ANNEX 15-A: SCHEDULE OF AUSTRALIA

SECTION A

Central Government Entities

1. Chapter 15 (Government Procurement) 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 15.2.8 (Scope and Coverage), to equal or exceed:
   
   (a) for procurement of goods and services, 130,000 SDRs; and
   
   (b) for procurement of construction services, 5,000,000 SDRs.

2. The monetary thresholds set out in subparagraphs 1(a) and 1(b) shall be adjusted in accordance with Section H of this Schedule to Annex 15.

Schedule of Australia

Administrative Appeals Tribunal
Attorney-General’s Department
Australian Aged Care Quality Agency
Australian Bureau of Statistics
Australian Centre for International Agricultural Research
Australian Crime Commission
Australian Electoral Commission
Australian Federal Police
Australian Institute of Criminology
Australian Law Reform Commission
Australian National Audit Office
Australian Office of Financial Management (AOFM)
Australian Public Service Commission
Australian Radiation Protection and Nuclear Safety Agency (ARPANSA)
Australian Research Council
Australian Taxation Office
Australian Trade Commission (Austrade)
Australian Transaction Reports and Analysis Centre (AUSTRAC)
Australian Transport Safety Bureau
Bureau of Meteorology
Commonwealth Grants Commission
CrimTrac Agency
Department of Agriculture and Water Resources
Department of Communications and the Arts
Department of Defence
Department of Education and Training
Department of Employment
Department of Finance
Department of Foreign Affairs and Trade
Department of Health
Department of Human Services
Department of Immigration and Border Protection
Department of Industry, Innovation and Science
Department of Infrastructure and Regional Development
Department of Parliamentary Services
Department of Social Services
Department of the Environment
Department of the House of Representatives
Department of the Prime Minister and Cabinet
Department of the Senate
Department of the Treasury
Department of Veterans’ Affairs
Fair Work Commission
Family Court and Federal Circuit Court
Federal Court of Australia
Geoscience Australia
Inspector-General of Taxation
IP Australia
National Archives of Australia
National Blood Authority
National Capital Authority
National Competition Council
Office of Parliamentary Counsel
Office of the Australian Accounting Standards Board
Office of the Australian Information Commissioner
Office of the Commonwealth Ombudsman
Office of the Director of Public Prosecutions
Office of the Fair Work Ombudsman
Office of the Inspector-General of Intelligence and Security
Office of the Official Secretary to the Governor-General
Old Parliament House
Productivity Commission
Professional Services Review Scheme
Royal Australian Mint
Safe Work Australia
Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority)
Workplace Gender Equality Agency

Notes to the Schedule of Australia
1. Chapter 15 (Government Procurement) only covers those entities listed (including an office within a listed entity) in this schedule.
2. Chapter 15 (Government Procurement) does not cover the procurement of motor vehicles by any entity listed in this Section.
3. Chapter 15 (Government Procurement) does not cover procurement relating to the functions of the Australian Government Solicitor.
4. Department of Defence
   a) Chapter 15 (Government Procurement) does not cover Department of Defence procurement of the following goods due to Article 29.2 (Security Exceptions):

<table>
<thead>
<tr>
<th>Approximately equivalent to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weapons</td>
</tr>
<tr>
<td>Fire Control Equipment</td>
</tr>
<tr>
<td>Ammunition and Explosives</td>
</tr>
<tr>
<td>Guided Missiles</td>
</tr>
<tr>
<td>Aircraft and Airframe Structural Components</td>
</tr>
<tr>
<td>Aircraft Components and Accessories</td>
</tr>
<tr>
<td>Aircraft Launching, Landing, &amp; Ground Handling Equipment</td>
</tr>
<tr>
<td>Space Vehicles</td>
</tr>
<tr>
<td>Ships, Small Craft, Pontoons and Floating Docks</td>
</tr>
<tr>
<td>Ship and Marine Equipment</td>
</tr>
</tbody>
</table>
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

**Note:** 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. U.S. Federal Supply Codes are provided for reference purposes only. (For a complete listing of the United States Federal Supply Codes, to which the Australian categories are approximately equivalent, see http://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 29.2 (Security Exceptions) (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)
- Services in support of military forces overseas
c) Chapter 15 (Government Procurement) does not cover the procurement of goods and services by, or on behalf of, the Defence Intelligence Organisation, the Australian Signals Directorate, or the Australian Geospatial-Intelligence Organisation.

