

PART THREEbis
GOVERNMENT PROCUREMENT

Chapter Kbis

Government Procurement

ARTICLE Kbis-01

Scope and Coverage

1. This Chapter applies to any measure adopted or maintained by a Party relating to procurement by an entity listed in Annex Kbis-01:
 - (a) by any contractual means, including purchase and rental or lease, with or without an option to buy; and
 - (b) subject to the terms of Annex Kbis-01.

2. This Chapter does not apply to:
 - (a) non-contractual agreements or any form of assistance provided by a Party or a state enterprise, including grants, loans, equity infusions, fiscal incentives, subsidies, guarantees, cooperative agreements, government provision of goods and services to persons or to a regional or local level of government, and purchases for the direct purpose of providing foreign assistance;
 - (b) purchases funded by international grants, loans, or other assistance, where the provision of such assistance is subject to conditions inconsistent with the provisions of this Chapter;
 - (c) hiring of government employees and related employment measures;
 - (d) acquisition of fiscal agency or depository services, liquidation and management services for regulated financial institutions, and sale and distribution services for government debt; and
 - (e) procurements made by an entity or state enterprise from another entity or state enterprise of that Party.