

ANNEX 16A¹ GOVERNMENT PROCUREMENT

SECTION A: CENTRAL LEVEL OF GOVERNMENT ENTITIES

Goods

Threshold: 95,000 Special Drawing Rights (hereinafter referred to as “SDR”)

Services

Threshold: 95,000 SDR

Construction Services

Threshold: 5,000,000 SDR

For Korea, the threshold for the procurement of goods and services shall be 50,000 SDR for five years after the date of entry into force of this Agreement.

Peru’s Schedule

Unless otherwise specified herein, this Chapter covers all agencies subordinate to the entities listed in Peru’s Schedule.

1. Asamblea Nacional de Rectores (National Assembly of Rectors)
2. Banco Central de Reserva del Perú (Central Reserve Bank of Peru)
3. Congreso de la República (Congress of the Republic)
4. Consejo Nacional de la Magistratura (National Council of Magistrates)
5. Contraloría General de la República (Comptroller General’s Office of the Republic)
6. Defensoría del Pueblo (Office of the People’s Ombudsperson)
7. Jurado Nacional de Elecciones (National Electoral Board)
8. Ministerio del Ambiente (Ministry of Environment)
9. Ministerio de Agricultura (Ministry of Agriculture)
10. Ministerio de Comercio Exterior y Turismo (Ministry of Foreign Trade and Tourism)
11. Ministerio de Defensa (Ministry of Defense) (Note 1)
12. Ministerio de Economía y Finanzas (Ministry of Economy and Finance) (Note 2)
13. Ministerio de Educación (Ministry of Education)
14. Ministerio de Energía y Minas (Ministry of Energy and Mining)
15. Ministerio de Justicia (Ministry of Justice)
16. Ministerio de la Mujer y Desarrollo Social (Ministry of the Woman and Social Development)
17. Ministerio de la Producción (Ministry of Production)
18. Ministerio de Relaciones Exteriores (Ministry of Foreign Affairs)
19. Ministerio de Salud (Ministry of Health)
20. Ministerio de Trabajo y Promoción del Empleo (Ministry of Labor and Employment Development)

¹ The names of the procuring entities in English listed in Peru’s Schedule are not official translations. They are provided exclusively for convenience of readers unfamiliar with Spanish. For official purposes, Peru shall cite and publish the official names of its procuring entities in Spanish.

21. Ministerio de Transportes y Comunicaciones (Ministry of Transport and Telecommunications)
22. Ministerio de Vivienda, Construcción y Saneamiento (Ministry of Housing, Construction and Sanitation) (Note 3)
23. Ministerio del Interior (Ministry of Interior) (Note 1)
24. Ministerio Público (Prosecutor's Ministry)
25. Oficina Nacional de Procesos Electorales (National Office of Electoral Processes)
26. Poder Judicial (Judicial Power)
27. Presidencia del Consejo de Ministros (Presidency of the Council of Ministers)
28. Registro Nacional de Identificación y Estado Civil (National Registry of Identification and Marital Status)
29. Seguro Social de Salud (ESSALUD) (Health Insurance) (Note 4)
30. Superintendencia de Banca, Seguros y AFPs (Superintendence of Banking, Insurance and AFPs)
31. Tribunal Constitucional (Constitutional Tribunal)
32. Universidad Nacional del Altiplano (National University of the Altiplano)
33. Universidad del Centro del Perú (Central University of Peru)
34. Universidad Mayor de San Marcos (National University of San Marcos)
35. Universidad Nacional Agraria de la Molina (National Agrarian University la Molina)
36. Universidad Nacional Agraria de la Selva (National Agrarian University of the Forest)
37. Universidad Nacional Amazónica de Madre de Dios (Amazonic National University of Madre de Dios)
38. Universidad Nacional Daniel Alcides Carrión (Daniel Alcides Carrión National University)
39. Universidad Nacional de Cajamarca (Cajamarca National University)
40. Universidad Nacional de Educación Enrique Guzman Valle (Enrique Guzman Valle National University)
41. Universidad Nacional de Huancavelica (Huancavelica National University)
42. Universidad Nacional de Ingeniería (Engineering National University)
43. Universidad Nacional de la Amazonía Peruana (National University of the Peruvian Amazon)
44. Universidad Nacional de Piura (Piura National University)
45. Universidad Nacional de San Agustín (San Agustín National University)
46. Universidad Nacional de Trujillo (Trujillo National University)
47. Universidad Nacional de Tumbes (Tumbes National University)
48. Universidad Nacional de Ucayali (Ucayali National University)
49. Universidad Nacional del Callao (Callao National University)
50. Universidad Nacional del Santa (Del Santa National University)
51. Universidad Nacional Federico Villareal (Federico Villareal National University)
52. Universidad Nacional Hermilio Valdizán (Hermilio Valdizán National University)
53. Universidad Nacional Jorge Basadre Grohmann (Jorge Basadre Grohmann National University)
54. Universidad Nacional José F. Sanchez Carrión (José F. Sanchez Carrión National University)
55. Universidad Nacional Micaela Bastidas de Apurímac (Micaela Bastidas National University of Apurímac)
56. Universidad Nacional San Antonio de Abad del Cusco (San Antonio de Abad National University of Cusco)

