，本章不涵盖健康和社会福利服务的采购、教育服务或机动车辆的采购。
- 2. 对于列出的新南威尔士州实体，本章不适用于受覆盖实体代表非覆盖实体进行的采购。

北领地¹

首席部长部 审计长办公室 立法议会部 监察专员办公室 薪酬仲裁庭 原住民地区保护局 商业、经济和区域发展部 土地开发公司 初级产业、渔业和矿业部

Department of Local Government, Housing and Sport
Department of Natural Resources, Environment and the Arts
Parks and Wildlife Commission of the Northern Territory
Strehlow Research Centre Board
Northern Territory Employment and Training Authority
Work Health Authority
Department of Health and Community Services
Health and Community Services Complaints Commission
Department of Justice
Northern Territory Emergency Service
Northern Territory Fire and Rescue Service
Police Force of the Northern Territory
Northern Territory Licensing Commission
Racing Commission
Tourism NT
Office of the Commissioner for Public Employment
Northern Territory Treasury
Utilities Commission of the Northern Territory

Note to the Schedule of Australia

1. For the entities listed for the Northern Territory, this Chapter does not cover set-asides on behalf of the Charles Darwin University pursuant to Partnership Agreements between the Northern Territory Government and Charles Darwin University.

Queensland^{1, 2}

Department of Justice and Attorney-General
Public Trust Office
Office of Fair Trading
Department of Child Safety
Department of Communities
Disability Services Queensland
Department of Emergency Services
Queensland Ambulance Service
Queensland Fire and Rescue Service
Department of Infrastructure and Planning
Department of Local Government, Sport and Recreation
Department of Main Roads
Department of Mines and Energy
Department of Natural Resources and Water
Queensland Police Service
Department of Corrective Services
Department of the Premier and Cabinet
Office of the Queensland Parliamentary Counsel
Office of the Public Service Commissioner
Department of Primary Industries and Fisheries
Forestry Plantations Queensland
Department of Public Works

地方政府、住房与体育部 自然资源、环境与艺术部 北
领地公园与野生动物委员会 斯特雷洛研究中心委员会
北领地就业与培训局 工作健康局 健康与社区服务部 健
康与社区服务投诉委员会 司法部 北领地应急服务 北领
地消防与救援服务 北领地警察部队 北领地许可证委员
会 赛马委员会 旅游北领地 公共就业专员办公室 北领地
财政部 北领地公用事业委员会

澳大利亚附表说明

1. 对于北领地列出的实体，本章不涵盖根据北领地政府和查尔斯·达尔文大学之间的伙伴关系协议，由查尔斯·达尔文大学代表北领地进行的预留。

昆士兰州^{1, 2}

司法与律师总长部 公共信托办公室 公平交易办公室
儿童安全部 社区部 昆士兰残疾人服务 昆士兰州应
急服务部 昆士兰救护服务 昆士兰消防与救援服务
基础设施与规划部 地方政府、体育与休闲部 主要公
路部 矿业与能源部 自然资源与水务部 昆士兰警察
服务 矫正服务部 总理和内阁部 昆士兰议会法律顾
问办公室 公共服务专员办公室 初级产业与渔业部
昆士兰林业与种植园 公共工程部

Department of Housing
Environmental Protection Agency
Department of Tourism, Regional Development and Industry
Queensland Transport
Department of Employment and Industrial Relations
Treasury Department
QSuper
Motor Accident Insurance Commission
Nominal Defendant
Office of Economic and Statistical Research
Office of State Revenue
Queensland Office of Gaming and Regulation

Notes to the Schedule of Australia

1. For the entities listed for Queensland, this Chapter does not apply to procurements by covered entities on behalf of non-covered entities.
2. For the entities listed for Queensland, this Chapter does not cover the procurement of health and welfare services, education services, government advertising and motor vehicles.

