(g) the term "procuring entity" means an entity covered in Annex 13 (Government Procurement);

(h) the term "publish" means to disseminate information in an electronic or paper medium that is available widely and is readily accessible to the general public;

(i) the term "selective tendering" means a procurement method whereby those suppliers invited to do so by the procuring entity may submit a tender;

(j) the term "services" includes construction services unless otherwise specified; and

(k) the term "supplier" means a person that provides or could provide goods or services to a procuring entity.

Article 17.3
National Treatment and Non-Discrimination

1. With respect to any measure regarding covered procurement, each Party shall accord, immediately and unconditionally, to the goods, services and suppliers of the other Party, treatment no less favourable than that it accords to domestic goods, services and suppliers.

2. With respect to any measure regarding covered procurement, a Party shall not:

(a) treat a locally-established supplier less favourably than another locally-established supplier on the basis of the degree of foreign affiliation or ownership; or

(b) discriminate against a locally-established supplier on the basis that the goods or services offered by that supplier for a particular procurement are goods or services of the other Party.

3. This Article shall not apply to customs duties and charges of any kind imposed on or in connection with importation, the method of levying such duties and charges, other import regulations and formalities, and measures affecting trade in services other than measures governing covered procurement.

4. Each Party shall ensure that its procuring entities comply with this Chapter in conducting covered procurements.

5. For greater certainty, all orders under contracts awarded for covered procurement shall be subject to paragraphs 1 and 2.

Article 17.4
Rules of Origin

For the purposes of covered procurement, neither Party shall apply rules of origin to goods or services that are different from the rules of origin the Party applies in the normal course of trade to those goods or services.

Article 17.5
Valuation of Contracts

1. In estimating the value of a procurement for the purposes of ascertaining whether it is a covered procurement under this Chapter:

(a) valuation shall take into account all forms of remuneration, including any premiums, fees, commissions, interest and other revenue streams that may be provided for under the contract;

(b) the selection of the valuation method by a procuring entity shall not be used, nor shall any procurement requirement be divided, with the intention of avoiding the application of this Chapter; and