d) In respect of Article 15.4 (National Treatment and Non-Discrimination) the Australian Government reserves the right, pursuant to Article 29.2, (Security Exceptions) to maintain the Australian industry capability program and its successor programs and policies.

e) In respect of the Department of Defence, a good or a service is covered with respect to Vietnam only to the extent that Vietnam has covered that good or service in its schedule.
SECTION B

Sub-Central Government Entities

1. Chapter 15 (Government Procurement) applies to 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 15.2.8 (Scope and Coverage), to equal or exceed:

   (a) for procurement of goods and services, 355,000 SDR; and
   (b) for procurement of construction services, 5,000,000 SDR.

2. The monetary thresholds set out in subparagraphs 1(a) and 1(b) shall be adjusted in accordance with Section H of this Schedule to Annex 15.

Procuring Entities and Notes to Section B

Chapter 15 (Government Procurement) covers only those entities specifically listed in this Schedule.

Australian Capital Territory

ACT Gambling and Racing Commission
ACT Insurance Authority
ACTION
ACT Auditor-General
Capital Metro Authority
Chief Minister, Treasury and Economic Development Directorate
Community Services Directorate
Cultural Facilities Corporation
Education and Training Directorate
Environment and Planning Directorate
Health Directorate
Housing ACT
Independent Competition and Regulatory Commission
Justice and Community Safety Directorate
Legal Aid Commission
Ombudsman of the ACT
1. For the entities listed for the Australian Capital Territory, Chapter 15 (Government Procurement) does not cover the procurement of health and welfare services, education services, utility services, or motor vehicles.

**New South Wales**

Department of Justice
Fire and Rescue NSW
Information and Privacy Commission
Legal Aid NSW
Ministry for Police and Emergency Services
New South Wales Crime Commission
New South Wales Rural Fire Service
Office of the Director of Public Prosecutions NSW
State Emergency Service
Department of Education
Board of Studies, Teaching and Education Standards
Multicultural NSW
Advocate for Children and Young People
Sydney Olympic Park Authority
Department of Family and Community Services
Department of Finance, Services and Innovation
WorkCover NSW
Motor Accidents Authority of NSW
Department of Premier and Cabinet
Department of Planning and Environment
New South Wales Electoral Commission
New South Wales Ombudsman
Police Integrity Commission
Sydney Harbour Foreshore Authority
Environment Protection Authority
Department of Industry, Skills and Regional Development
NSW Food Authority
1. For the entities listed for New South Wales, Chapter 15 (Government Procurement) does not cover the procurement of health and welfare services, education services, motor vehicles.

2. For the entities listed for New South Wales, Chapter 15 (Government Procurement) does not apply to procurements undertaken by a covered entity on behalf of a non-covered entity.

3. Chapter 15 (Government Procurement) does not cover procurement related to the functions of the Privacy Commission by the Information and Privacy Commission.

4. Chapter 15 (Government Procurement) does not cover procurement by Transport for NSW, related to the functions of the Transport Construction Authority, and The Country Rail Infrastructure Authority or its successor agencies.

**Northern Territory**

Department of the Chief Minister
Auditor General’s Office
Department of the Legislative Assembly
Ombudsman’s Office
Remuneration Tribunal
Northern Territory Electoral Commission
Aboriginal Areas Protection Authority
Department of Housing
Department of Local Government and Regions
Department of Sport and Recreation and Racing
Land Development Corporation
Department of Business
Department of Children and Families
Department of Community Services
Department of Primary Industry and Fisheries
Department of Mines and Energy
Department of Land Resource Management
Department of Arts and Museums
Department of Lands, Planning and the Environment
Parks and Wildlife Commission of the Northern Territory
Museum and Art Galleries Board
Strehlow Research Centre Board
Department of Health
Central Australian Hospital Network
Top End Hospital Network
Health and Community Services Complaints Commission
Northern Territory Employment and Training Authority
Department of the Attorney-General and Justice
Department of Correctional Services
Work Health Authority
Northern Territory Licensing Commission
Racing Commission
Tourism NT
Northern Territory Emergency Service
Northern Territory Fire and Rescue Service
Police Force of the Northern Territory
Office of the Commissioner for Public Employment
Department of Treasury and Finance
Utilities Commission of the Northern Territory

1. For the entities listed for the Northern Territory, Chapter 15 (Government Procurement) 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

Entities declared to be departments pursuant to section 14 of the Public Service Act 2008
(Qld)

Motor Accident Insurance Commission
Nominal Defendant
Public Service Commission
Public Trust Office

1. For the entities listed for Queensland, this Chapter does not apply to procurement:
   a) by covered entities on behalf of non-covered entities
   b) undertaken by departments, or parts of departments, which deliver health, education, training and/or arts services
   c) of health services, education services, training services, arts services, welfare services, government advertising and motor vehicles.