South Australia¹

Department of the Premier and Cabinet
Arts SA
Aboriginal Affairs and Reconciliation Division
Department of Treasury and Finance
Independent Gambling Authority
Department of Trade and Economic Development
Department of Primary Industries and Resources SA
Planning SA
Office for the Southern Suburbs
Department of Justice
Attorney-General's Department
Department for Correctional Services
Country Fire Services
Courts Administration Authority
South Australian Fire and Emergency Services Commission
South Australian Metropolitan Fire Services
South Australian Police Department
State Electoral Office
Auditor-General's Department
Department of Families and Community Services
Department of Health
Department of Education and Children's Services
Department of Further Education Employment, Science & Technology
SA Tourism Commission
Department for Environment and Heritage
Environment Protection Authority

住房部 环境保护局 旅游部、区域发展和工业 昆士兰交通部 就业和工业关系部 财政部 QSuper 机动车事故保险委员会 名义被告办公室 经济和统计研究办公室 州税务办公室 昆士兰游戏和监管办公室

澳大利亚附表说明

1. 对于列出的昆士兰州实体，本章不适用于受覆盖实体代表非覆盖实体进行的采购。
2. 对于列出的昆士兰州实体，本章不涵盖健康和社会福利服务的采购、教育服务、政府广告和机动车辆。

南澳大利亚州¹

总理和内阁部 艺术南澳大利亚 原住民事务和和解司 财政部和金融部 独立赌博管理局 贸易和发展部 初级产业和资源部 南澳大利亚规划 南澳大利亚南部地区办公室 司法部 总检察长部 矫正服务部 乡村消防服务 法院管理局 南澳大利亚消防和紧急服务委员会 南澳大利亚都市消防服务 南澳大利亚警察局 州选举办公室 总审计长部 家庭和社区服务部 卫生部 教育和儿童服务部 进一步教育和就业、科学与技术南澳大利亚部 旅游委员会 环境和遗产部 环境保护局

Department of Water, Land and Biodiversity Conservation
Department of Transport, Energy and Infrastructure
Office for State/Local Government Relations
State Procurement Board

Note to the Schedule of Australia

1. For the entities listed for South Australia, this Chapter does not cover the procurement of health and welfare services, education services, advertising services or motor vehicles.

Tasmania¹

Department of Education
Department of Health and Human Services
Department of Infrastructure, Energy and Resources
Department of Justice
Department of Police and Emergency Management
Department of Premier and Cabinet
Department of Primary Industries and Water
Department of Economic Development and Tourism
Department of Environment, Parks, Heritage and the Arts
Department of Treasury and Finance
House of Assembly
Legislative Council
Legislature-General
Office of the Governor
Tasmanian Audit Office
Office of the Ombudsman

Note to the Schedule of Australia

1. For the entities listed for Tasmania, this Chapter does not cover the procurement of health and welfare services, education services or advertising services.

水资源、土地和生物多样性保护部 交通、能源和基础设施部 州/地方政府关系办公室 州采购委员会

澳大利亚附表说明

1. 对于列出的南澳大利亚州实体，本章不涵盖健康和社会福利服务的采购、教育服务的采购、广告服务或机动车辆的采购。

塔斯马尼亚¹

教育部 健康与人类服务部 基础设施、能源和资源部
司法部 警察和应急管理部 总理和内阁部 主要产业和水部
经济发展和旅游部 环境、公园、遗产和艺术部
财政部和金融部 议会下院 立法议会 立法大会 州长办公室
塔斯马尼亚审计办公室 监察专员办公室

澳大利亚附表说明

1. 对于塔斯马尼亚州列出的实体，本章不涵盖健康和社会福利服务的采购、教育服务或广告服务。

Victoria^{1, 2}

Department of Premier and Cabinet
Department of Treasury and Finance
Department of Human Services
Department of Education and Early Childhood Development
Department of Innovation Industry and Regional Development
Department of Infrastructure
Department of Sustainability and Environment
Department of Primary Industries
Department of Planning and Community Development
Department of Justice
Essential Services Commission
Office of Police Integrity
Office of Public Prosecutions
Office of the Chief Commissioner of Police
Office of the Commissioner for Environmental Sustainability
Office of the Legal Services Commissioner
Office of the Ombudsman
Office of the Privacy Commissioner
Office of the Special Investigations Monitor
Office of the Victorian Electoral Commission
State Services Authority
Victorian Auditor-General's Office

Notes to the Schedule of Australia

1. For the entities listed for Victoria, this Chapter does not cover the procurement of motor vehicles.
2. For the entities listed for Victoria, this Chapter does not apply to procurements by covered entities on behalf of non-covered entities.

