

DECISION ON IMPLEMENTATION OF ARTICLE XXIV.2 OF THE AGREEMENT ON GOVERNMENT PROCUREMENT

1. Ministers invite the Committee on Government Procurement to clarify that.

- (i) a Member interested in accession according to Article XXIV.2 would communicate its interest to the Director-General, submitting relevant information, including an offer by way of a list of entities having regard to the relevant provisions of the Agreement, in particular Article I and, where appropriate, Article V;
- (ii) the communication would be circulated to Parties to the Agreement;
- (iii) the Member interested in accession would hold consultations with the Parties on the terms for its accession to the Agreement;
- (iv) with a view to facilitating accession, the Committee would establish a working party if the Member in question, or any of the Parties to the Agreement, so requests. The working party should examine. (a) the offer made by the applicant Member; and (b) relevant information pertaining to export opportunities in the markets of the Parties, taking into account the existing and potential export capabilities of the applicant Member and export opportunities for the Parties in the market of the applicant Member;
- (v) upon a decision by the Committee agreeing to the terms of accession including the list of entities, the acceding Member would deposit with the Director-General of the MTO an instrument of accession which states the terms so agreed. Until the entry into force of the Agreement Establishing the MTO, the instrument would be deposited with the Director-General to the CONTRACTING PARTIES to the GATT. The text of the acceding Member's list of entities in English, French and Spanish would be annexed to the Agreement.

2. It is noted that the Committee decisions are arrived at on the basis of consensus. It is also noted that the non-application clause of Article XXIV.11 is available to any Party.

