

ARTICLE 2

Provincial and Territorial Compliance with 2007 Revised GPA

1. The Canadian entities listed in Canada's Annex 2 of Appendix I of the 1994 GPA shall be subject to the *Revised Text of the Agreement on Government Procurement (Articles I-XXI) as at 13 November 2007* (WTO Document negs 268 (19 November 2007)) (hereinafter "2007 Revised GPA"), until such time as a revised GPA enters into force for the Parties.
2. For greater certainty, the United States agrees that the entities listed in Canada's Annex 2 of Appendix I of the 1994 GPA shall not be subject to Articles I-XXIV of the 1994 GPA with respect to the United States.
3. With respect to procurement by the entities listed in Canada's Annex 2 of Appendix I of the 1994 GPA, the United States shall not resort to Article 10 of this Agreement or to dispute settlement in the World Trade Organization for a period of 12 months following the date of entry into force of this Agreement in relation to an alleged failure by Canada to comply with the 2007 Revised GPA, as provided for in paragraph 1, with respect to the following obligations of the 2007 Revised GPA:
 - (a) Article II:6(b) (with respect to the consideration of options in estimating the total value of the procurement) and 7 and 8 (with respect to the valuation of the estimated total value of the procurement);
 - (b) Article VII:2 and Article IX:4 (Content of Notices of Intended Procurement) with respect to the content of the notices, provided that the notices contain sufficient information to enable a supplier to determine its interest in a procurement and its ability to submit a responsive tender;
 - (c) Article IX:5, 7(b), 10 and 11 (Selective Tendering) with respect to any limitation on the number of suppliers, continuous publication of a multi-use list, right of suppliers to apply at any time for inclusion on a multi-use list, and ability of non-listed suppliers to request participation in a procurement based on a multi-use list within specified time periods;