

- (a) in the definition of “GPA”, for “between certain parties to the World Trade Organisation signed in Marrakesh on 15th April 1994 as amended before IP completion day” substitute “signed at Marrakesh on 15th April 1994, as amended on or before the United Kingdom’s accession”;
- (b) after the definition of “GPA” insert—
 - ““GPA party” means any country, state or separate customs territory that is—
 - (a) listed in Schedule 1A; or
 - (b) a member State of the EU;”.
- (3) In regulation 51 (duty owed to economic operators)—
 - (a) in the heading, after “operators” insert “, including those from countries with whom the EU has a relevant international agreement other than the GPA”;
 - (b) in paragraph (2), omit “Condition 1, Condition 2 or”;
 - (c) omit paragraphs (3), (3A) and (5).
- (4) After regulation 51 insert—

“Duty owed to economic operators from GPA parties

51A.—(1) The duty owed in accordance with regulation 51(1) (duty owed to economic operators, including those from countries with whom the EU has a relevant international agreement other than the GPA) is a duty owed also to an economic operator from a GPA party, but only where the agreement applies to the procurement concerned.

- (2) For the purposes of paragraph (1), the GPA applies to a procurement if—
 - (a) the procurement may result in the award of a contract of any description; and
 - (b) at the relevant time—
 - (i) a GPA party has agreed with the United Kingdom that the GPA shall apply to a contract of that description; and
 - (ii) the economic operator is from that GPA party.

(3) In this regulation, “relevant time” means the date on which the contracting authority submitted a call for competition in respect of the contract to the UK e-notification service or would have done so if it has been required by these Regulations to do so.”.

- (5) After Schedule 1 (activities constituting works) insert—

“SCHEDULE 1A

Regulation 2(1)

PARTIES TO THE GPA

Armenia
 Australia
 Canada
 European Union
 Hong Kong, China
 Iceland
 Israel
 Japan
 Korea, Republic of