2. For entities listed for Queensland, Article 15.16.3(f) (Post Award Information) does not apply for a period of three years from the date of entry into force of Chapter 15 (Government Procurement), so as to allow time for the entities listed for Queensland to make necessary modifications to electronic means to enable the publication of such information.

South Australia

Attorney-General’s Department
Auditor-General’s Department
Department for Communities and Social Inclusion
Department for Correctional Services
Country Fire Service
Courts Administration Authority
Defence SA
Department for Education and Child Development
Department for Health and Ageing
Department of Environment, Water and Natural Resources
Department of Planning, Transport and Infrastructure
Department of Primary Industries and Regions
Department of the Premier and Cabinet
Department of Treasury and Finance
Electoral Commission of South Australia
Environment Protection Authority
Independent Gambling Authority
Parliament of South Australia
SAFECOM
SA Tourism Commission
South Australia Police
Department of State Development
South Australian Metropolitan Fire Service
State Emergency Service
State Procurement Board
TAFE SA

1. For the entities listed for South Australia, Chapter 15 (Government Procurement) does not cover the procurement of health and welfare services, education services, advertising services or motor vehicles.

**Tasmania**

Department of Education
Department of Health and Human Services
Department of Justice
Department of Police and Emergency Management
Department of Premier and Cabinet
Department of Primary Industries, Parks, Water and Environment
Department of State Growth
Department of Treasury and Finance
House of Assembly
Legislative Council
Legislature-General
Office of the Governor
Tasmanian Audit Office
Tasmanian Health Service
Office of the Ombudsman
Office of the Director of Public Prosecutions
Tourism Tasmania
1. For the entities listed for Tasmania, Chapter 15 (Government Procurement) does not cover the procurement of health and welfare services, education services, or advertising services.

**Victoria**

Department of Education and Training  
Department of Economic Development, Jobs, Transport and Resources  
Department of Environment, Land, Water and Planning  
Department of Health and Human Services  
Department of Justice and Regulation  
Department of Premier and Cabinet  
Department of Treasury and Finance  
Commission for Children and Young People  
Essential Services Commission  
Game Management Authority  
Independent Broad-Based Anti-corruption Commission  
Office of Public Prosecutions  
Office of the Chief Commissioner of Police (Victoria Police)  
Office of the Commissioner for Environmental Sustainability  
Office of the Fire Services Levy Monitor  
Office of the Freedom of Information Commissioner  
Office of the Legal Services Commissioner  
Office of the Ombudsman  
Office of the Privacy Commissioner  
Office of the Road Safety Camera Commissioner  
Office of the Victorian Inspectorate  
Taxi Services Commission  
Victorian Auditor-General's Office  
Victorian Commission for Gambling and Liquor Regulation  
Victorian Electoral Commission  
Victorian Equal Opportunity and Human Rights Commission  
Victorian Public Sector Commission
1. For the entities listed for Victoria, the offer does not cover the procurement of motor vehicles.
2. For the entities listed for Victoria, the offer does not apply to procurement by covered entities on behalf of non-covered entities.

