Chapter 10
Government Procurement

Article 110
Procurement Principle

Recognising the importance of government procurement in furthering the expansion of production and trade so as to promote growth and employment, each Party shall ensure transparency of the measures regarding government procurement in accordance with its national laws and regulations.

Article 111
Non-Discrimination

With respect to any measure regarding government procurement, each Party shall provide to the goods, services and suppliers of the other Party treatment no less favourable than that it accords to non-Party's goods, services and suppliers in accordance with its laws and regulations.

Article 112
Exchange of Information

1. The Parties shall at the national level, subject to their respective laws and regulations, exchange information, to the extent possible in the English language and in a timely manner, on their respective laws and regulations, policies and practices on government procurement, as well as on any reforms to their existing government procurement regimes.

2. Each Party shall endeavour to designate a contact point for the exchange of information and for providing information to the other Party.

Article 113
Further Negotiations

The Parties shall enter into negotiations to review this Chapter with a view to achieving a comprehensive Chapter on Government Procurement including the provisions of challenge procedures, when India expresses its intention to become a Party to the Agreement on Government Procurement in the Annex 4 to the WTO Agreement (hereinafter referred to as "the GPA").

Note: If the GPA is amended or is superseded by another agreement, "the GPA", for the purposes of this Chapter, shall refer to the GPA as amended or such other agreement.

Article 114
Negotiations on Non-Discrimination

In the event that, after the entry into force of this Agreement, a Party offers a non-Party any advantageous treatment concerning the measures regarding government procurement, including access to its government procurement market, the former Party shall, upon the request of the other Party, afford adequate opportunity to enter into negotiation with the other Party with a view to extending such advantageous treatment to the other Party on a reciprocal basis.

Article 115
Exceptions

1. The provisions of this Chapter shall not be applicable to:

(a) with respect to India, state governments and their entities and local governments; and

(b) with respect to Japan, local governments.