

Schedule of Canada

Annex 1

Central Level Entities

<i>Thresholds</i>	CAD 76,600	-	Goods covered in Annex 4
	CAD 76,600	-	Services covered in Annex 5
	CAD 8,500,000	-	Construction Services covered in Annex 6

1. Atlantic Canada Opportunities Agency
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 Development Agency (on its own account)
13. Canadian International Trade Tribunal
14. Canadian Nuclear Safety Commission
15. Canadian Radio-television and Telecommunications Commission
16. Canadian Transportation Accident Investigation and Safety Board
17. Canadian Transportation Agency
18. Copyright Board of Canada
19. Correctional Service of Canada
20. Courts Administration Service
21. Department of Agriculture and Agri-Food
22. Department of Canadian Heritage

23. Department of Citizenship and Immigration
24. Department of Finance
25. Department of Fisheries and Oceans
26. Department of Foreign Affairs and International Trade
27. Department of Health
28. Department of Human Resources and Skills Development
29. Department of Indian Affairs and Northern Development
30. Department of Industry
31. Department of Justice
32. Department of National Defence
33. Department of Natural Resources
34. Department of Public Safety
35. Department of Public Works and Government Services (on its own account)
36. Department of the Environment
37. Department of Transport
38. Department of Veterans Affairs
39. Department of Western Economic Diversification
40. Director of Soldier Settlement
41. Director, The Veterans' Land Act
42. Economic Development Agency of Canada for the Regions of Quebec
43. Farm Products Council of Canada
44. Hazardous Materials Information Review Commission
45. Immigration and Refugee Board
46. Library and Archives Canada
47. Municipal Development and Loan Board
48. National Battlefields Commission
49. National Energy Board
50. National Parole Board
51. National Research Council of Canada
52. Natural Sciences and Engineering Research Council of Canada
53. Northern Pipeline Agency
54. Office of the Auditor General
55. Office of the Chief Electoral Officer of Canada
56. Office of the Commissioner for Federal Judicial Affairs
57. Office of the Commissioner of Official Languages
58. Office of the Coordinator, Status of Women

59. Office of the Governor General's Secretary
60. Office of the Superintendent of Financial Institutions
61. Offices of the Information and Privacy Commissioners of Canada
62. Parks Canada Agency
63. Patented Medicine Prices Review Board
64. Privy Council Office
65. Public Health Agency of Canada
66. Public Service Commission
67. Public Service Human Resources Management Agency of Canada
68. Public Service Labour Relations Board
69. Registry of the Competition Tribunal
70. Royal Canadian Mounted Police
71. Royal Canadian Mounted Police External Review Committee
72. Royal Canadian Mounted Police Public Complaints Commission
73. Social Sciences and Humanities Research Council
74. Statistics Canada
75. Statute Revision Commission
76. Supreme Court of Canada
77. Transportation Appeal Tribunal of Canada
78. Treasury Board Secretariat

Annex 2

Other Covered Entities

<i>Thresholds</i>	CAD 383,300	–	Goods covered in Annex 4
	CAD 383,300	–	Services covered in Annex 5
	CAD 12,200,000	–	Construction Services covered in Annex 6

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

Notes to Annex 2

1. Article 16.12 (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 cover procurement by or on behalf of the Royal Canadian Mint of direct inputs for use in minting anything other than Canadian legal tender.

Annex 3

Panama Canal Authority

Not applicable for Canada.

Annex 4

Goods

Section A – General Provisions

1. This Chapter covers all goods procured by the procuring entities listed in Annexes 1 and 2, subject to the Notes to the respective annex, the General Notes, and paragraph 2.
2. For procurement by the Department of National Defence, the Royal Canadian Mounted Police and the Canadian Coast Guard, this Chapter covers only the goods listed in Section B, subject to Article 16.03(1).

Section B – List of Certain Goods

(The numbers refer to the Federal Supply Classification (FSC) document dated May 2005, which can be found at <http://www.dlis.dla.mil/hcfsch21.asp>.)

22. Railway equipment
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)
24. Tractors
25. Vehicular equipment components
26. Tires and tubes
29. Engine accessories
30. Mechanical power transmission equipment