Western Australia

Department of Agriculture and Food
Rural Business Development Corporation of Western Australia
Department of Fisheries
Mid West Development Commission
Wheatbelt Development Commission
Great Southern Development Commission
Office of the Director of Public Prosecutions
Office of the Information Commissioner
Law Reform Commission of Western Australia
Equal Opportunity Commission
Department of Health
Western Australian Electoral Commission
Department for Communities
Department for Child Protection
Disability Services Commission

维多利亚^{1, 2}

总理和内阁部 财政部和金融部 人类服务部 教育和早期儿童发展部 创新、工业和区域发展部 基础设施部 可持续性和环境部 初级产业部 规划和社区发展部 司法部 基本服务委员会 警察诚信办公室 公共起诉办公室 警察首席专员办公室 环境可持续性专员办公室 法律服务机构专员办公室 监察专员办公室 隐私专员办公室 特别调查监督员办公室 维多利亚州选举委员会办公室 州服务管理局 维多利亚州审计长办公室

澳大利亚附表说明

1. 对于列出的维多利亚实体，本章不涵盖机动车辆的采购。
2. 对于列出的维多利亚实体，本章不适用于受覆盖实体代表非覆盖实体进行的采购。

西澳大利亚州

农业和食品部 西澳大利亚州农村企业发展公司 渔业部 中西部发展委员会 小麦带发展委员会 大南方发展委员会 公共检察官办公室 信息专员办公室 西澳大利亚州法律改革委员会 平等机会委员会 卫生部 西澳大利亚州选举委员会 社区部 儿童保护部 残疾人服务委员会

Department of Culture and the Arts
Department of Consumer and Employment Protection
Department of Indigenous Affairs
Department of the Registrar, Western Australian Industrial Relations Commission
Department of Education and Training
Country High Schools Hostels Authority
Curriculum Council of Western Australia
Department of Education Services
Botanic Gardens and Parks Authority
Department of Water
Department of Environment and Conservation
Swan River Trust
Zoological Parks Authority
Department of Housing and Works
State Supply Commission of Western Australia
Department of Racing, Gaming and Liquor
Department of Local Government and Regional Development
Heritage Council of WA
National Trust of Australia (WA)
Kimberley Development Commission
Pilbara Development Commission
Gascoyne Development Commission
Goldfields Esperance Development Commission
Department for Planning and Infrastructure
Main Roads Western Australia
Western Australian Planning Commission
Public Transport Authority
Fire and Emergency Services Authority of Western Australia
Department of Attorney General
Department of Corrective Services
Office of the Inspector of Custodial Services
Western Australian Police
Department of the Premier and Cabinet
Governor’s Establishment
Office of the Public Sector Standards Commissioner
Salaries and Allowances Tribunal
Department of Industry and Resources
Minerals and Energy Research Institute of Western Australia
Western Australian Tourism Commission (Tourism Western Australia)
Small Business Development Corporation
Rottnest Island Authority
Department of Sport and Recreation
Western Australian Sports Centre Trust
South West Development Commission
Department of Treasury and Finance
Office of Energy
Perth International Centre for Application of Solar Energy
Legislative Assembly
Legislative Council
Office of the Auditor General