**Western Australia**

Botanic Gardens and Parks Authority  
Corruption and Crime Commission (Western Australia)  
Country High Schools Hostels Authority  
Department of Aboriginal Affairs  
Department of Agriculture and Food  
Department of Child Protection and Family Support  
Department of Commerce  
Department of Corrective Services  
Department of Culture and the Arts  
Department of Education  
Department of Education Services  
Department of Environment Regulation  
Department of Fire and Emergency Services  
Department of Finance  
Department of Fisheries  
Department of Health  
Department of Lands  
Department of Local Government and Communities  
Department of Mines and Petroleum  
Department of Parks and Wildlife  
Department of Planning  
Department of Racing, Gaming and Liquor  
Department of Regional Development  
Department of Sport and Recreation  
Department of State Development  
Department of Training and Workforce Development  
Department of Treasury
Department of Water
Department of the Attorney General
Department of the Premier and Cabinet
Department of the Registrar Western Australia Industrial Relations Commission
Disability Services Commission
Equal Opportunity Commission
Gascoyne Development Commission
Goldfields Esperance Development Commission
Governor’s Establishment
Great Southern Development Commission
Heritage Council of Western Australia
Housing Authority
Kimberley Development Commission
Law Reform Commission of Western Australia
Legislative Assembly
Legislative Council
Main Roads Western Australia
Mid West Development Commission
Minerals and Energy Research Institute of Western Australia
National Trust of Australia (WA)
Office of the Auditor General
Office of the Director of Public Prosecutions
Office of the Information Commissioner
Office of the Inspector of Custodial Services
Office of the Parliamentary Commissioner for Administrative Investigations
Parliamentary Services Department
Peel Development Commission
Pilbara Development Commission
Public Sector Commission
Public Transport Authority
Rottnest Island Authority
Rural Business Development Corporation
Salaries and Allowances Tribunal
School Curriculum and Standards Authority
Small Business Development Corporation
South West Development Commission
State Library of Western Australia
Swan River Trust
Western Australia Police
Western Australian Electoral Commission
Western Australian Land Information Authority (Landgate)
Western Australian Planning Commission
Western Australian Sports Centre Trust (trading as VenuesWest)
Western Australian Tourism Commission
Wheatbelt Development Commission
Zoological Parks Authority

1. For greater certainty, consistent with Article 15.9.9 (Qualification of Suppliers), in relation to procurements from the Department of Finance, Building Management and Works’ Prequalification Scheme; and Main Road’s ‘National Prequalification System for Civil (Road and Bridge) Construction Contracts’ Scheme, requests for participation in a procurement from suppliers not already prequalified at the time of tender release will not be considered due to the time and complexity involved in assessing requests. This does not preclude suppliers from applying at anytime to become prequalified. Prequalification ensures the financial security of building and construction contractors and does not discriminate between local suppliers and the suppliers of other Parties.

Notes to Section B

For entities listed in this section:

1. Australia offers coverage of sub-central entities listed in Section B only to Canada, Chile, Japan, Mexico and Peru. Australia is prepared to extend coverage of Section B to other TPP Parties upon negotiation of mutually acceptable concessions.

2. A service listed in Section E services is covered with respect to Canada and Mexico only to the extent that party has covered that Service in their Schedule.

3. In relation to multi-use lists:
   a) a notice inviting suppliers to apply for inclusion on a multi-use list may be used as a notice of intended procurement, provided a statement is included that only suppliers on the multi-use list will receive further notices of procurement covered by the multi-use list; and
   b) where all or a limited number of qualified suppliers have been selected, the time
period for tendering may be fixed by mutual agreement between the procuring entity and the selected suppliers. In the absence of agreement, the period shall not be less than 10 days.

4. For Mexico, Australia may set aside from the obligations of this Chapter each fiscal year following the date of entry into force of this Agreement the respective percentage specified in paragraph 5 the total value of procurement contracts for goods and services, and any combination thereof, and construction services procured by the States and Territories in the year that are above thresholds set out in Section B.

5. The percentages referred to in paragraph 4 are as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>50%</td>
<td>45%</td>
<td>45%</td>
<td>40%</td>
</tr>
<tr>
<td>Year 2</td>
<td>45%</td>
<td>45%</td>
<td>40%</td>
<td>40%</td>
</tr>
<tr>
<td>Year 3</td>
<td>45%</td>
<td>45%</td>
<td>35%</td>
<td>35%</td>
</tr>
<tr>
<td>Year 4</td>
<td>40%</td>
<td>35%</td>
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<tr>
<td>Year 5</td>
<td>40%</td>
<td>35%</td>
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<tr>
<td>Year 6</td>
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<tr>
<td>Year 7</td>
<td>35%</td>
<td>30%</td>
<td>0%</td>
<td>0%</td>
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<tr>
<td>Year 8</td>
<td>30%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Year 9</td>
<td>30%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Year 10 and thereafter</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>
SECTION C
Other Entities

1. Chapter 15 (Government Procurement) applies to other covered entities listed in each Party’s Schedule to this Section where the value of the procurement is estimated, in accordance with Article 15.2.8 (Scope and Coverage), to equal or exceed:
   (a) for procurement of goods and services, 400,000 SDRs; and
   (b) for procurement of construction services, 5,000,000 SDRs.