32. Woodworking machinery and equipment
34. Metal working machinery
35. Service and trade equipment
36. Special industry machinery
37. Agricultural machinery and equipment
38. Construction, mining, excavating and highway maintenance equipment
39. Materials handling equipment
40. Rope, cable, chain and fittings
41. Refrigeration and air conditioning equipment
42. Fire fighting, rescue and safety equipment (except 4220: Marine lifesaving and diving equipment; and 4230: Decontaminating and impregnating equipment)
43. Pumps and compressors
44. Furnace, steam plant, drying equipment and nuclear reactors
45. Plumbing, heating and sanitation equipment
46. Water purification and sewage treatment equipment
47. Pipe, tubing, hose and fittings
48. Valves
49. Maintenance and repair shop equipment
52. Measuring tools
53. Hardware and abrasives
54. Prefabricated structures and scaffolding
55. Lumber, millwork, plywood and veneer
56. Construction and building materials
61. Electric wire and power and distribution equipment
62. Lighting fixtures and lamps
63. Alarm and signal systems
65. Medical, dental and veterinary equipment and supplies
66. Instruments and laboratory equipment (except 6615: Automatic pilot mechanisms and airborne Gyro components; and 6665: Hazard detecting instruments and apparatus)

67. Photographic equipment
68. Chemicals and chemical products
69. Training aids and devices
70. General purpose automatic data processing equipment, software, supplies and support equipment (except 7010: Automatic Data Processing Equipment (ADPE) configurations)
71. Furniture
72. Household and commercial furnishings and appliances
73. Food preparation and serving equipment
74. Office machines, text processing system and visible record equipment
75. Office supplies and devices
76. Books, maps and other publications (except 7650: drawings and specifications)
77. Musical instruments, phonographs and hometype radios
78. Recreational and athletic equipment
79. Cleaning equipment and supplies
80. Brushes, paints, sealers and adhesives
81. Containers, packaging and packing supplies
85. Toiletries
87. Agricultural supplies
88. Live animals
91. Fuels, lubricants, oils and waxes
93. Nonmetallic fabricated materials
94. Nonmetallic crude materials
96. Ores, minerals and their primary products
99. Miscellaneous

Annex 5

Services

Section A – General Provisions

1. This Chapter covers all services procured by the procuring entities in Annex 1 and Annex 2, subject to paragraph 3 and Section B of this Annex.
2. Services are identified in accordance with the Common Classification System, which may be found at: <http://www.sice.oas.org/trade/nafta/chap-105.asp>.
3. Annex 6 applies to contracts for construction services.

Section B – Excluded Coverage

Services Exclusions by Major Service Category

Part I

This Chapter does not cover procurement of the following services by entities listed in Annex 1 and Annex 2:

A. Research and Development

All classes

B. Studies and Analysis - not R&D

B002 Animal and Fisheries Studies

B003 Grazing/Range Studies

- B400 Aeronautic/Space Studies
- B503 Medical and Health Studies
- B507 Legal Studies (except advisory services on foreign law)

C. Architect and Engineering Services

- C112 Airfield, Communication and Missile Facilities
- C216 Marine Architect and Engineering Services

D. Information Processing and Related Telecommunications Services

D304 ADP Telecommunications and Transmission Services, except those classified as “enhanced or value-added services.” Enhanced or value-added services means those telecommunications services employing computer processing applications that:

- (a) act on the format, content, code, protocol or similar aspects of a customer’s transmitted information;
- (b) provide a customer with additional, different or restructured information;
or
- (c) involve customer interaction with stored information.

For purposes of this provision, the procurement of “ADP Telecommunications and Transmission Services” does not include the ownership or furnishing of facilities for the transmission of voice or data services. This provision only extends to providers of enhanced or value-added services whose underlying telecommunications transmission facilities are leased from providers of public telecommunications transport networks.

- D305 ADP Teleprocessing and Timesharing Services
- D309 Information and Data Broadcasting or Data Distribution Services (except enhanced/value-added facsimile services, including store and forward, store and retrieve, and Code and protocol conversion)

- D316 Telecommunications Network Management Services (except Electronic Data Interchange (EDI) Services)
- D317 Automated News Service, Data Services, or Other Information Services. Buying data, the electronic equivalent of books, periodicals, newspapers, etc. (except enhanced/value-added electronic mail services; telecommunications - voice messaging; information retrieval services, database and automated news services)
- D399 Other ADP and Telecommunications Services (except enhanced/value-added CD-ROM services and micrographic services)

F. Natural Resources Services

- F004 Land Treatment Practices Services (plowing/clearing, etc.).
- F005 Range Seeding Services (ground equipment)
- F006 Crop Services (including Seed Collection/Production Services)
- F011 Pesticides/Insecticides Support Services (except forestry and logging)
- F021 Veterinary/Animal Care Services (inc. livestock services)
- F029 Other Animal Care/Control Services
- F030 Fisheries Resources Management Services
- F031 Fish Hatchery Services
- F050 Recreation Site Maintenance Services (non-construction)
- F059 Other Natural Resource and Conservation Services

G. Health and Social Services

All classes

H. Quality Control, Testing, Inspection and Technical Representative Services

Services for the departments and functions listed in Annex 7(1)(e) respecting FSC 36 (Special Industry Machinery), FSC 70 (Automatic Data Processing Equipment, Software Supplies and Support Equipment) and FSC 74 (Office Machines, Text Processing Systems and Visible Record Equipment)
FSC 58 (Communications, Detection, and Coherent Radiation Equipment)
Services with reference to transportation equipment