文化艺术部 消费者和就业保护部 土著事务部 注册署，西澳大利亚
州工业关系公司

mmission

教育部和培训部乡村高中宿舍管理局西澳大利亚州课程委员会教
育服务部植物园和公园管理局水资源部环境保护部天鹅河信托动
物园管理局住房和工程部西澳大利亚州供应委员会赛马、博彩和
酒类部地方政府和区域发展部WA遗产委员会澳大利亚国家信托
（WA）金伯利开发委员会皮尔巴拉开发委员会加斯科因开发委
员会金矿和埃斯佩兰斯开发委员会规划和基础设施部西澳大利亚
州主要道路局西澳大利亚州规划委员会公共交通局西澳大利亚州
消防和应急服务局司法部矫正服务部拘留服务检查办公室公共部
门标准专员办公室工资和津贴tribunal工业和资源部西澳大利亚
州矿产和能源研究所西澳大利亚州旅游委员会（旅游西澳大利亚
州）中小企业发展公司罗特尼斯岛管理局体育和休闲部西澳大利
亚州体育中心信托西南开发委员会财政部和金融部能源办公室珀
斯国际太阳能应用中心立法议会立法议会审计长办公室

Office of the Parliamentary Commissioner for Administrative Investigations
Corruption and Crime Commission
Parliamentary Services Department

行政调查专员办公室 腐败与犯罪委员会 议会服务部门

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 264. *Municipalidad de Puerto Octay*
 265. *Municipalidad de Purranque*
 266. *Municipalidad de Puyehue*
 267. *Municipalidad de Río Negro*
 268. *Municipalidad de San Juan de La Costa*
 269. *Municipalidad de San Pablo*
 270. *Municipalidad de Chaitén*
 271. *Municipalidad de Futaleufú*
 272. *Municipalidad de Hualaihue*
 273. *Municipalidad de Palena*
 274. *Municipalidad de Coyhaique*
 275. *Municipalidad de Lago Verde*
 276. *Municipalidad de Aysén*
 277. *Municipalidad de Cisnes*
 278. *Municipalidad de Guaitecas*
 279. *Municipalidad de Cochrane*
 280. *Municipalidad de O'Higgins*
 281. *Municipalidad de Tortel*
 282. *Municipalidad de Chile Chico*
 283. *Municipalidad de Río Ibañez*
 284. *Municipalidad de Punta Arenas*
 285. *Municipalidad de Laguna Blanca*
 286. *Municipalidad de Río Verde*
 287. *Municipalidad de San Gregorio*
 288. *Municipalidad Cabo de Hornos (Ex Navarino)*
 289. *Municipalidad Antártica*
 290. *Municipalidad de Porvenir*
 291. *Municipalidad de Primavera*
 292. *Municipalidad de Timaukel*
 293. *Municipalidad de Natales*
 294. *Municipalidad de Torres del Paine*
 295. *Municipalidad de Santiago*
 296. *Municipalidad de Cerrillos*

247. Fresia市政府 248. Frutillar市政府 249. Los Muermos市政府 250. Llanquihue市政府 251. Maullín市政府 252. Puerto Varas市政府 253. Castro市政府 254. Ancud市政府 255. Chonchi市政府 256. Curaco de Velez市政府 257. Dalcahue市政府 258. Puqueldón市政府 259. Queilén市政府 260. Quellón市政府 261. Quemchi市政府 262. Quinchao市政府 263. Osorno市政府 264. Puerto Octay市政府 265. Purranque市政府 266. Puyehue市政府 267. Río Negro市政府 268. San Juan de La Costa市政府 269. San Pablo市政府 270. Chaitén市政府 271. Futaleufú市政府 272. Hualaihue市政府 273. Palena市政府 274. Coyhaique市政府 275. Lago Verde市政府 276. Aysén市政府 277. Cisnes市政府 278. Guaitecas市政府 279. Cochrane市政府 280. O'Higgins市政府 281. Tortel市政府 282. Chile Chico市政府 283. Río Ibañez市政府 284. Punta Arenas市政府 285. Laguna Blanca市政府 286. Río Verde市政府 287. San Gregorio市政府 288. Cabo de Hornos市政府 (前Navarino) 289. Antártica市政府 290. Porvenir市政府 291. Primavera市政府 292. Timaukel市政府 293. Natales市政府 294. Torres del Paine市政府 295. Santiago市政府 296. Cerrillos市政府

