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## **OFFER OF CANADA**

### **ANNEX 15-A: SCHEDULE OF CANADA**

#### **SECTION A**

##### *Central Government Entities*

Unless otherwise specified, this Chapter covers procurement by entities listed in this Section, subject to the following thresholds:

<i>Thresholds:</i>	130,000 SDRs	<i>Goods</i>
	130,000 SDRs	<i>Services</i>
	5,000,000 SDRs	<i>Construction Services</i>

##### *List of Entities:*

1. Atlantic Canada Opportunities Agency
2. Canada Border Services Agency
3. Canada Emission Reduction Incentives Agency
4. Canada Employment Insurance Commission
5. Canada Industrial Relations Board
6. Canada Revenue Agency
7. Canada School of Public Service
8. Canadian Centre for Occupational Health and Safety
9. Canadian Environmental Assessment Agency
10. Canadian Food Inspection Agency
11. Canadian Grain Commission
12. Canadian Human Rights Commission
13. Canadian Human Rights Tribunal
14. Canadian Institutes of Health Research
15. Canadian Intergovernmental Conference Secretariat
16. Canadian International Trade Tribunal
17. Canadian Northern Economic Development Agency
18. Canadian Nuclear Safety Commission
19. Canadian Polar Commission
20. Canadian Radio-television and Telecommunications Commission
21. Canadian Transportation Accident Investigation and Safety Board
22. Canadian Transportation Agency
23. Copyright Board
24. Correctional Service of Canada
25. Courts Administration Service
26. Department of Agriculture and Agri-Food

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27. Department of Canadian Heritage
28. Department of Citizenship and Immigration
29. Department of Employment and Social Development
30. Department of Finance
31. Department of Fisheries and Oceans
32. Department of Foreign Affairs, Trade and Development
33. Department of Health
34. Department of Indian Affairs and Northern Development
35. Department of Industry
36. Department of Justice
37. Department of National Defence
38. Department of Natural Resources
39. Department of Public Safety and Emergency Preparedness
40. Department of Public Works and Government Services
41. Department of the Environment
42. Department of Transport
43. Department of Veterans Affairs
44. Department of Western Economic Diversification
45. Director of Soldier Settlement
46. Director, The Veterans' Land Act
47. Economic Development Agency of Canada for the Regions of Quebec
48. Federal Economic Development Agency for Southern Ontario
49. Financial Consumer Agency of Canada
50. Immigration and Refugee Board
51. Indian Residential Schools Truth and Reconciliation Commission
52. Library and Archives of Canada
53. Military Grievances External Review Committee
54. Military Police Complaints Commission
55. National Battlefields Commission
56. National Energy Board
57. National Farm Products Council
58. National Film Board
59. National Research Council of Canada
60. Natural Sciences and Engineering Research Council
61. Northern Pipeline Agency
62. Office of Infrastructure of Canada
63. Office of the Auditor General
64. Office of the Chief Electoral Officer
65. Office of the Commissioner for Federal Judicial Affairs
66. Office of the Commissioner of Lobbying
67. Office of the Commissioner of Official Languages
68. Office of the Coordinator, Status of Women
69. Office of the Correctional Investigator of Canada
70. Office of the Director of Public Prosecutions
71. Office of the Governor General's Secretary
72. Office of the Public Sector Integrity Commissioner
73. Office of the Registrar of the Supreme Court of Canada
74. Office of the Superintendent of Financial Institutions

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75. Offices of the Information and Privacy Commissioners of Canada
76. Parks Canada Agency
77. Parole Board of Canada
78. Patented Medicine Prices Review Board
79. Privy Council Office
80. Public Health Agency of Canada
81. Public Service Commission
82. Public Service Labour Relations and Employment Board
83. Registry of the Competition Tribunal
84. Registry of the Public Servants Disclosure Protection Tribunal
85. Registry of the Specific Claims Tribunal
86. Royal Canadian Mounted Police
87. Royal Canadian Mounted Police External Review Committee
88. Royal Canadian Mounted Police Public Complaints Commission
89. Security Intelligence Review Committee
90. Shared Services Canada
91. Social Sciences and Humanities Research Council
92. Statistics Canada
93. Transportation Appeal Tribunal of Canada
94. Treasury Board of Canada Secretariat
95. Veterans Review and Appeal Board

*Note to Section A*

1. No entity listed in Section A has the power to create subordinate entities.

SECTION B

*Sub-Central Government Entities*

Unless otherwise specified, this Chapter covers procurement by entities listed in this Section, subject to the following thresholds:

<i>Thresholds:</i>	355,000 SDRs	<i>Goods</i>
	355,000 SDRs	<i>Services</i>

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5,000,000 SDRs      *Construction Services*

*List of Entities:*

\*†ALBERTA

All Ministries and Agencies (All Government Departments and Provincial Agencies, Boards, Councils, Committees and Commissions) of the Province.

This Section does not include:

Legislative Assembly  
Legislative Assembly Office  
Office of the Auditor General  
Office of the Chief Electoral Officer  
Office of the Ethics Commissioner  
Office of the Information and Privacy Commissioner  
Office of the Ombudsman

\*†BRITISH COLUMBIA

All Ministries, Boards, Commissions, Agencies and Committees of the Province.

This Section does not include the Legislative Assembly.

†MANITOBA

All Departments, Boards, Commissions and Committees of the Province.

