

ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

GPA/MOD/JPN/16

10 de noviembre de 2004

(04-4764)

Comité de Contratación Pública

Original: inglés

ENMIENDAS PROPUESTAS POR EL JAPÓN AL APÉNDICE I

Comunicación del Japón de conformidad con el párrafo 6 a) del artículo XXIV¹ del ACP

La siguiente comunicación de la delegación del Japón, de fecha 5 de noviembre de 2004, se distribuye a las Partes en el Acuerdo sobre Contratación Pública.

1. De conformidad con el párrafo 6 a) del artículo XXIV del Acuerdo sobre Contratación Pública, el Gobierno del Japón desea notificar al Comité de Contratación Pública las siguientes enmiendas de carácter puramente formal en relación con el Anexo 3 del Apéndice I del Acuerdo sobre Contratación Pública:

- Suprímase "National Center for Industrial Property Information" de la "Lista de entidades" y la "Lista de entidades que contratan los servicios indicados en el Anexo 4".
- Añádase "National Center for Industrial Property Information and Training" a la "Lista de entidades" y la "Lista de entidades que contratan los servicios indicados en el Anexo 4".

2. Las enmiendas anteriores se deben simplemente al cambio de nombre del "National Center for Industrial Property Information". A partir del 1º de octubre de 2004 el "National Center for Industrial Property" se llama "National Center for Industrial Property and Information and Training", en razón de la transferencia de algunas de las actividades que desempeñaba hasta esa fecha la Oficina de Patentes del Japón, a saber, la formación del personal y la facilitación de información en materia de patentes. El Ministerio de Economía y Comercio Internacional, incluida la Oficina de Patentes del Japón (que no aparece en el Anexo 1 del Japón porque es una organización adscrita a dicho Ministerio), sigue figurando como entidad del Anexo 1.

¹ El párrafo 6 a) del artículo XXIV ("Rectificaciones o enmiendas") establece lo siguiente: *Rectificaciones o enmiendas* a) Las rectificaciones, las transferencias de entidades de un Anexo a otro o, en casos excepcionales, las enmiendas de otro tipo que afecten a los Apéndices I a IV serán notificadas al Comité, y en la notificación se facilitará información en cuanto a las probables consecuencias del cambio en el alcance mutuamente convenido previsto en el Acuerdo. Las rectificaciones, transferencias o enmiendas de otro tipo de carácter puramente formal o menores surtirán efecto a condición de que en un plazo de 30 días no se presente objeción a ellas. De no ser así, el Presidente del Comité convocará prontamente una reunión del Comité. El Comité examinará la propuesta y las posibles demandas de arreglos compensatorios, con el fin de mantener un equilibrio de derechos y obligaciones y un nivel comparable del alcance mutuamente convenido previsto en el presente Acuerdo antes de la notificación de que se trate. En caso de que no se llegue a un acuerdo, podrá llevarse adelante la cuestión con arreglo a las disposiciones del artículo XXII.

3. Por consiguiente, la modificación propuesta no altera el nivel del alcance mutuamente convenido previsto en el Acuerdo. En el Anexo A se incluye un resumen de las enmiendas propuestas por el Japón de las páginas 2/5 y 5/5 del Anexo 3 del Apéndice I. En el Anexo B se indica cómo quedarían las páginas 2/5 y 5/5 del Anexo 3 del Apéndice I una vez introducidas las enmiendas propuestas.²

² Los Anexos A y B existen únicamente en inglés.

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ATTACHMENT A

Supplies (cont'd)