J. Maintenance, Repair, Modification, Rebuilding and Installation of Goods/Equipment

Services for the departments and functions listed in Annex 7(1)(e) respecting FSC 36 (Special Industry Machinery), FSC 70 (Automatic Data Processing Equipment, Software Supplies and Support Equipment) and FSC 74 (Office Machines, Text Processing Systems and Visible Record Equipment)
FSC 58 (Communications, Detection, and Coherent Radiation Equipment)
Services with reference to transportation equipment

J019 Maintenance, Repair, Modification, Rebuilding and Installation of Equipment Related to Ships

J998 Non-nuclear Ship Repair

K. Custodial Operations and Related Services

K0 Personal Care Services

K105 Guard Services

K109 Surveillance Services

K115 Preparation and Disposal of Excess and Surplus Property

L. Financial and Related Services

All classes

M. Operation of Government-Owned Facilities

All facilities operated by:

The Department of National Defence

The Department of Transport

The Department of Natural Resources

and for all other departments: M180 and M140

R. Professional, Administrative and Management Support Services

R003 Legal Services (except advisory services on foreign law)

R004 Certifications and accreditations for Products and Institutions Other Than Educational Institutions

R007 Systems Engineering Services (with reference to transportation systems)

R012 Patent and Trade Mark Services

R101 Expert Witness

R102 Weather Reporting/Observation Services

R104 Transcription Services

R106 Post Office Services

R109 Translation and Interpreting Services (including sign language)

R114 Logistics Support Services (with respect to transportation and defence)

R116 Court Reporting Services

R117 Paper Shredding Services

R201 Civilian Personnel Recruitment (including services of employment agencies)

S. Utilities

All classes

T. Communications, Photographic, Mapping, Printing and Publication Services

All classes

U. Educational and Training Services

U010 Certifications and Accreditations for Educational Institutions

V. Transportation, Travel and Relocation Services

All classes (except V503 Travel Agent Services (not including tour guides))

W. Lease and Rental of Equipment

Services for the departments and functions listed in Annex 7(1)(e) respecting FSC 36 (Special Industry Machinery), FSC 70 (Automatic Data Processing Equipment, Software Supplies and Support Equipment) and FSC 74 (Office Machines, Text Processing Systems and Visible Record Equipment) FSC 58 (Communications, Detection, and Coherent Radiation Equipment) Services with reference to transportation equipment

Part II

This Chapter does not cover procurement of the following services by entities listed in Annex 2:

D. Information Processing and Related Telecommunications Services

D309 Information and Data Broadcasting or Data Distribution Services

D316 Telecommunications Network Management Services

D317 Automated News Service, Data Services, or Other Information Services. Buying data, the electronic equivalent of books, periodicals, newspapers, etc.

D399 Other ADP and Telecommunications Services

F. Natural Resources and Conservation Services

F007 Seedling Production/Transplanting Services

F010 Other Range/Forest Improvements Services

R. Professional, Administrative and Management Support Services

R113 Data Collection Services

Notes to Annex 5

1. Services with reference to the goods purchased by the Department of National Defence, the Royal Canadian Mounted Police and the Canadian Coast Guard that are not identified as subject to the coverage of this Chapter (Annex 4) are exempt from the disciplines of this Chapter.
2. Services purchased in support of military forces located overseas are exempt from coverage of this Chapter.

Annex 6

Construction Services

Section A – General Provisions

1. This Chapter covers all construction services set out in the Common Classification System (CCS), except those listed in Section B, that are procured by the procuring entities listed in Annex 1 and Annex 2.
2. The Common Classification System can be found at:
<http://www.sice.oas.org/trade/nafta/chap-106.asp#An1001.1b-3>.

Section B – Excluded Coverage

Services Exclusions by Major Service Category

The following services contracts are excluded:

1. Dredging.
2. Construction contracts tendered by or on behalf of the Department of Transport.
3. CPC 5115 mining of oil and gas which is classified under CCS F042.

