

ANNEX 2

Sub-Central Government Entities

<i>Thresholds:</i>	355,000 SDRs	-	<i>Goods</i>
	355,000 SDRs	-	<i>Services</i>
	5,000,000 SDRs	-	<i>Construction Services</i>

List of Entities:

*Alberta

All Ministries and Agencies (All Government Departments and Provincial Agencies, Boards, Councils, Committees and Commissions) of the Province

This Agreement does not apply to:

Legislative Assembly
Legislative Assembly Office
Office of the Auditor General
Office of the Chief Electoral Officer
Office of the Ethics Commissioner
Office of the Information and Privacy Commissioner
Office of the Ombudsman

*British Columbia

All Ministries, Boards, Commissions, Agencies and Committees of the Province

This Agreement does not apply to the Legislative Assembly.

Manitoba

All Departments, Boards, Commissions and Committees of the Province

New Brunswick

The following provincial entities are covered:

Chief Electoral Officer
Clerk of the Legislative Assembly
Communications New Brunswick
Department of Agriculture and Aquaculture

Department of Business New Brunswick
Department of Education
Department of Energy
Department of Environment
Department of Finance
Department of Fisheries
Department of Health
Department of Intergovernmental Affairs
Department of Justice and Consumer Affairs
Department of Local Government
Department of Natural Resources
Department of Post-Secondary Education, Training and
Labour
Department of Public Safety
Department of Social Development
Department of Supply and Services
Department of Tourism and Parks
Department of Transportation
Department of Wellness, Culture and Sport
Executive Council Office
Labour and Employment Board
Language Training Centre
New Brunswick Police Commission
Office of Human Resources
Office of the Attorney General
Office of the Auditor General
Office of the Comptroller
Office of the Leader of the Opposition
Office of the Lieutenant-Governor
Office of the Ombudsman
Office of the Premier

Newfoundland and Labrador

All Departments of the Province

Northwest Territories

All Departments and Agencies of the Territory

This Agreement does not apply to Northwest Territories contracts subject to the Northwest Territories Business Incentive Policy.

*Nova Scotia

This Agreement applies to all Departments and Offices of the Province established under the *Public Service Act*.

This Agreement does not apply to Emergency Health Services (a division of the Department of Health) in respect to ambulance-related procurement, including telecommunications for Emergency Health Care purposes.

Ontario

All Ministries of the Province

The following Agencies are covered:

AgriCorp
Centennial Centre of Science and Technology (Ontario Science Centre)
Deposit Insurance Corporation of Ontario
Metropolitan Convention Centre Corporation
Niagara Parks Commission
Ontario Clean Water Agency
Ontario Financial Services Commission
Ontario Immigrant Investor Corporation
Ontario Mortgage and Housing Corporation
Ontario Mortgage Corporation
Ontario Northland Transportation Commission
Ontario Tourism Marketing Partnership Corporation
Ottawa Congress Centre
Science North

This Agreement does not apply to the procurement of:

- (a) urban rail and urban transportation equipment, systems, components and materials incorporated therein, as well as all project-related materials of iron or steel; and
- (b) highway construction.

*Prince Edward Island

All Departments and Agencies of the Province

This Agreement does not apply to construction materials that are used for highway construction and maintenance.

*Québec

All Ministères of the Province

The following public bodies are covered:

Agence d'évaluation des technologies et des modes d'intervention en santé
Bureau d'audiences publiques sur l'environnement
Comité de déontologie policière
Commissaire à la déontologie policière
Commissaire à la santé et au bien-être
Commission consultative de l'enseignement privé
Commission d'accès à l'information
Commission d'évaluation de l'enseignement collégial
Commission de l'équité salariale
Commission de la fonction publique
Commission de protection du territoire agricole du Québec
Commission de toponymie
Commission des biens culturels du Québec
Commission des droits de la personne et des droits de la jeunesse
Commission des partenaires du marché du travail
Commission des transports du Québec
Commission municipale du Québec
Commission québécoise des libérations conditionnelles
Conseil consultatif du travail et de la main-d'œuvre
Conseil de la famille et de l'enfance
Conseil de la justice administrative
Conseil de la Science et de la Technologie
Conseil des aînés
Conseil des relations interculturelles
Conseil des services essentiels
Conseil du médicament
Conseil du statut de la femme
Conseil permanent de la jeunesse
Conseil supérieur de l'éducation
Conseil supérieur de la langue française
Coroner
Curateur public du Québec
Directeur des poursuites criminelles et pénales
Office de la protection du consommateur
Office des personnes handicapées du Québec
Office québécois de la langue française
Régie des alcools, des courses et des jeux
Régie des marchés agricoles et alimentaires du Québec
Régie du logement
Sûreté du Québec

This Agreement does not apply to procurement:

- (a) of cultural or artistic goods and services or to any measure adopted or maintained with respect to culture or cultural industries;
- (b) of seedling production;
- (c) for work to be performed on property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work;
- (d) of construction-grade steel (including requirements on subcontracts); and
- (e) from a non-profit organization.

*Saskatchewan

All Departments of the Province

The following Boards and Agencies are covered:

Public Employee Benefits Agency
Saskatchewan Archives Board
Saskatchewan Arts Board

This Agreement does not apply to Legislative Branch Entities.

*Yukon

All Ministries and Agencies of the Territory

Notes to Annex 2

1. This Agreement does not apply to preferences or restrictions on highway projects.
2. This Agreement does not apply to preferences or restrictions associated with programs promoting the development of distressed areas.
3. This Agreement does not apply to procurement that is intended to contribute to economic development within the provinces or territories of Newfoundland and Labrador, New Brunswick, Prince Edward Island, Nova Scotia, Yukon or Northwest Territories,
4. 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*.
5. For those provinces and territories marked by an asterisk, this Agreement does not apply to procurement:
 - (a) of goods purchased for representational or promotional purposes; or
 - (b) services or construction purchased for representational or promotional purposes outside the province or territory.

6. Except for Ontario and Quebec, this Agreement does not apply to the procurement of goods, services or construction purchased for the benefit of, or which is to be transferred to the authority of, school boards or their functional equivalents, publicly-funded academic institutions, social services entities or hospitals.
7. Nothing in this Agreement shall be construed to prevent any provincial or territorial entity from applying restrictions that promote the general environmental quality in that province or territory, as long as such restrictions are not disguised barriers to international trade.
8. This Agreement does not apply to any procurement made by a covered entity on behalf of a non-covered entity.
9. This Agreement does not apply to Crown Corporations of the provinces and territories.
10. The positive list of goods listed in Annex 1 for the Department of National Defence, Coast Guard and the Royal Canadian Mounted Police also applies to procurement by provincial police forces at the goods threshold applicable to this Annex.
11. The entities covered by this annex shall be subject to the Revised text of the Agreement on Government Procurement (Articles I-XXI) as at 13 November 2007 (WTO Document negs 268 (19 November 2007)), rather than Articles I-XXIV of this Agreement in relation to the United States until a revised Agreement on Government Procurement enters into force.
12. The General Notes apply to this Annex.