

ARTICLE 3Procurement Procedures

1. Subject to paragraph 2 of this Article, the Parties agree, for the entities' procurement covered by this Agreement, to incorporate into this Agreement by reference the following articles of the AGP, as amended from time to time, *mutatis mutandis*, except to the extent that the procedures and practices contained therein are modified by this Agreement:

Article II	Valuation of Contracts
Article IV	Rules of Origin
Article VI	Technical Specifications
Article VII	Tendering Procedures
Article VIII	Qualification of Suppliers
Article IX	Invitation to Participate Regarding Intended Procurement
Article X	Selection Procedures
Article XI	Time-limits for Tendering and Delivery
Article XII	Tender Documentation
Article XIII	Submission, Receipt and Opening of Tenders and awarding of Contracts
Article XIV	Negotiation
Article XV	Limited Tendering
Article XVII	Transparency
Article XVIII	Information and Review as Regards Obligations of Entities
Article XIX	Information and Review as Regards Obligations of Parties
Article XXIII	Exceptions to the Agreement

2. The Parties agree that, for the purposes of AGP Article IX and XVIII incorporated by reference into this Agreement, notice shall be published in the appropriate publication listed in Annex 3 of this Agreement.

3. In the qualification and selection of suppliers, goods and incidental services, evaluation of bids and award of contracts:
 - (a) the entities shall not, either explicitly or implicitly, impose, seek or consider offsets¹; and
 - (b) the private sector telecommunications operators in the territories of the Parties shall not be required or encouraged by the Parties, explicitly or implicitly, to impose, seek or consider offsets.

4. A Party or an entity of a Party may limit suppliers who qualify to those that can demonstrate that accepting their bid will not result in incompatibility, technical difficulty or disproportionately high costs in the operation and maintenance of the network of the Party or the entity of the Party. Such a limitation of suppliers may not be applied to avoid maximum possible competition or to constitute a means of discriminating against suppliers of the other Party or protecting domestic suppliers.

¹ For the purpose of this Agreement, offsets include measures used to encourage local development or improve the balance of payments accounts by means of domestic content, licensing and/or transfer of technology, counter-trade, investment requirements, or similar requirements.