57. Universidad Nacional San Cristobal de Huamanga (San Cristobal de Huamanga National University)
58. Universidad Nacional San Martín (San Martín National University)
59. Universidad Nacional San Luis Gonzaga de Ica (San Luis Gonzaga National University of Ica)
60. Universidad Nacional Santiago Antunez de Mayolo (Santiago Antunez de Mayolo National University)
61. Universidad Nacional Toribio Rodriguez de Mendoza (Toribio Rodriguez de Mendoza National University)
62. Universidad Pedro Ruiz Gallo (Pedro Ruiz Gallo National University)

Notes to Peru's Schedule

1. Ministerio de Defensa and Ministerio del Interior (Ministry of Defense and Ministry of Interior): This Chapter shall not cover the procurement of clothing/apparel (HS 6205) and footwear (HS 64011000) by the Army, Navy, Air Force, or National Police of Peru.
2. Ministerio de Economía y Finanzas (Ministry of Economy and Finance): This Chapter shall not cover procurement by the *Agency for the Promotion of Private Investment* (PROINVERSION) of technical, legal, financial, economic, or similar consulting services, which are necessary to promote private investment through the granting of concessions or other means such as capital increase, joint ventures, service, leasing, and management contracts.
3. Ministerio de Vivienda, Construcción y Saneamiento (Ministry of Housing, Construction and Sanitation): This Chapter shall not cover procurement by the *Comisión de Formalización de la Propiedad Informal* (COFOPRI) (The Land Title Formalization Commission).
4. Seguro Social de Salud (ESSALUD) (Health Insurance): This Chapter shall not cover the procurement of sheets (HS 6301) and blankets (HS 6302).

Korea's Schedule

1. Board of Audit and Inspection
2. Office of the Prime Minister
3. Ministry of Gender Equality and Family
4. Ministry of Strategy and Finance
5. Financial Services Commission
6. Ministry of Unification
7. Ministry of Public Administration and Security
8. Ministry of Education, Science and Technology
9. Ministry of Government Legislation
10. Ministry of Patriots and Veterans Affairs
11. Ministry of Foreign Affairs and Trade
12. Ministry of Justice
13. Ministry of National Defense (Note 3)
14. Ministry of Culture, Sports and Tourism

15. Cultural Heritage Administration
16. Ministry for Food, Agriculture, Forestry and Fisheries
17. Ministry of Knowledge Economy
18. Ministry for Health and Welfare
19. Korea Food and Drug Administration
20. Ministry of Employment and Labor
21. Ministry of Land, Transport and Maritime Affairs
22. Ministry of Environment
23. Public Procurement Service (Note 4)
24. National Tax Service
25. Customs Service
26. National Statistical Office
27. Korea Meteorological Administration
28. National Police Agency (Note 5)
29. Supreme Prosecutors' Office
30. Military Manpower Administration
31. Rural Development Administration
32. Forest Service
33. Korean Intellectual Property Office
34. Small and Medium Business Administration
35. Korea Coast Guard (Note 5)
36. National Emergency Management Agency
37. Defense Acquisition Program Administration (Note 3)
38. Broadcasting and Communications Commission
39. Fair Trade Commission
40. Civil Rights Commission
41. Multifunctional Administrative City Construction Agency

Notes to Korea's Schedule

1. The above central government entities shall cover their "subordinate linear organizations", "special local administrative agencies", and "attached organs", as prescribed in the relevant provisions of the *Government Organization Act* of Korea. Any entity with a separate legal personality that is not listed in this Annex is not covered.