297. *Municipalidad de Cerro Navia*
 298. *Municipalidad de Conchalí*
 299. *Municipalidad de El Bosque*
 300. *Municipalidad de Estación Central*
 301. *Municipalidad de Huechuraba*
 302. *Municipalidad de Independencia*
 303. *Municipalidad de La Cisterna*
 304. *Municipalidad de La Florida*
 305. *Municipalidad de La Granja*
 306. *Municipalidad de La Pintana*
 307. *Municipalidad de La Reina*
 308. *Municipalidad de Las Condes*
 309. *Municipalidad de Lo Barnechea*
 310. *Municipalidad de Lo Espejo*
 311. *Municipalidad de Lo Prado*
 312. *Municipalidad de Macul*
 313. *Municipalidad de Maipú*
 314. *Municipalidad de Ñuñoa*
 315. *Municipalidad de Pedro Aguirre Cerda*
 316. *Municipalidad de Peñalolen*
 317. *Municipalidad de Providencia*
 318. *Municipalidad de Pudahuel*
 319. *Municipalidad de Quilicura*
 320. *Municipalidad de Quinta Normal*
 321. *Municipalidad de Recoleta*
 322. *Municipalidad de Renca*
 323. *Municipalidad de San Joaquín*
 324. *Municipalidad de San Miguel*
 325. *Municipalidad de San Ramón*
 326. *Municipalidad de Vitacura*
 327. *Municipalidad de Puente Alto*
 328. *Municipalidad de Pirque*
 329. *Municipalidad de San José de Maipo*
 330. *Municipalidad de Colina*
 331. *Municipalidad de Lampa*
 332. *Municipalidad de Til Til*
 333. *Municipalidad de San Bernardo*
 334. *Municipalidad de Buin*
 335. *Municipalidad de Calera de Tango*
 336. *Municipalidad de Paine*
 337. *Municipalidad de Melipilla*
 338. *Municipalidad de Alhué*
 339. *Municipalidad de Curacaví*
 340. *Municipalidad de Maria Pinto*
 341. *Municipalidad de San Pedro*
 342. *Municipalidad de Talagante*
 343. *Municipalidad de El Monte*
 344. *Municipalidad de Isla de Maipo*
 345. *Municipalidad de Padre Hurtado*
 346. *Municipalidad de Peñaflor*

297. Cerro Navia市政府 298. Conchalí市
 政府 299. El Bosque市政府 300.
 Estación Central市政府 301.
 Huechuraba市政府 302.
 Independencia市政府 303. La Cisterna
 市政府 304. La Florida市政府 305. La
 Granja市政府 306. La Pintana市政府
 307. La Reina市政府 308. Las Condes市
 政府 309. Lo Barnechea市政府 310. Lo
 Espejo市政府 311. Lo Prado市政府 312.
 Macul市政府 313. Maipú市政府 314.
 Ñuñoa市政府 315. Pedro Aguirre
 Cerda市政府 316. Peñalolen市政府
 317. Providencia市政府 318. Pudahuel
 市政府 319. Quilicura市政府 320.
 Quinta Normal市政府 321. Recoleta市政
 府 322. Renca市政府 323. San Joaquín市
 政府 324. San Miguel市政府 325. San
 Ramón市政府 326. Vitacura市政府 327.
 Puente Alto市政府 328. Pirque市政府
 329. San José de Maipo市政府 330.
 Colina市政府 331. Lampa市政府 332.
 Til Til市政府 333. San Bernardo市政府
 334. Buin市政府 335. Calera de Tango市
 政府 336. Paine市政府 337. Melipilla市
 政府 338. Alhué市政府 339. Curacaví市
 政府 340. Maria Pinto市政府 341. San
 Pedro市政府 342. Talagante市政府 343.
 El Monte市政府 344. Isla de Maipo市政
 府 345. Padre Hurtado市政府 346.
 Peñaflor市政府

