

Annex 9  
referred to in Chapter 10

Government Procurement

Part 1  
List of Japan

Section 1  
Central Government Entities

1. Goods

- (a) Threshold:  
130,000 SDR
- (b) Procuring Entities:  
Entities covered by Annex 1 of Japan in Appendix I to the Agreement on Government Procurement in Annex 4 to the WTO Agreement as of December 31, 2010, as follows:
- House of Representatives
  - House of Councillors
  - Supreme Court
  - Board of Audit
  - Cabinet
  - National Personnel Authority
  - Cabinet Office
  - Imperial Household Agency
  - National Public Safety Commission (National Police Agency)
  - Financial Services Agency
  - Consumer Affairs Agency
  - Ministry of Internal Affairs and Communications
  - Ministry of Justice
  - Ministry of Foreign Affairs
  - Ministry of Finance
  - Ministry of Education, Culture, Sports, Science and Technology
  - Ministry of Health, Labour and Welfare
  - Ministry of Agriculture, Forestry and Fisheries
  - Ministry of Economy, Trade and Industry

- Ministry of Land, Infrastructure, Transport and Tourism
- Ministry of Environment
- Ministry of Defense

## 2. Services

### (a) Threshold:

- (i) Construction services: 4,500,000 SDR
- (ii) Architectural, engineering and other technical services covered by Chapter 10: 450,000 SDR
- (iii) Other services: 130,000 SDR

### (b) Procuring Entities:

Procuring Entities set out in paragraph 1

## Notes to Section 1:

1. The Procuring Entities set out in this Section include all their internal sub-divisions, independent organs, attached organizations and other organizations and local branch offices provided for in the National Government Organization Law (Law No. 120 of 1948) and the Law establishing the Cabinet Office (Law No. 89 of 1999).

2. Chapter 10 shall not apply to contracts to be awarded to cooperatives or associations in accordance with laws and regulations existing at the time of the entry into force of this Agreement.

Section 2  
Sub-Central Government Entities

1. Goods

- (a) Threshold:  
200,000 SDR
  
- (b) Procuring Entities:  
Entities covered by Annex 2 of Japan in Appendix I to the Agreement on Government Procurement in Annex 4 to the WTO Agreement as of December 31, 2010, as follows:
  - Hokkaido
  - Aomori-ken
  - Iwate-ken
  - Miyagi-ken
  - Akita-ken
  - Yamagata-ken
  - Fukushima-ken
  - Ibaraki-ken
  - Tochigi-ken
  - Gunma-ken
  - Saitama-ken
  - Chiba-ken
  - Tokyo-to
  - Kanagawa-ken
  - Niigata-ken
  - Toyama-ken
  - Ishikawa-ken
  - Fukui-ken
  - Yamanashi-ken
  - Nagano-ken
  - Gifu-ken
  - Shizuoka-ken
  - Aichi-ken
  - Mie-ken
  - Shiga-ken
  - Kyoto-fu
  - Osaka-fu
  - Hyogo-ken
  - Nara-ken
  - Wakayama-ken
  - Tottori-ken
  - Shimane-ken
  - Okayama-ken

- Hiroshima-ken
- Yamaguchi-ken
- Tokushima-ken
- Kagawa-ken
- Ehime-ken
- Kochi-ken
- Fukuoka-ken
- Saga-ken
- Nagasaki-ken
- Kumamoto-ken
- Oita-ken
- Miyazaki-ken
- Kagoshima-ken
- Okinawa-ken
- Osaka-shi
- Nagoya-shi
- Kyoto-shi
- Yokohama-shi
- Kobe-shi
- Kitakyushu-shi
- Sapporo-shi
- Kawasaki-shi
- Fukuoka-shi
- Hiroshima-shi
- Sendai-shi
- Chiba-shi

## 2. Services

### (a) Threshold:

- (i) Construction services: 15,000,000 SDR
- (ii) Architectural, engineering and other technical services covered by Chapter 10: 1,500,000 SDR
- (iii) Other services: 200,000 SDR

### (b) Procuring Entities:

Procuring Entities set out in paragraph 1

Notes to Section 2:

1. The Procuring Entities set out in this Section include all internal sub-divisions, attached organizations and branch offices of their governors or mayors, committees and other organizations provided for in the Local Autonomy Law (Law No. 67 of 1947).
2. Chapter 10 shall not apply to contracts to be awarded to cooperatives or associations in accordance with laws and regulations existing at the time of the entry into force of this Agreement.
3. Chapter 10 shall not apply to contracts which the procuring entities award for purposes of their daily profit-making activities which are exposed to competitive forces in markets. This note shall not be used in a manner which circumvents the provisions of the Chapter 10.
4. Procurement related to operational safety of transportation is not included.
5. Procurement related to the production, transport or distribution of electricity is not included.

