

PART THREE: GOVERNMENT PROCUREMENT
Chapter 13: Government Procurement

Articles 1301 to 1309: Government Procurement

Chapter 13 on government procurement of goods specifies the federal government entities covered by the agreement, sets out the transparency provisions or procedures that will govern how procurements are conducted, and outlines a joint commitment to work towards further multilateral improvements in the GATT Government Procurement Code. It sets out in detail expanded procedural obligations for the purchases covered, including national treatment for all potential goods suppliers of both countries at all stages of the procurement process (pre-notification, tendering and bidding, evaluation of bids and awarding of contracts). A common rule of origin is defined for eligible goods.

Annex 1304.3: Entities Covered

The annex incorporates the GATT procurement Code and lists in all the federal departments and agencies covered for Canada and the U.S.

Annex 1305.3: Principles Guiding Bid Challenge Procedures

The annex outlines bid challenge principles, which will ensure that a reviewing authority shall accord timely and impartial consideration to any complaint or bid challenge by any supplier.

PART FOUR: SERVICES, INVESTMENT AND TEMPORARY ENTRY

Chapter 14: Services

The chapter establishes rules regarding the provision of commercially-traded services, listed in the coverage annex, across the border and within each country. These rules will apply for all future laws and regulations adopted by governments in regulating the service sectors covered by the Agreement.

Article 1401: Scope and Coverage

This article clarifies that the services chapter provides no additional rights or obligations regarding investment in the services industries. It states that establishment and acquisition of services industries are covered in the Investment chapter.

Article 1402: Rights and Obligations

1402.2 states that a province or state shall accord to persons of the other country treatment no less favourable than the most favourable treatment accorded to persons in the country of which it is a part.