

CHAPTER 11 GOVERNMENT PROCUREMENT

Article 11.1: Objectives

The Parties recognise the importance of cooperation in the field of government procurement and cooperate for the purposes of promoting greater transparency in the field of government procurement in accordance with their respective laws and regulations.

Article 11.2: Scope

This Chapter shall apply to the laws, regulations, and procedures of a Party regarding government procurement implemented by its central government procurement entities, as defined or notified by that Party for the purposes of this Chapter.

Article 11.3: Areas of Cooperation

The Parties shall endeavour to cooperate on matters relating to government procurement, with a view to achieving a better understanding of each Party's respective government procurement systems. Such cooperation may include:

- a) exchanging experience and non-confidential information, such as laws and regulations and any significant modifications thereof;
- b) sharing experience and information on the use of electronic means in government procurement, and related matters; and
- c) sharing information, where possible, on best practices, including those in relation to micro, small and medium-sized enterprises.

Article 11.4: Information on the Procurement System

1. Each Party shall make publicly available its laws, regulations and procedures regarding government procurement, which may include information on where tender opportunities and contract award notices are published.
2. To the extent possible and as appropriate, each Party shall endeavour to make available and update the information referred to in paragraph 1 through electronic means.
3. Each Party shall specify in Annex 11A (Paper or Electronic Means Utilised by Parties for the Publication of Information) the paper or electronic means utilised by that Party to publish the information referred to in paragraph 1.

Article 11.5: Consultations

1. In the event of any disagreement related to the interpretation and application of this Chapter, consultations shall be held on request of either Party.
2. A request for such consultations shall be submitted to the other Party's contact point established under Article 11.7 (Contact Points) of this Agreement. Unless the Parties agree otherwise, they shall hold consultations within 60 days from the date of receipt of the request.
3. Consultations can be conducted in the forms that are agreed by the Parties.

Article 11.6: Non-Application of Dispute Settlement

Any matter arising under this Chapter shall not be subject to the dispute settlement mechanism provided for in Chapter 17 (Dispute Settlement) of this Agreement.

Article 11.7: Contact Points

1. Each Party shall designate a contact point in Annex 11B (Contact Points) to monitor the implementation of this Chapter. The contact points shall work collaboratively to facilitate the implementation of this Chapter.
2. The Parties shall notify each other of any change to their contact points.

Article 11.8: Review

The Parties may review this Chapter with a view to enhancing the level of transparency and cooperation.