Chapter 13
Government Procurement

Article 13.1
Procurement Principle

Recognizing 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 laws and regulations. The Parties also recognize the need to take into account the development, financial and trade needs of the Parties. Each Party shall ensure a fair and effective implementation of the measures regarding government procurement.

Article 13.2
Exchange of Information

The Parties shall at the central government 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.

Article 13.3
Further Negotiations

The Parties shall enter into negotiations to review this Chapter with a view to achieving a comprehensive Chapter on Government Procurement, when Mongolia expresses its intention to become a party to the Agreement on Government Procurement in Annex 4 to the WTO Agreement (hereinafter referred to in this Article as "the GPA").

Note: If the GPA is amended or is superseded by another agreement, "the GPA", for the purposes of this Article, shall refer to the GPA as amended or such other agreement.

Article 13.4
Negotiation on Non-Discrimination

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

Article 13.5
Sub-Committee on Government Procurement

1. For the purposes of the effective implementation and operation of this Chapter, the Parties hereby establish a Sub-Committee on Government Procurement (hereinafter referred to in this Article as "the Sub-Committee").

2. The functions of the Sub-Committee shall be:

   (a) reviewing and monitoring the implementation and operation of this Chapter;

   (b) analyzing available information on each Party's government procurement market;

   (c) cooperating on e-procurement and human resource development;

   (d) reporting the findings of the Sub-Committee to the Joint Committee; and

   (e) carrying out other functions as may be delegated by the Joint Committee.

3. The Sub-Committee shall be composed of representatives of the Governments of the Parties.

4. The Sub-Committee shall hold meetings at such times and venues or by means, as may be agreed by the Parties.