Section 3  
All Other Entities

1. Goods

(a) Threshold:  
130,000 SDR

(b) Procuring Entities:

(i) Group A

- Japan Water Agency
- Japan Railway Construction, Transport and Technology Agency (a) (d) (e)
- Narita International Airport Corporation
- East Nippon Expressway Company Limited
- Central Nippon Expressway Company Limited
- West Nippon Expressway Company Limited
- Metropolitan Expressway Company Limited
- Hanshin Expressway Company Limited
- Honshu-Shikoku Bridge Expressway Company Limited
- Japan Expressway Holding and Debt Repayment Agency
- Urban Renaissance Agency (a)
- Japan Science and Technology Agency
- Japan Atomic Energy Agency (b)
- Japan Environmental Safety Corporation
- Japan International Cooperation Agency
- Welfare and Medical Service Agency
- Government Pension Investment Fund
- Agriculture and Livestock Industries Corporation
- Japan Oil, Gas and Metals National Corporation (c)
- Organization for Small & Medium Enterprises and Regional Innovation, JAPAN
- Japan Post
- Japan Labour Health and Welfare Organization
- Employment and Human Resources Development Organization of Japan
- Okinawa Development Finance Corporation
- Japan Finance Corporation
- Japan Housing Finance Agency

- Japan Finance Organization for Municipalities
- Development Bank of Japan Inc.
- Tokyo Metro Co., Ltd. (a)
- Northern Territories Issue Association
- National Consumer Affairs Center of Japan
- RIKEN (b)
- Environmental Restoration and Conservation Agency
- Fund for the Promotion and Development of the Amami Islands
- Japan Foundation
- Japan Student Services Organization
- Japan Arts Council
- Japan Society for the Promotion of Science
- University of the Air Foundation
- National Agency for the Advancement of Sports and Health
- Social Insurance Medical Fee Payment Fund
- National Center for Persons with Severe Intellectual Disabilities, Nozominosono
- Japan Racing Association
- Mutual Aid Association of Agriculture, Forestry and Fishery Corporation Personnel
- The National Association of Racing
- Farmers' Pension Fund
- JKA
- Japan External Trade Organization
- New Energy and Industrial Technology Development Organization
- Japan Alcohol Corporation
- Japan National Tourism Organization
- The Japan Institute for Labour Policy and Training
- The Promotion and Mutual Aid Corporation for Private Schools of Japan
- Organization for Workers' Retirement Allowance Mutual Aid

(ii) Group B

- National Archives of Japan
- National Institute of Information and Communications Technology
- National Research Institute of Brewing

- National Center for University Entrance Examinations
- National Institute of Special Needs Education
- National Institution for Youth Education
- National Women's Education Center
- National Museum of Nature and Science
- National Institute for Materials Science
- National Research Institute for Earth Science and Disaster Prevention
- National Institute of Radiological Sciences
- National Museum of Art
- National Institutes for Cultural Heritage
- National Center for Teachers' Development
- National Institute of Health and Nutrition
- National Institute of Occupational Safety and Health
- Food and Agricultural Materials Inspection Center
- National Center for Seeds and Seedlings
- National Livestock Breeding Center
- National Agriculture and Food Research Organization
- National Fisheries University
- National Institute of Agrobiological Sciences
- National Institute for Agro-Environmental Sciences
- Japan International Research Center for Agricultural Sciences
- Forestry and Forest Products Research Institute
- Fisheries Research Agency
- Research Institute of Economy, Trade and Industry
- National Center for Industrial Property Information and Training
- Nippon Export and Investment Insurance
- National Institute of Advanced Industrial Science and Technology
- National Institute of Technology and Evaluation
- Public Works Research Institute
- Building Research Institute
- Japan Health Insurance Association