- Japan Arts Council
 - Japan Society for the Promotion of Science
 - University of the Air Foundation
 - National Stadium and School Health Center of Japan
 - Social Insurance Medical Fee Payment Fund
 - Association for Welfare of the Mentally and Physically Handicapped
 - Japan Racing Association
 - Mutual Aid Association of Agriculture, Forestry and Fishery Corporation Personnel
 - The National Association of Racing
 - Farmers' Pension Fund
 - Japan Keirin Association
 - Japan External Trade Organization
 - Japan Motorcycle Racing Organization
 - New Energy and Industrial Technology Development Organization
 - Japan National Tourist Organization
 - Japan Institute of Labour
 - Mutual Aid Fund for Official Casualties and Retirement of Volunteer Firemen
 - Corporation for Advanced Transport and Technology (e)
 - The Promotion and Mutual Aid Corporation for Private Schools of Japan
 - Organization for Workers' Retirement Allowance Mutual Aid
2. Group B
- National Archives of Japan
 - Communications Research Laboratory
 - National Research Institute of Fire and Disaster
 - National Research Institute of Brewing
 - National Center for University Entrance Examinations
 - National Institute of Special Education
 - National Olympics Memorial Youth Center
 - National Women's Education Center
 - National Youth Houses
 - National Children's Centers
 - The National Institute for Japanese Language
 - National Science Museum
 - National Institute for Materials Science
 - National Research Institute for Earth Science and Disaster Prevention
 - National Aerospace Laboratory of Japan
 - National Institute of Radiological Sciences
 - National Museum of Art
 - National Museum
 - National Research Institute for Cultural Properties
 - National Center for Teachers' Development
 - National Institute of Health and Nutrition
 - National Institute of Industrial Safety
 - National Institute of Industrial Health
 - Center for Food Quality, Labeling and Consumer Services
 - National Center for Seeds and Seedlings
 - National Livestock Breeding Center
 - Fertilizer and Feed Inspection Station
 - Agricultural Chemicals Inspection Station
 - National Farmers Academy
 - Forest Tree Breeding Center
 - National Salmon Resources Center
 - National Fisheries University
 - National Agricultural Research Organization
 - National Institute of Agrobiological Sciences
 - National Institute for Agro-Environmental Sciences
 - National Institute for Rural Engineering
 - National Food Research Institute
 - Japan International Research Center for Agricultural Sciences
 - Forestry and Forest Products Research Institute
 - Fisheries Research Agency
 - Research Institute of Economy, Trade and Industry
 - ~~National Center for Industrial Property Information~~ National Center for Industrial Property Information and Training
 - Nippon Export and Investment Insurance
 - National Institute of Advanced Industrial Science and Technology
 - National Institute of Technology and Evaluation
 - Public Works Research Institute
 - Building Research Institute

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Services (cont'd)

- Fisheries Research Agency
 - Research Institute of Economy, Trade and Industry
 - ~~National Center for Industrial Property Information~~ National Center for Industrial Property Information and Training
 - Nippon Export and Investment Insurance
 - National Institute of Advanced Industrial Science and Technology
 - National Institute of Technology and Evaluation
 - Public Works Research Institute
 - Building Research Institute
 - National Traffic Safety and Environment Laboratory
 - National Maritime Research Institute
 - Port and Airport Research Institute
 - Electronic Navigation Research Institute
 - Civil Engineering Research Institute of Hokkaido
 - Marine Technical College
 - National Institute for Sea Training
 - Schools for Seafarers Training
 - Civil Aviation College
 - National Institute for Environmental Studies
 - Labor Management Organization for USFJ Employees
 - National Agency for Vehicle Inspection
 - National Statistics Center
 - Japan Mint
 - National Printing Bureau
 - Japan Nuclear Energy Safety Organization
 - National Hospital Organization
 - National University Corporation
 - Inter-University Research Institute Corporation
 - Institute of National Colleges of Technology, Japan
 - National Institution for Academic Degrees and University Evaluation
 - Center for National University Finance and Management
 - National Institute of Multimedia Education
- Notes to Annex 3*
1. Products and services procured with a view to resale or with a view to use in the production of goods for sale are not included.
 2. This Agreement shall not apply to contracts to be awarded to co-operatives or associations in accordance with laws and regulations existing at the time of the entry into force of this Agreement for Japan.
 3. This Agreement shall not apply to contracts which the entities in Group A award for purposes of their daily profit-making activities which are exposed to competitive forces in markets. This note shall not be used in a manner which circumvents the provisions of this Agreement.
 4. Notes to specific entities:
 - (a) Procurement related to operational safety of transportation is not included.
 - (b) Procurement which could lead to the disclosure of information incompatible with the purpose of the Treaty on the Non-Proliferation of Nuclear Weapons or with international agreements on intellectual property rights is not included. Procurement for safety-related activities aiming at utilization and management of radioactive materials and responding to emergencies of nuclear installation is not included.
 - (c) Procurement related to geological and geophysical survey is not included.
 - (d) Procurement of advertising services, construction services and real estate services is not included.
 - (e) Procurement of ships to be jointly owned with private companies is not included.
 - (f) Procurement of public electrical telecommunications equipment and of services related to operational safety of telecommunications is not included.
 - (g) Procurement of the services specified in Annex 4, other than construction services, is not included.

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ATTACHMENT B

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 - National Center for University Entrance Examinations
 - National Institute of Special Education
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 - National Women's Education Center
 - National Youth Houses
 - National Children's Centers
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 - National Aerospace Laboratory of Japan
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- Civil Aviation College
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- National Hospital Organization
- National University Corporation
- Inter-University Research Institute Corporation
- Institute of National Colleges of Technology, Japan
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- Center for National University Finance and Management
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Notes to Annex 3

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