

ANNEX 7

General Notes

Unless otherwise specified, the following General Notes apply to this Agreement, including to Annexes 1 through 6.

1. This Agreement does not cover procurement in respect of:
 - (a) shipbuilding and repair;
 - (b) urban rail and urban transportation equipment, systems, components and materials incorporated therein as well as all project related materials of iron or steel;
 - (c) FSC 58 (communications, detection and coherent radiation equipment); and
 - (d) agricultural goods made in furtherance of agricultural support programmes or human feeding programmes.
2. This Agreement does not apply to set asides for small and minority owned businesses.
3. This Agreement does not apply to any measure adopted or maintained with respect to Aboriginal peoples. It does not affect existing aboriginal or treaty rights of any of the Aboriginal peoples of Canada under section 35 of the *Constitution Act, 1982*.
4. Procurement in terms of Canadian coverage is defined as contractual transactions to acquire goods or services for the direct benefit or use of the government. The procurement process is the process that begins after an entity has decided on its requirement and continues through to and including contract award. It does not include procurements between one government entity or government enterprise and another government entity or government enterprise.
5. This Agreement does not cover procurement of transportation services that form a part of, or are incidental to, a procurement contract.
6. This Agreement covers services specified in Annex 5 and construction services specified in Annex 6 with respect to a particular Party only to the extent that such Party has provided reciprocal access to that service.
7. Where a contract to be awarded by an entity is not covered by this Agreement, this Agreement shall not be construed to cover any good or service component of that contract.
8. This Agreement does not apply to contracts under an international agreement and intended for the joint implementation or exploitation of a project.