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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Determination Regarding Waiver of Discriminatory Purchasing Requirements with Respect to Goods and Services of New Zealand

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Determination Regarding Waiver of Discriminatory Purchasing Requirements under the Trade Agreements Act of 1979.

**EFFECTIVE DATE:** August 12, 2015

**FOR FURTHER INFORMATION CONTACT:** Scott Pietan, Director of International Procurement Policy, (202) 395-9646, or Arthur Tsao, Assistant General Counsel, (202) 395-6987, Office of the United States Trade Representative.

**SUPPLEMENTARY INFORMATION:** On October 29, 2014, the WTO Committee on Government Procurement approved the accession of New Zealand to the World Trade Organization (“WTO”) Agreement on Government Procurement (“GPA”). New Zealand submitted its instrument of accession to the Secretary-General of the WTO on July 13,

2015. The GPA will enter into force for New Zealand on August 12, 2015. The United States, which is also a party to the GPA, has agreed to waive discriminatory purchasing requirements for eligible products and suppliers of New Zealand beginning on August 12, 2015.

Section 1-201 of Executive Order 12260 of December 31, 1980 delegated the functions of the President under sections 301 and 302 of the Trade Agreements Act of 1979 (“the Trade Agreements Act”) (19 U.S.C. 2511, 2512) to the United States Trade Representative.

**DETERMINATION:** In conformity with sections 301 and 302 of the Trade Agreements Act, and in order to carry out U.S. obligations under the GPA, I hereby determine that:

1. New Zealand has become a party to the GPA and will provide appropriate reciprocal competitive government procurement opportunities to United States products and services and suppliers of such products and services. In accordance with section 301(b)(1) of the Trade Agreements Act, New Zealand is so designated for purposes of section 301(a) of the Trade Agreements Act.
2. Accordingly, beginning on August 12, 2015, with respect to eligible products (namely, those goods and services covered under the GPA for procurement by the United States) of New Zealand and suppliers of such products, the application of any law, regulation, procedure, or practice regarding government procurement that would, if

applied to such products and suppliers, result in treatment less favorable than that accorded –

(A) To United States products and suppliers of such products, or

(B) To eligible products of another foreign country or instrumentality which is a party to the GPA and suppliers of such products,

shall be waived. This waiver shall be applied by all entities listed in United States Annexes 1 and 3 of GPA Appendix 1.

3. The Trade Representative may modify or withdraw the designation in paragraph 1 and the waiver in paragraph 2.

Michael B.G. Froman

United States Trade Representative

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