2. This Section shall not apply to the single tendering procurement and set-asides for small and medium-sized enterprises in accordance with the *Act Relating to Contracts to which the State is a Party* and its Presidential Decree, and the procurement of agricultural, fishery, and livestock products in accordance with the *Foodgrain Management Law*, the *Law Concerning Marketing and Price Stabilization of Agricultural and Fishery Products*, and the *Livestock Law*.

3. Ministry of National Defense and Defense Acquisition Program Administration: Subject to the decision of the Korean government under Article 16.2, for the purchases of the *Ministry of National Defense* and the *Defense Acquisition Program Administration*, this Chapter generally applies to the following FSC categories only, and for services and construction services listed in Section E and Section F, it applies only to those areas which are not related to national security and defense.

FSC 2510 Vehicular cab, body, and frame structural components
FSC 2520 Vehicular power transmission components
FSC 2540 Vehicular furniture and accessories
FSC 2590 Miscellaneous vehicular components
FSC 2610 Tires and tubes, pneumatic, nonaircraft
FSC 2910 Engine fuel system components, nonaircraft
FSC 2920 Engine electrical system components, nonaircraft
FSC 2930 Engine cooling system components, nonaircraft
FSC 2940 Engine air and oil filters, strainers and cleaners, nonaircraft
FSC 2990 Miscellaneous engine accessories, nonaircraft
FSC 3020 Gears, pulleys, sprockets and transmission chain
FSC 3416 Lathes
FSC 3417 Milling machines
FSC 3510 Laundry and dry cleaning equipment
FSC 4110 Refrigeration equipment
FSC 4230 Decontaminating and impregnating equipment
FSC 4520 Space heating equipment and domestic water heaters
FSC 4940 Miscellaneous maintenance and repair shop specialized equipment
FSC 5120 Hand tools, nonedged, nonpowered
FSC 5410 Prefabricated and portable buildings
FSC 5530 Plywood and veneer
FSC 5660 Fencing, fences and gates
FSC 5945 Relays and solenoids
FSC 5965 Headsets, handsets, microphones and speakers
FSC 5985 Antennae, waveguide, and related equipment
FSC 5995 Cable, cord, and wire assemblies: communication equipment
FSC 6220 Electric vehicular lights and fixtures
FSC 6505 Drugs and biologicals
FSC 6840 Pest control agents disinfectants
FSC 6850 Miscellaneous chemical, specialties
FSC 7310 Food cooking, baking, and serving equipment
FSC 7320 Kitchen equipment and appliances
FSC 7330 Kitchen hand tools and utensils
FSC 7350 Table ware
FSC 7360 Sets, kits, outfits, and modules food preparation and serving
FSC 7530 Stationery and record forms
FSC 7920 Brooms, brushes, mops, and sponges
FSC 7930 Cleaning and polishing compounds and preparations
FSC 8110 Drums and cans
FSC 9150 Oils and greases: cutting, lubricating, and hydraulic
FSC 9310 Paper and paperboard

4. Public Procurement Service: This Chapter covers only those procurements carried out by the *Public Procurement Service* for the procuring entities listed in this Section. Regarding procurement for entities listed in Sections B and C, the coverage and thresholds for such entities in those Sections are applied.

5. National Police Agency and Korea Coast Guard: This Chapter does not cover procurements for purposes of maintaining public order, as provided in Article XXIII of the *Agreement on Government Procurement* of the WTO (hereinafter referred to as the “GPA”).

SECTION B: SUB-CENTRAL LEVEL OF GOVERNMENT ENTITIES

Goods

Threshold: 200,000 SDR

Services

Threshold: 200,000 SDR

Construction Services

Threshold: 15,000,000 SDR

Peru's Schedule

This Chapter covers procurement only by those entities listed in this Schedule.