Section 3: Other Covered Entities

1. This Chapter applies to entities listed in each Party’s Schedule to this Section where the value of the procurement is estimated, in accordance with Article 15.5, to equal or exceed:
- (a) for procurement of goods and services:
A\$436,000 or CLP\$ 179,558,000
- (b) for procurement of construction services:
A\$9,570,000 or CLP\$ 3,940,806,000
2. The monetary thresholds set out in paragraph 1 shall be adjusted in accordance with Section 8 of this Annex.
3. This Section covers only those entities specifically listed below.

第3节：其他受覆盖实体

1. 本章适用于每一方在本节清单中列出的实体，其中采购的价值根据第15.5条估计等于或超过：
- (a) 对于货物和服务的采购：436,000澳元或CLP\$ 179,558,000 (b) 对于建筑服务的采购：9,570,000澳元或CLP\$ 3,940,806,000
2. 第1段中规定的货币门槛应根据本附件第8节进行调整。
3. 本节仅涵盖下方特别列出的实体。

Schedule of Australia¹

Aged Care Standards and Accreditation Agency Ltd.
Australian Accounting Standards Board
Australian Communications and Media Authority
Australian Fisheries Management Authority
Australian Institute of Criminology
Australian Institute of Health and Welfare
Australian Institute of Marine Science
Australian Law Reform Commission
Australian Maritime Safety Authority
Australian National Maritime Museum
Australian Nuclear Science and Technology Organisation
Australian Pesticides and Veterinary Medicines Authority
Australian Prudential Regulation Authority
Australian Securities and Investments Commission
Tourism Australia
Australian Trade Commission (Austrade)
Australian War Memorial²
Comcare
Commonwealth Scientific and Industrial Research Organisation
Corporations and Markets Advisory Committee
Export Finance and Insurance Corporation
Grains Research and Development Corporation
Great Barrier Reef Marine Park Authority
Medicare Australia
Land and Water Resources Research and Development Corporation
National Gallery of Australia
National Museum of Australia
Reserve Bank of Australia
Sydney Harbour Federation Trust
The Director of National Parks

Notes to the Schedule of Australia

1. For the entities listed in this schedule, this Chapter does not cover the procurement of motor vehicles.
2. This Chapter does not cover procurement of telecommunications services by the Australian War Memorial.

澳大利亚清单¹

老年护理标准和认证机构有限公司 澳大利亚会计准则委员会
澳大利亚通信和媒体管理局 澳大利亚渔业管理局 澳大利亚犯罪研究所 澳大利亚健康与福利研究所 澳大利亚海洋科学研究所 澳大利亚法律改革委员会 澳大利亚海事安全局 澳大利亚国家海事博物馆 澳大利亚核科学与技术组织 澳大利亚农药和兽药管理局 澳大利亚审慎监管局 澳大利亚证券和投资委员会 澳大利亚旅游局 澳大利亚贸易委员会（澳贸局） 澳大利亚战争纪念馆Comcare 澳大利亚联邦科学与工业研究组织 公司和市场咨询委员会 出口金融和保险公司 谷物研究与开发公司 大堡礁海洋公园管理局 澳大利亚医疗保险局 土地和水资源研究与开发公司 澳大利亚国家美术馆 澳大利亚国家博物馆 澳大利亚储备银行 悉尼港联邦信托 国家公园总监²

