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BRUNEI MARKET ACCESS OFFER ON GOVERNMENT PROCUREMENT

**SECTION A
Central Government Entities**

This Chapter 15 (Government Procurement) applies to the central government entities listed in this section where value of procurement is estimated, to equal or exceed the following threshold:

Goods and Services	SDR 250,000.00 From 1 st and 2 nd year after coming into force of the Agreement;
	SDR 190,000.00 Starting from the 3 rd to 4 th year after coming into force of the Agreement;
	SDR 130,000.00 Starting from the 5 th year after coming into force of the Agreement.
Construction Services	SDR 5,000,000.00

List of Entities

1. Prime Minister's Office
 - a. Audit Department
 - b. Anti-Corruption Bureau
 - c. Attorney General's Chamber
 - d. Councils of State
 - e. Civil Service Institute
 - f. Department of Economic Planning and Development
 - g. E-Government National Centre
 - h. Government Printing
 - i. Internal Security
 - j. Information
 - k. Management Services
 - l. Narcotics Control Bureau
 - m. Public Service Department
 - n. Public service Commission
 - o. Radio Television Brunei
 - p. Royal Customs and Traditions
 - q. Royal Brunei Police Force
 - r. State Mufti
 - s. State Judiciary
 - t. Department of Electrical Services
 - u. Energy Department
 - v. Brunei Research Department

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2. Ministry Of Defence

- a. Directorate of Administration and Manpower
- b. Directorate of Finance and Acquisition
- c. Directorate of Development & Works Services
- d. Directorate of Operations
- e. Directorate of Personnel
- f. Directorate of Logistics
- g. Directorate of Defence Policy
- h. Royal Brunei Armed Forces
- i. Directorate of Intelligence
- j. Directorate of Force Capability Development
- k. Sultan Haji Hassanal Bolkiah Institute of Defence and Strategic Studies
- l. The Centre of Science And Technology Research And Development (CSTRAD)
- m. Office Strategy Management
- n. Technical Equipment Maintenance Division
- o. Calibration Centre
- p. Royal Brunei Armed Forces Religious Department

3. Ministry Of Finance

- a. Supply and State Stores Department
- b. Royal Custom and Excise Department
- c. Treasury Department
- d. His Majesty Sultan's Flight Department

4. Ministry of Foreign Affairs and Trade

- a. Administration Department
- b. Information and Communication Department
- c. Protocol and Consular Affairs Department
- d. Policy Planning Department
- e. Politics I Department
- f. Politics II Department
- g. ASEAN Department
- h. International Organisation Department
- i. Economic Cooperation Department
- j. Trade Development
- k. International Trade Department
- l. Security Department

5. Ministry Of Education

- a. Department of Administration and Services
- b. Planning and Estate Management Department
- c. Department of Schools
- d. Department of Schools Inspectorate
- e. Curriculum Development Department
- f. Examinations Department
- g. Department of Planning, Development and Research
- h. Department of Information and Communication Technology
- i. Department of Co-Curricular Education

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- j. Department of Technical Education
- k. University Brunei Darussalam
- l. Sultan Sharif Ali Islamic University
- m. Brunei Institute of Technology
- n. Department of Human Resources Development

6. Ministry Of Health

- a. Finance and Administration Department
- b. Policy and Planning Department
- c. Health Care Technology Department
- d. Department of Health Services
- e. Department of Medical Services
- f. Estate Management Department

7. Ministry Of Development

- a. Public Works Department
- b. Town & Country Planning Department
- c. Land Department
- d. Survey Department
- e. Housing Development Department
- f. Environment, Parks & Recreation Department

8. Ministry Of Communication

- a. Marine Department
- b. Ports Department
- c. Department of Civil Aviation
- d. Land Transport Department
- e. Department of Postal Services
- f. Brunei Darussalam Meteorological Department

9. Ministry of Primary Resources And Tourism

- a. Agriculture and Agrifood Department
- b. Forestry Department
- c. Fisheries Department
- d. Tourism Development Department
- e. Brunei Industry Development Authority (BINA)

10. Ministry Of Religious Affairs

- a. Administration Department
- b. Islamic Religious Council Office
- c. Department of Syariah Affairs
- d. Haj Department
- e. Department of Mosques Affairs
- f. Department of Islamic Studies
- g. Islamic Dakwah Centre
- h. Religious Office Belait District
- i. Religious Office Tutong District
- j. Religious Office Temburong District
- k. Institute Tahfiz Al Quran Sultan Haji Hassanal Bolkiah

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- l. University College Religious Teachers' Seri Begawan
- m. Islamic Legal Unit

11. Ministry of Home Affairs

- a. Brunei/Muara District Office
- b. Tutong District Office
- c. Belait District Office
- d. Temburong District Office
- e. Bandar Seri Begawan Municipal Board
- f. Tutong Municipal Board
- g. Kuala Belait and Seria Municipal Board
- h. Immigration and National Registration Department
- i. Labour Department
- j. Prison Department
- k. Fire and Rescue Department
- l. National Disaster Management Centre

12. Ministry Of Culture Youth and Sports

- a. Brunei Darussalam History Centre
- b. Youth and Sports Department
- c. Museums Department
- d. Community Development Department
- e. Language and Literature Bureau

Note to Section A:

All agencies subordinate to the above listed agencies are covered.