1. Gobierno Regional de Amazonas (Regional Government of Amazonas)
2. Gobierno Regional de Ancash (Regional Government of Ancash)
3. Gobierno Regional de Arequipa (Regional Government of Arequipa)
4. Gobierno Regional de Ayacucho (Regional Government of Ayacucho)
5. Gobierno Regional de Apurimac (Regional Government of Apurimac)
6. Gobierno Regional de Cajamarca (Regional Government of Cajamarca)
7. Gobierno Regional del Callao (Regional Government of Callao)
8. Gobierno Regional de Cusco (Regional Government of Cusco)
9. Gobierno Regional de Ica (Regional Government of Ica)
10. Gobierno Regional de Huancavelica (Regional Government of Huancavelica)
11. Gobierno Regional de Huánuco (Regional Government of Huanuco)
12. Gobierno Regional de Junín (Regional Government of Junin)
13. Gobierno Regional de la Libertad (Regional Government of La Libertad)
14. Gobierno Regional de Lambayeque (Regional Government of Lambayeque)
15. Gobierno Regional de Lima (Regional Government of Lima)
16. Gobierno Regional de Loreto (Regional Government of Loreto)
17. Gobierno Regional de Madre de Dios (Regional Government of Madre de Dios)
18. Gobierno Regional de Moquegua (Regional Government of Moquegua)
19. Gobierno Regional de Pasco (Regional Government of Pasco)
20. Gobierno Regional de Piura (Regional Government of Piura)
21. Gobierno Regional de Puno (Regional Government of Puno)
22. Gobierno Regional de San Martín (Regional Government of San Martin)
23. Gobierno Regional de Tacna (Regional Government of Tacna)
24. Gobierno Regional de Tumbes (Regional Government of Tumbes)
25. Gobierno Regional de Ucayali (Regional Government of Ucayali)

Korea's Schedule

1. Seoul Metropolitan Government
2. Busan Metropolitan City
3. Daegu Metropolitan City

4. Incheon Metropolitan City
5. Gwangju Metropolitan City
6. Daejeon Metropolitan City
7. Gyeonggi-do
8. Gangwon-do
9. Chungcheongbuk-do
10. Chungcheongnam-do
11. Gyeongsangbuk-do
12. Gyeongsangnam-do
13. Jeollabuk-do
14. Jeollanam-do
15. Jeju Special Self-Governing Province

Notes to Korea's Schedule

1. The above sub-central administrative government entities shall cover their “subordinate organizations under direct control”, “offices” and “branch offices”, as prescribed in the relevant provisions of the *Local Autonomy Act* of Korea. Any entity with a separate legal personality that is not listed in this Annex shall not be covered.
2. This Section shall not apply to the single tendering procurement and set-asides for small and medium-sized enterprises in accordance with the *Act Relating to Contracts to which the Local Government is a Party* and its Presidential Decree.

SECTION C: OTHER COVERED ENTITIES

Goods

Threshold: 400,000 SDR

Services

Threshold of Peru: 400,000 SDR

1. In case where Korea includes threshold of services in its Annex 3 to Appendix I in the GPA, the threshold and the notes to its Annex 3 to Appendix I in the GPA shall be promptly applied to the services procured by procuring entities listed in Korea's Schedule in this Section.

2. In case where Korea does not include the threshold of services in its Annex 3 to Appendix I in the GPA five years after the entry into force of this Agreement, Peru shall suspend the application of this Section for the procurement of services until Korea so does.

Construction Services

Threshold: 15,000,000 SDR

Peru's Schedule

1. Agro Banco (Agriculture Bank)
2. Banco de la Nación (National Bank)
3. Banco de Materiales (Bank of Materials)
4. Compañía de Negociaciones Mobiliarias e Inmobiliarias S.A. (Negotiation Company of Real State and Movable Property)
5. Corporación Financiera de Desarrollo S.A. (Financial Corporation of Development)
6. Corporación Peruana de Aeropuertos y Aviación Civil S.A. (CORPAC) (Peruvian Corporation of Airports and Civil Aviation)
7. Electricidad del Perú S.A. (ELECTROPERU) (Electricity Company of Peru)
8. Empresa Eléctrica del Sur S.A. (Electricity Company of the South)
9. Empresa de Administración de Infraestructura Eléctrica S.A. (Administration Company of Electric Infrastructure)
10. Empresa de Generación Eléctrica de Machupicchu (Hydro Power Company of Machupicchu)
11. Empresa Nacional de la Coca S.A. (ENACO) (National Company of the Coca)
12. Empresa Nacional de Puertos S.A. (ENAPU) (Peru National Harbors Company)
13. Empresa Peruana de Servicios Editoriales (Peruvian Company of Publishing Services)
14. Empresa Regional de Servicios Públicos de Electricidad del Oriente (Regional Company of Electricity Public Services of the Orient)
15. Empresa Regional de Servicios Públicos de Electricidad del Sur Este S.A. (Regional Company of Electricity Public Services of the South East)
16. Inmobiliaria Milenia S.A. (INMISA) (Real State Company Milenia)
17. PERUPETRO
18. Petróleos del Perú (PETROPERU) (Peru's Oil Company) (Note 1)
19. Servicio de Agua Potable y Alcantarillado de Lima (SEDAPAL) (Potable Water and Sewerage Service of Lima)