- Japan Pension Service
- National Cancer Center
- National Cerebral and Cardiovascular Center
- National Center for Neurology and Psychiatry
- National Center for Global Health and Medicine
- National Center for Child Health and Development
- National Center for Geriatrics and Gerontology
- National Traffic Safety and Environment Laboratory
- National Maritime Research Institute
- Port and Airport Research Institute
- Electronic Navigation Research Institute
- Marine Technical Education Agency
- National Institute for Sea Training
- Civil Aviation College
- National Institute for Environmental Studies
- Labor Management Organization for USFJ Employees
- National Agency of Vehicle Inspection
- National Statistics Center
- Japan Mint
- National Printing Bureau
- Japan Nuclear Energy Safety Organization
- National Hospital Organization
- National University Corporation
- Inter-University Research Institute Corporation
- Institute of National Colleges of Technology, Japan
- National Institution for Academic Degrees and University Evaluation
- Center for National University Finance and Management

## 2. Services

### (a) Threshold:

#### (i) Construction services:

(A) 4,500,000 SDR for Japan Post in Group A

- (B) 15,000,000 SDR for all other procuring entities in Group A
- (C) 4,500,000 SDR for procuring entities in Group B
- (ii) Architectural, engineering and other technical services covered by Chapter 10: 450,000 SDR
- (iii) Other services: 130,000 SDR
- (b) Procuring Entities:  
Procuring Entities set out in paragraph 1

Notes to Section 3:

1. Chapter 10 shall not apply to contracts to be awarded to co-operatives or associations in accordance with laws and regulations existing at the time of the entry into force of this Agreement.

2. Chapter 10 shall not apply to contracts which the procuring entities in Group A award for purposes of their daily profit-making activities which are exposed to competitive forces in markets. This note shall not be used in a manner which circumvents the provisions of Chapter 10.

3. Notes to specific procuring entities:

- (a) Procurement related to operational safety of transportation is not included.
- (b) Procurement which could lead to the disclosure of information incompatible with the purpose of the Treaty on the Non-Proliferation of Nuclear Weapons or with international agreements on intellectual property is not included.  
Procurement for safety-related activities aiming at utilization and management of radioactive materials and responding to emergencies of nuclear installation is not included.
- (c) Procurement related to geological and geophysical survey is not included.

- (d) Procurement of advertising services, construction services and real estate services is not included.
- (e) Procurement of ships to be jointly owned with private companies is not included.

## Section 4 Goods

Chapter 10 shall apply to all goods that are procured by the procuring entities set out in Sections 1 through 3. However, for procurement by the Ministry of Defense, only the following goods, which are specified in Annex 1 of Japan in Appendix I to the Agreement on Government Procurement in Annex 4 to the WTO Agreement as of December 31, 2010 are included in the coverage of Chapter 10:

- Railway Equipment
- Tractors
- Woodworking Machinery and Equipment
- Metalworking Machinery
- Service and Trade Equipment
- Special Industry Machinery
- Agricultural Machinery and Equipment
- Construction, Mining, Excavating, and Highway Maintenance Equipment
- Materials Handling Equipment
- Rope, Cable, Chain, and Fittings
- Refrigeration, Air Conditioning, and Air Circulating Equipment
- Pumps and Compressors
- Plumbing, Heating and Sanitation Equipment
- Water Purification and Sewage Treatment Equipment
- Pipe, Tubing, Hose, and Fittings
- Valves
- Hand Tools
- Measuring Tools
- Lumber, Millwork, Plywood and Veneer
- Electric Wire, and Power and Distribution Equipment
- Lighting Fixtures and Lamps
- Medical, Dental, and Veterinary Equipment and Supplies
- Chemical Analysis Instruments
- Physical Properties Testing Equipment
- Laboratory Equipment and Supplies
- Time Measuring Instruments
- Optical Instruments
- Geophysical and Astronomical Instruments
- Meteorological Instruments and Apparatus
- Scales and Balances
- Drafting, Surveying, and Mapping Instruments
- Liquid and Gas Flow, Liquid Level, and Mechanical Motion Measuring Instruments