SECTION B

Sub-central government entities whose procurement is covered by this Chapter

Not applicable to Brunei. Brunei does not have sub-central governments.

SECTION C

Other government entities whose procurement is covered by this Chapter

This Chapter 15 (Government Procurement) applies to the other Government entities listed in this section where the value of procurement is estimated, to equal or exceed the following threshold:

Goods and Services

SDR 500,000.00

From 1st to 2nd year after coming into force of the Agreement;

SDR 315,000.00

Starting from the 3rd to 4th year after coming into force of the Agreement;

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SDR 130,000.00
Starting from the 5th year after coming into force of the Agreement.

Construction Services SDR 5,000,000.00

List of Entities

Authority Monetary Brunei Darussalam
Employee Provident Fund

Note to Section C:

1. The Chapter shall not apply to any procurement by or on behalf of Authority Monetary Brunei Darussalam of direct inputs for the use in minting of Brunei Darussalam coins.

**SECTION D
Goods**

Chapter 15 (Government Procurement) applies to all goods procured by entities listed in Section A and Section C, unless otherwise specified in this Chapter, including this Annex.

**SECTION E
Services**

Chapter 15 (Government Procurement) applies to all services procured by entities listed in Section A and Section C, unless otherwise specified in this Chapter, including this Annex.

**SECTION F
Construction Services**

Chapter 15 (Government Procurement) applies to all construction services procured by entities listed in Section A and Section C, unless otherwise specified in this Chapter, including in this Annex.

**SECTION G
General Notes**

1. For greater certainty, Chapter 15 (Government Procurement) does not apply to
 - a) Any procurement by office of Nurul Iman's Palace;
 - b) Any procurement made by a covered entity on behalf of non-covered entity; and
 - c) Any government procurement measures to benefit small and medium enterprises, that are applied in a manner consistent with obligation in Chapter 15 (Government Procurement) with respect to the covered procurement set forth in this Annex.

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**SECTION H
Threshold Adjustment Formula**

1. The thresholds shall be adjusted at two-year intervals with each adjustment taking effect on January 1, beginning on January 1, XX.
2. Every two years, Brunei Darussalam shall calculate and publish the value of the thresholds under this Chapter expressed in Brunei Dollar. These calculations shall be based on the conversion rates published by the International Monetary Fund in its monthly "International Financial Statistics".
3. The conversion rates shall be the average of the daily values of the Brunei Dollar in terms of the Special Drawing Rights (SDR) over the two-year period preceding October 1 of the year before the adjusted thresholds are to take effect, and rounded to the nearest Brunei Dollar.
4. Brunei shall notify the other Parties of the current thresholds in its respective currency immediately after this Agreement enters into force, and the adjusted thresholds in its respective currency thereafter in a timely manner.
5. Brunei shall consult if a major change in its national currency relative to the SDR or to the national currency of another Party were to create a significant problem with regard to the application of the Chapter.

**SECTION I
Procurement Information**

All information on Government Procurement is published on the following website

Rules and Regulations: <http://www.mof.gov.bn/index.php/tender-process>

Notices of intended procurement: <http://www.pelitabrunei.gov.bn/iklan/tawaran>

**SECTION J
Transitional Measure**

1. Article 15.7.3(b) and (i) (Notices of Intended Procurement): Notwithstanding the requirement in Article 15.7.3(b) and (i) (Notices of Intended Procurement) that specified information must be included in the notice of intended procurement, Brunei may omit from its notices of intended procurement the information required in sub-paragraphs (b) and (i) for three years after entry into force of this Agreement. During this transitional period, Brunei shall provide the information required in subparagraph (b) in its tender documentation, provided that it complies with Article 15.4 (National Treatment and Non-Discrimination).
2. Article 15.16.3 (Post-Award Information): Notwithstanding the requirement in Article 15.16.3 (Post-Award Information) that the procuring entity publish a notice of the award of a contract, Brunei may delay application of this requirement for three years after entry into force of this Agreement. During this transitional period, Brunei shall provide information, upon request of suppliers of other Parties, with respect to its contract awards.

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3. Article 15.19 (Domestic Review): Notwithstanding Article 15.19 (Domestic Review), Brunei may delay application of its obligations under Article 15.19 (Domestic Review) for five years after entry into force of this Agreement. During this transitional period, Brunei shall allow suppliers of other Parties to take complaints about the conduct of a covered procurement to the procuring entity, provided that it complies with Article 15.4 (National Treatment and Non-Discrimination).

4. Article 15.7.1 (Notice of intended procurement), 15.9.3 (Qualification of Suppliers), and 15.14.2 (Time Periods): Notwithstanding the requirements in Articles 15.7.1 (Notice of intended procurement), 15.9.3 (Qualification of Suppliers), and 15.14.2 (Time Periods), Brunei may delay implementation of the requirement to publish a notice of intended procurement where it uses a multi-use list for the procurement of certain services, for three years from the date of entry into force of this Agreement. During this period, Brunei shall:

- (a) notify all suppliers on the relevant multi-use list of procurement opportunities;
 - (b) establish that the final date for submission of requests for participation in Article 15.14.2 (Time Periods) shall be from the date of such notification; and
 - (c) provide an electronic link to procuring entities' multi-use lists via the Ministry of Finance website at www.mof.gov.bn,
- provided it complies with Article 15.4 (National Treatment and Non-Discrimination).