20. Servicio Industrial de la Marina (SIMA) (Naval Industrial Services)
21. Servicios Postales del Perú S.A (Peru Postal Services)
22. Sociedad Eléctrica del Sur Oeste (Electric Company of the South West)

Notes to Peru's Schedule

Petroleos del Perú (Peru's Oil Company): This Chapter shall not cover the procurement of the following goods:

- (a) Crude Petroleum
- (b) Gasoline
- (c) Propane
- (d) Diesel oil
- (e) Butane
- (f) Low sulfur medium distillation or Gasoil
- (g) Natural gas
- (h) Bio-diesel
- (i) Saturated acyclic hydrocarbons
- (j) Catalyzers
- (k) Ethanol
- (l) Additives

Korea's Schedule

1. Korea Development Bank
2. Industrial Bank of Korea
3. Korea Minting and Security Printing Corporation
4. Korea Electric Power Corporation (except purchases of goods in the categories of HS Nos. 8504, 8535, 8537, and 8544)
5. Korea Coal Corporation
6. Korea Resources Corporation
7. Korea National Oil Corporation
8. Korea Trade-Investment Promotion Agency
9. Korea Expressway Corporation
10. Korea National Housing Corporation
11. Korea Water Resources Corporation
12. Korea Land Corporation
13. Korea Rural Community Corporation
14. Korea Agro-Fisheries Trade Corporation
15. Korea Tourism Organization
16. Korea Workers' Compensation and Welfare Service
17. Korea Gas Corporation
18. Korea Railroad Corporation

Notes to Korea's Schedule

This Section shall not apply to the single tendering procurement and set-asides for small and medium-sized enterprises in accordance with the *Act Relating to the Public Entities'*

Operation and the Rules Relating to the Public Enterprises and Quasi-Government Entities' Contracting Matters.

SECTION D: GOODS

This Chapter shall apply to all goods procured by the entities listed in Sections A through C, subject to the Notes to the respective Sections and Section G.

SECTION E: SERVICES

Peru's Schedule

This Chapter shall apply to all services procured by the entities listed in Sections A through C, subject to the Notes to the respective Sections, and Section G, except for the services excluded in Peru's Schedule.

This Chapter shall not cover the procurement of the following services, as elaborated in the Central Product Classification Version 1.1. (For complete listing of Central Product Classification Version 1.1, see <http://unstats.un.org/unsd/cr/registry/regcst.asp?Cl=3>):

CPC 8221 Accounting and auditing services

CPC 8321 Architectural services

CPC 8334 Engineering and design services

CPC 8335 Engineering services during construction and installation phase

CPC 82191 Arbitration and conciliating services

Korea's Schedule

For purposes of this Chapter and without prejudice to Article 16.1, in the case of services in Sections A and B, no services, except financial services, of the Universal List of Services, as contained in document MTN.GNS/W/120 shall be excluded. In the case of services in Section C, services listed in the revised GPA shall be included (others being excluded).

SECTION F: CONSTRUCTION SERVICES

This Chapter shall apply to the procurement of all construction services under CPC 51 procured by the procuring entities listed in Sections A through C, unless otherwise specified in this Chapter.

SECTION G: GENERAL NOTES

Unless otherwise specified herein, the following General Notes in each Party's Schedule shall apply without exception to this Chapter, including to all Sections of this Annex.

Peru's Schedule

1. This Chapter shall not apply to procurement programs on behalf of micro and small sized enterprises.
2. This Chapter shall not apply to the procurement of goods for food assistance programs.
3. This Chapter shall not apply to procurement by one Peruvian procuring entity of goods or services from another Peruvian procuring entity.
4. This Chapter shall not apply to the acquisition of weavings and clothing made with alpaca and llama fibers.
5. This Chapter shall not apply to procurement by the embassies, consulates, and other missions of the foreign service of Peru, exclusively for their operation and management.

Korea's Schedule

This Chapter shall not apply to procurement in furtherance of human feeding programs.

SECTION H: MEANS OF PUBLICATION

For Peru,

All information on government procurements is published on the following websites:

Legislation and Jurisprudence: www.osce.gob.pe

Procuring opportunities on goods and services: www.seace.gob.pe

Procuring opportunities on BOT contracts and public works concession contracts:
www.proinversion.gob.pe

For Korea,

All information on government procurements is published on the following websites:

Legislation and Jurisprudence: www.pps.go.kr

Procuring opportunities on goods and services: www.g2b.go.kr

Procuring opportunities on BOT contracts: www.pimac.org