2. The monetary thresholds set out in subparagraphs 1(a) and 1(b) shall be adjusted in accordance with Section H of this Schedule to Annex 15.

Schedule of Australia\textsuperscript{1,2}

1. Australian Communications and Media Authority
2. Australian Competition and Consumer Commission
3. Australian Financial Security Authority
4. Australian Fisheries Management Authority
5. Australian Human Rights Commission
6. Australian Institute of Health and Welfare
7. Australian Institute of Marine Science
8. Australian Maritime Safety Authority
10. Australian Nuclear Science and Technology Organisation
11. Australian Pesticides and Veterinary Medicines Authority
12. Australian Prudential Regulation Authority
13. Australian Securities and Investments Commission
14. Australian War Memorial\textsuperscript{3}
15. Comcare
16. Commonwealth Scientific and Industrial Research Organisation
17. Export Finance and Insurance Corporation
18. Grains Research and Development Corporation
19. Great Barrier Reef Marine Park Authority
20. National Gallery of Australia
22. Reserve Bank of Australia
23. Sydney Harbour Federation Trust
24. The Director of National Parks
25. Tourism Australia

Notes to the Schedule of Australia

1. Chapter 15 (Government Procurement) covers only those entities listed in this Schedule.
2. For the entities listed in this section, Chapter 15 (Government Procurement) does not cover the procurement of motor vehicles.
3. Chapter 15 (Government Procurement) does not cover procurement of telecommunications services by the Australian War Memorial.
SECTION D

Goods

Chapter 15 (Government Procurement) applies to all goods procured by the entities listed in Sections A through C, unless otherwise specified in Chapter 15 (Government Procurement), including this Schedule to Annex 15.

Schedule of Australia

Chapter 15 (Government Procurement) does not cover the procurement of:

a) Blood and blood-related products, including plasma derived products.
SECTION E

Services

Chapter 15 (Government Procurement) applies to all services procured by the entities listed in Sections A through C, unless otherwise specified in this Chapter, including this Schedule to Annex 15.

Schedule of Australia

This Chapter does not cover the procurement of:
   a) plasma fractionation services;
   b) government advertising services;
   c) health and welfare services; and
   d) research and development services.
SECTION F

Construction Services

Chapter 15 (Government Procurement) applies to all construction services procured by the entities listed in Sections A through C, unless otherwise specified in Chapter 15 (Government Procurement), including in this Schedule to Annex 15.
SECTION G

General Notes

Unless otherwise specified herein, the following General Notes in each Party’s Schedule apply without exception to Chapter 15 (Government Procurement), including to all sections of this Schedule to Annex 15.

Schedule of Australia

Chapter 15 (Government Procurement) 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.

For greater certainty:

a) Chapter 15 (Government Procurement) does not apply to procurement funded by grants and sponsorship payments received from persons not listed in this Annex;
b) Chapter 15 (Government Procurement) does not apply to procurement by a procuring entity from another government entity; and
c) a procuring entity may use limited tendering procedures for unsolicited innovative proposals under Article 15.10.2(g) (Limited Tendering).
SECTION H

Threshold Adjustment Formula

1. The thresholds shall be adjusted in every even-numbered year with each adjustment taking
effect on January 1, beginning on January 1 of an even numbered year after the date when this
agreement takes into effect.

2. Every two years, Australia shall calculate and publish the value of the thresholds under this
Chapter expressed in Australian dollars. These calculations shall be based on the conversion
rates published by the International Monetary Fund in its monthly “International Financial
Statistics”.

3. The conversion rates shall be the average of the daily values of the Australian in terms of
the Special Drawing Rights (SDR) over the two-year period preceding October 1 or
November 1 of the year before the adjusted thresholds are to take effect, and rounded to the
nearest thousand Australian dollars.

4. Australia shall notify the other Parties of the current thresholds in its currency immediately
after this Agreement enters into force, and the adjusted thresholds in its currency thereafter in
a timely manner.

5. Australia shall consult if a major change in its national currency relative to the SDR or to
the national currency of another Party were to create a significant problem with regard to the
application of the Chapter.
SECTION I

Procurement Information

All information on government procurements is published on the following websites:


SECTION J

Transitional Measures in accordance with Article 15.5 (Transitional Measures)

None.