澳大利亚附表说明

1. 对于本清单中列出的实体，本章不涵盖机动车辆的采购。
2. 本章不涵盖澳大利亚战争纪念馆采购电信服务。

Schedule of Chile

- 1. *Empresa Portuaria Arica*
- 2. *Empresa Portuaria Iquique*
- 3. *Empresa Portuaria Antofagasta*
- 4. *Empresa Portuaria Coquimbo*
- 5. *Empresa Portuaria Valparaíso*
- 6. *Empresa Portuaria San Antonio*
- 7. *Empresa Portuaria San Vicente Talcahuano*
- 8. *Empresa Portuaria Puerto Montt*
- 9. *Empresa Portuaria Chacabuco*
- 10. *Empresa Portuaria Austral*
- 11. *Aeropuertos de propiedad del Estado, dependientes de la Dirección General de Aeronáutica Civil*

智利清单

- 1. 港口公司阿里卡 2. 港口公司伊基克 3. 港口公司安托法加斯塔 4. 港口公司科金博 5. 港口公司瓦尔帕莱索 6. 港口公司圣安东尼奥 7. 港口公司圣维森特 塔尔卡哈诺 8. 港口公司普图马约 9. 港口公司查卡布科 10. 港口公司南极
- 11. 国家所有机场，隶属于民用航空总局

Section 4: Goods

This Chapter applies to all goods procured by the entities listed in Sections 1 to 3, unless otherwise specified in this Chapter, including this Annex.

第4节：商品

本章适用于第1节至第3节中列出的实体采购的所有商品，除非本章另有规定，包括本附件。

Section 5: Services

This Chapter applies to all services procured by the entities listed in Sections 1 to 3, unless otherwise specified in this Chapter, including this Annex.

Schedule of Australia

This Chapter does not cover the procurement of research and development services, plasma fractionation services or government advertising services.

第5节：服务

本章适用于第1节至第3节中列出的实体采购的所有服务，除非本章另有规定，包括本附件。

澳大利亚清单

本章不涵盖研发服务、血浆分离服务或政府广告服务的采购。

Section 6: Construction Services

This Chapter applies to all construction services procured by the entities listed in Sections 1 to 3, unless otherwise specified in this Chapter, including this Annex.

Schedule of Australia

For the purposes of Articles 15.13.1 and 15.13.2, Australia requires, as a condition for participation in procurement of building and construction services, compliance with the National Code of Practice for the Construction Industry and related implementation guidelines at the central and sub-central government levels, and their successor policies and guidelines. In this respect Australia shall accord to the goods, services and suppliers of Chile, treatment no less favourable than the most favourable treatment it accords to its own goods, services and suppliers.

Schedule of Chile

This Chapter shall not apply to construction services intended for Easter Island (*Isla de Pascua*).

Note to Section 6

Buy national requirements on articles, supplies or materials acquired for use in construction services contracts covered by this Chapter shall not apply to goods of either Party.

第6节：建筑服务

本章适用于第1节至第3节中列出的实体采购的所有建筑服务，除非本章另有规定，包括本附件。

澳大利亚清单

根据第15.13.1条和第15.13.2条的规定，澳大利亚要求，作为参与建筑和建筑服务采购的条件，必须遵守建筑行业国家实践守则及相关实施指南，并在中央和次中央政府层面及其后续政策和指南方面进行合规。在这方面，澳大利亚应给予智利的商品、服务和供应商不低于其自身商品、服务和供应商所获得的最优惠待遇的待遇。

智利清单

本章不适用于为复活节岛（帕斯卡岛）提供的建筑服务。

第6节注释

购买用于本章节涵盖的建筑服务合同的文章、供应品或材料的国家要求，不适用于任何一方的货物。

Section 7: General Notes

Unless otherwise specified herein, the following General Notes in each Party’s Schedule apply without exception to this Chapter, including to all sections of this Annex.

Schedule of Australia

This Chapter does not apply to:

- (a) any form of preference to benefit small and medium enterprises;
- (b) measures to protect national treasures of artistic, historic, or archaeological value;
- (c) measures for the health and welfare of indigenous people; and
- (d) measures for the economic and social advancement of indigenous people.

