derives respectively from the provision of such services or supplies to undertakings with which it is affiliated.[5]

5. Chapter 15 (Government Procurement) does not cover procurement:

(a) by a joint venture, formed exclusively by a number of procuring entities for the purposes of carrying out activities within the meaning of subparagraphs 1(b)(i) through 1(b)(vi) of this Section, to one of these procuring entities; or

(b) by a procuring entity to such a joint venture of which it forms part, provided that the joint venture has been set up to carry out the activity concerned over a period of at least three years and the instrument setting up the joint venture stipulates that the procuring entities, which form it, will be part thereof for at least the same period.

6. With regard to goods, suppliers, services and service providers from Australia, Brunei, Canada, Malaysia and New Zealand, procurement by procuring entities in this Section is covered with respect to the Party concerned only to the extent that Party provides equivalent access to its own procurement markets for goods, suppliers, services and service providers from the United Kingdom under Chapter 15 (Government Procurement).

7. Procurement by procuring entities in this Section shall only be considered covered procurement:

(a) in regard of goods, suppliers, services and service providers from Mexico, by those procuring entities operating in the activities described in subparagraphs 1(b)(i) through 1(b)(v) of this Section and in regard of goods from Mexico, by those procuring entities operating in the activities described in subparagraph 1(b)(vi) of this Section;

(b) in regard of goods, suppliers, services and service providers from Chile, by those procuring entities operating in the activities described in subparagraphs 1(b)(iii) and 1(b)(iv) of this Section; and

(c) in regard of goods, suppliers, services and service providers from Japan, by those procuring entities operating in the activities described in subparagraphs 1(b)(i) and 1(b)(iii) through 1(b)(v) of this Section except urban railways.

8. The provisions of Article 15.19 (Domestic Review) shall not apply to Japan in contesting the award of contracts by United Kingdom entities, whose value is less than the threshold applied for the same category of contracts awarded by Japan.

[5] When, because of the date on which an affiliated undertaking was created or commenced activities, the turnover is not available for the preceding three years, it will be sufficient for that undertaking to show that the turnover referred to in this note is credible, in particular by means of business projections.

9. If a procuring entity covered under this Section has selected all or a limited number of qualified suppliers, the time period for tendering may be fixed by mutual agreement between the procuring entity and the selected suppliers. In the absence of agreement, the period shall not be less than 10 days.

10. In relation to multi-use lists, a notice inviting suppliers to apply for inclusion on a multi-use list may be used as a notice of intended procurement by a procuring entity covered under this Section, provided the notice includes as much of the information required under Article 15.7.3 (Notices of Intended Procurement) as is available and a statement that only suppliers on the multi-use list will receive further notices of procurement covered by the multi-use list.