- Pressure, Temperature, and Humidity Measuring and Controlling Instruments
- Combination and Miscellaneous Instruments
- Photographic Equipment
- Chemicals and Chemical Products
- Furniture
- Household and Commercial Furnishings and Appliances
- Food Preparation and Serving Equipment
- Office Machines and Visible Record Equipment
- Office Supplies and Devices
- Books, Maps, and Other Publications
- Musical Instruments, Phonographs, and Home-type Radios
- Cleaning Equipment and Supplies
- Brushes, Paints, Sealers, and Adhesives
- Drums and Cans
- Boxes, Cartons, and Crates
- Bottles and Jars
- Reels and Spools
- Packaging and Packing Bulk Materials
- Toiletries
- Agricultural Supplies
- Non-metallic Fabricated Materials
- Non-metallic Crude Materials
- Miscellaneous

Section 5  
Services

Chapter 10 shall apply to all the following services that are specified in Annex 4 of Japan in Appendix I to the Agreement on Government Procurement in Annex 4 to the WTO Agreement as of December 31, 2010 and that are procured by the procuring entities set out in Sections 1 through 3:

- Construction work
- Maintenance and repair services of motor vehicles (Note 1)
- Maintenance and repair services of motorcycles and snowmobiles (Note 1)
- Other land transport services (except Mail transportation by land)
- Rental services of sea-going vessels with operator
- Rental services of non-sea-going vessels with operator
- Air transport services (except Mail transportation by air)
- Freight transport agency services
- Courier services (Note 2)
- Telecommunications services
  - Electronic mail;
  - Voice mail;
  - On-line information and data base retrieval;
  - Electronic data interchange (EDI);
  - Enhanced facsimile services;
  - Code and protocol conversion; and
  - On-line information and/or data processing (including transaction processing)
- Computer and related services
- Market research and public opinion polling services
- Architectural, engineering and other technical services (Note 3)
- Advertising services
- Armoured car services
- Building-cleaning services
- Publishing and printing services (Note 4)
- Repair services incidental to metal products, machinery and equipment
- Sewage and refuse disposal, sanitation and other environmental protection services

Notes to specific services of Section 5:

Note 1 Maintenance and repair services are not included with respect to those motor vehicles, motorcycles and snowmobiles which are specifically modified and inspected to meet regulations of the procuring entities.

Note 2 Courier services are not included with respect to letters.

Note 3 Only architectural, engineering and other technical services related to construction services, with the exception of the following services when procured independently, are included:

- Final design services of CPC 86712 Architectural design services;
- CPC 86713 Contract administration services;
- Design services consisting of one or a combination of final plans, specifications and cost estimates of either CPC 86722 Engineering design services for the construction of foundations and building structures, or CPC 86723 Engineering design services for mechanical and electrical installations for buildings, or CPC 86724 Engineering design services for the construction of civil engineering works; and
- CPC 86727 Other engineering services during the construction and installation phase.

For the purposes of this Part, the term "CPC" means the Provisional Central Product Classification (Statistical paper Series M, No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991).

Note 4 Publishing and printing services are not included with respect to materials containing confidential information.

Section 6  
Construction Services

Chapter 10 shall apply to all the following construction services that are procured by the procuring entities set out in Sections 1 through 3:

- CPC 51 Construction work

Note to Section 6:

A construction services contract is a contract which has as its objective the realization by whatever means of civil or building works, in the sense of Division 51 of the CPC.



Section 7  
Publications

1. Publications with respect to Section 1

Kanpō

2. Publications with respect to Section 2

Kenpō

Shihō

or their equivalents

3. Publications with respect to Section 3

Kanpō

Section 8  
Value of Thresholds

1. The value of thresholds set out in Sections 1 through 3 shall be calculated and converted into Yen in every even-numbered year, based on an average value of Yen in terms of SDRs in the most recent two-year period starting on January 1 of the year before the preceding year and ending on December 31 of the preceding year.

2. Japan shall notify Peru such value of thresholds and the period of its validity upon the entry into force of this Agreement and then notify every two years the value of newly calculated thresholds and the period of its validity one month prior to the date of the expiry of the previous value of thresholds.