Annex 7

General Notes

1. This Chapter does not cover procurements in respect of:
 - (a) shipbuilding and repair;
 - (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) contracts respecting FSC 58 (Communications, Detection and Coherent Radiation Equipment);
 - (d) set-asides for small and minority businesses;
 - (e)
 - (i) the Department of Transport,
 - (ii) the Department of Fisheries and Oceans,
 - (iii) the Canadian Food Inspection Agency in respect of the administration and enforcement of the *Fish Inspection Act*,
 - (iv) the Department of Canadian Heritage in respect of those functions that were formerly the responsibility of the Department of Communications,

(v) the Department of Industry in respect of telecommunications, except in relation to (a) the planning and coordination of telecommunication services for departments, boards and agencies of the Government of Canada, and (b) broadcasting, other than in relation to spectrum management and the technical aspects of broadcasting, and

(vi) the Department of Public Works and Government Services in respect of the Government Telecommunications and Informatics Services,

respecting FSC 70 (Automatic Data Processing Equipment, Software Supplies and Support Equipment), FSC 74 (Office Machines, Text Processing Systems and Visible Record Equipment) and FSC 36 (Special Industry Machinery); and

(f) agricultural products made in furtherance of agricultural support programs or human feeding programs.

2. This Chapter does not cover the procurement of transportation services forming a part of or incidental to a procurement contract.

3. Pursuant to Article 16.03, national security exceptions include oil purchases related to any strategic reserve requirements.

4. National security exceptions include procurements made in support of safeguarding nuclear materials or technology.

5. The procurement process is the process that begins after an entity has decided on its requirement and continues through to and including contract award.

6. The Notes in this Annex apply to this Chapter and all of the Annexes to the Canadian Schedule.

Annex 8

Threshold Adjustment Formulas

1. The thresholds will be adjusted at two-year intervals, with each adjustment taking effect on January 1, beginning on January 1, 2012.

2. The thresholds for:

- (a) construction services procured by entities listed in Annex 1, and
- (b) goods and services procured by the entity listed in Annex 3,

will be adjusted in accordance with the *WTO Agreement on Government Procurement GPA/1*, Annex 3. Canada shall notify Panama in writing of the adjusted threshold values in the applicable currencies in December of the year before the adjusted thresholds take effect.

3. The thresholds for:

- (a) goods and services procured by entities listed in Annex 1, and
- (b) goods, services and construction services procured by entities listed in Annex 2,

will be adjusted in accordance with Annex 1001.1c of the *North American Free Trade Agreement between the Government of Canada, the Government of the United Mexican States and the Government of the United States of America*, done at Mexico, Ottawa and Washington on 17 December 1992 (“NAFTA”). Canada shall notify Panama in writing of the adjusted threshold values in the applicable currencies in December of the year before the adjusted thresholds take effect.

4. The thresholds for:
- (a) construction services procured by the entity listed in Annex 3 that are applicable the thirteenth year following the entry into force of this Agreement will:
 - (i) if the TPA enters into force, be set at the thresholds established under Annex 9.1 (Government Procurement), Section D (Panama Canal Authority) of the TPA, and be adjusted under Section I (Threshold Adjustment Formula) of the TPA, or
 - (ii) if the TPA has not entered into force, be adjusted in accordance with paragraph 3 of this Annex;
 - (b) construction services in Annex 3, applicable for 12 years following the entry into force of this Agreement (USD 12,000,000), will not be adjusted.

5. If a major change in a currency used by a Party during a year creates a significant problem with regard to the application of the Chapter, the Joint Commission shall determine whether an interim adjustment is appropriate.

6. In the event that:
- (a) Canada withdraws from the *WTO Agreement on Government Procurement* pursuant to Article XXIV of that Agreement, or the NAFTA pursuant to Article 2205 of that Agreement,
 - (b) the *WTO Agreement on Government Procurement* or the NAFTA is terminated, or
 - (c) a threshold adjustment formula referenced in paragraphs 1, 2, 3 or 4 is altered,

the Committee on Procurement shall determine a suitable alternative threshold adjustment formula.

Annex 9

Transitional Thresholds for Goods and Services Procured by Central Level Entities of Panama

Transitional Thresholds

1. For a transitional period of 3 years from the date of entry into force of this Agreement, Panama shall apply a threshold of SDR 95,000 for goods and services procured by entities listed in Annex 1.

Domestic Currency Adjustment

2. Panama shall adjust the transitional threshold value of this Annex based on an average of the daily conversion rates of the U.S. dollar in terms of SDRs, published by the International Monetary Fund in its monthly “International Financial Statistics”, for the two-year period ending September 30 of the year before the adjusted transitional thresholds take effect.

Adoption of Permanent Thresholds

3. At the end of the transitional period, Panama may adopt the thresholds in Annex 1 for goods and services.

4. If Panama is not able to adopt the thresholds in Annex 1 for goods and services procured by entities listed in Annex 1:

(a) Panama shall notify Canada a minimum of 3 months before the end of the transitional period; and

(b) the Parties shall adopt the threshold listed in paragraph 1 of this Annex.

5. The new thresholds adopted under paragraphs 3 or 4 will replace the thresholds for goods and services for Canada and Panama procured by entities in Annex 1, and the new adopted threshold values will be adjusted for Canada and Panama in accordance with Annex 8, paragraph 2 or 3 as appropriate.