第7节：一般说明

除非本文件另有规定，每一方的清单中包含的一般说明，无例外地适用于本章节，包括本附件的所有部分。

澳大利亚清单

本章不适用于：

- (a) 任何以支持中小型企业为目标的优惠形式；(b) 保护具有艺术、历史或考古价值的国家宝藏的措施；(c) 为原住民的健康和福利采取的措施；以及(d) 为原住民的经济和社会进步采取的措施。

Section 8: Threshold Adjustment Formula

1. The thresholds in Sections 1 to 3 shall be adjusted at two-year intervals with each adjustment taking effect on January 1, beginning January 1, 2010.
2. The thresholds shall be adjusted:
 - (a) for Australia to align with the adjusted thresholds for equivalent categories of procurement listed in Annex 15-A, Section 1 to 3 of the Australia-United States Free Trade Agreement, expressed in its national currency according to that Agreement; and
 - (b) for Chile to align with the adjusted thresholds for equivalent categories of procurement listed in Annex 9.1, Section A to C of the Chile-United States Free Trade Agreement, expressed in its national currency according to that Agreement.
3. A Party may round its calculations for adjusted thresholds covered by this section according to the following:
 - (a) for Australia, to the nearest thousand Australian Dollars; and
 - (b) for Chile, to the nearest hundred thousand Chilean Pesos.
4. The Parties shall consult if a major change in a national currency vis-à-vis Special Drawing Rights or the other currency during a year were to create a significant problem with regard to the application of the Chapter.
5. In the event that:
 - (a) Australia withdraws from the Australia-United States Free Trade Agreement pursuant to Article 23.4 of that Agreement; or
 - (b) Chile withdraws from the Chile-United States Free Trade Agreement pursuant to Article 24.4 of that Agreement; or
 - (c) The Australia-United States Free Trade Agreement or the Chile-United States Free Trade Agreement are terminated; or
 - (d) An alteration to the arrangements for determining or adjusting the thresholds referred to in paragraph 2 in either the Australia-United States Free Trade Agreement or the Chile-United States Free Trade Agreement impacts on the operation of this Chapter;

The Joint FTA Committee shall agree revised arrangements for determining or adjusting thresholds with a view to maintaining the balance between the Parties in respect of the thresholds applying to one or more categories of procurement as set out in Sections 1 to 3.

第8节：阈值调整公式

1. 第1节至第3节中的门槛应每两年调整一次，每次调整于2010年1月1日开始生效，自2010年1月1日起。
2. 阈值应进行调整：
 - (a) 澳大利亚应与附件15-A第1至3节澳大利亚-美国自由贸易协定中列出的、相当于采购类别的调整后阈值对齐，并根据该协定以本国货币表示；以及
 - (b) 智利应与附件9.1第A至C节智利-美国自由贸易协定中列出的、相当于采购类别的调整后阈值对齐，并根据该协定以本国货币表示。
3. 一方可以根据以下规定对本节涵盖的调整后阈值计算结果进行四舍五入：
 - (a) 对于澳大利亚，应四舍五入到最接近的澳大利亚元一千；以及(b) 对于智利，应四舍五入到最接近的智利比索一百万。
4. 一方若在一年内对本国货币相对于特别提款权或其他货币的重大变化导致在适用本章节方面出现重大问题时，应进行磋商。
5. 在以下情况下：
 - (a) 澳大利亚根据该协议第23.4条退出澳大利亚-美国自由贸易协定；或
 - (b) 智利根据该协议第24.4条退出智利-美国自由贸易协定；或 (c) 澳大利亚-美国自由贸易协定或智利-美国自由贸易协定终止；或 (d) 对第2段中提到的确定或调整阈值的安排的变更影响本章节的运作；

联合自由贸易委员会应就确定或调整第1节至第3节中规定的适用于一个或多个采购类别的门槛的修订后安排达成一致，以维持一方之间的平衡。

6. Each Party shall notify the other Party of the value of the newly calculated thresholds in its national currency no later than one month before the thresholds take effect.

6. 每一方应在门槛生效前一个月内，以本国货币通知另一方新计算的门槛的价值。