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†NEW BRUNSWICK

The following provincial entities are included:

Chief Electoral Officer  
Clerk of the Legislative Assembly  
Department of Agriculture, Aquaculture and Fisheries  
Department of Business New Brunswick  
Department of Education and Early Childhood Development  
Department of Energy and Mines  
Department of Environment and Local Government  
Department of Finance  
Department of Health  
Department of Justice  
Department of Natural Resources  
Department of Post-Secondary Education, Training and Labour  
Department of Public Safety  
Department of Social Development  
Department of Government Services  
Department of Tourism, Heritage and Culture  
Department of Transportations and Infrastructure  
Executive Council Office  
Labour and Employment Board  
Language Training Centre  
New Brunswick Police Commission  
Office of Human Resources  
Office of the Attorney General  
Office of the Auditor General  
Office of the Comptroller  
Office of the Leader of the Opposition  
Office of the Lieutenant-Governor  
Office of the Ombudsman  
Office of the Premier

This Section does not cover procurement of sand, stone, gravel, asphalt compound and pre-mixed concrete for use in the construction or repair of roads.

†NEWFOUNDLAND AND LABRADOR

All Departments of the Province.

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### †NORTHWEST TERRITORIES

All Departments and Agencies of the Territory.

This Section does not cover procurement subject to the Northwest Territories Business Incentive Policy

### \*†NOVA SCOTIA

This Section applies to all Departments and Offices of the Province established under the *Public Service Act*, except for the following entities and circumstances:

- (i) Emergency Health Services (a subdivision of the Department of Health and Wellness) in respect to ambulance-related procurement, including telecommunications, for Emergency Health Care purposes;
- (ii) Chief Information Office and the Chief Information Office of the Department of Health and Wellness;
- (iii) Any measure Nova Scotia adopts or maintains with respect to culture or cultural industries; and
- (iv) Procurement of FSC 58 (communications, detection and coherent radiation equipment).

### †NUNAVUT

All Departments and Agencies of the Territory.

This Section does not cover procurement subject to the Nunavummi Nangminiaqtunik Ikajuuti (NNI Policy) nor those contracts within the terms of Article 24 of the Nunavut Land Claims.

### ONTARIO

All Ministries of the Province.

The following Agencies are included:

AgriCorp  
Centennial Centre of Science and Technology (Ontario Science Centre)  
Deposit Insurance Corporation of Ontario  
Metropolitan Convention Centre Corporation  
Niagara Parks Commission  
Ontario Clean Water Agency  
Ontario Financial Services Commission  
Ontario Immigrant Investor Corporation

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Ontario Mortgage and Housing Corporation  
Ontario Mortgage Corporation  
Ontario Northland Transportation Commission  
Ontario Tourism Marketing Partnership Corporation  
Ottawa Congress Centre  
Science North

\*†PRINCE EDWARD ISLAND

All Departments of the Province.

This Section does not cover procurement of construction materials that are used for highway construction and maintenance.

\*QUÉBEC

All departments of the Province and the governmental agencies set out in subparagraph (2) of the first paragraph of section 4 of the *Act Respecting Contracting by Public Bodies* (Chapter C-65.1).

The following entities are also included:

Agence du revenu du Québec  
Institut national d'excellence en santé et en services sociaux

This Section does not cover procurement:

- (a) of cultural or artistic goods and services;
- (b) of seedling production services;
- (c) for work to be performed on property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work;
- (d) of construction-grade steel (including requirements on subcontracts); and
- (e) from a non-profit organization.

This Chapter does not apply to any measure of Québec adopted or maintained with respect to culture or cultural industries.

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\*†SASKATCHEWAN

All Ministries of the Province.

The following Boards and Agencies are covered:

Public Employee Benefits Agency  
Saskatchewan Archives Board  
Saskatchewan Arts Board

This Section does not include Legislative Branch Entities.

\*†YUKON

The following Departments of the Territory are covered:

Department of Community Services  
Department of Economic Development  
Department of Education  
Department of Energy, Mines and Resources  
Department of Environment  
Department of Finance  
Department of Health and Social Services  
Department of Highways and Public Works  
Department of Justice  
Department of Tourism and Culture  
Executive Council Office  
Public Service Commission

The following Agencies are included:

French Language Services Directorate  
Women's Directorate  
Yukon Worker's Compensation Health and Safety Board

***Notes to Section B:***

1. For provinces and territories listed in Section B, this Chapter does not apply to preferences or restrictions on highway projects.
2. For provinces and territories listed in Section B, this Chapter does not apply to preferences or restrictions associated with programs promoting the development of distressed areas.
3. This Chapter does not cover procurement that is intended to contribute to economic development within the provinces of Manitoba, Newfoundland and Labrador, New



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Brunswick, Prince Edward Island and Nova Scotia or the territories of Nunavut, Yukon or Northwest Territories

4. For those provinces and territories marked by an asterisk (\*), this Chapter does not cover procurement:
  - (a) of goods purchased for representational or promotional purposes; or
  - (b) of services or construction services purchased for representational or promotional purposes outside the province or territory.
5. For those provinces and territories marked by an obelisk (†), this Chapter does not cover the procurement of goods, services or construction services purchased for the benefit of, or which is to be transferred to the authority of, school boards or their functional equivalents, publicly-funded academic institutions, social services entities or hospitals.
6. This Chapter does not include Crown Corporations of the provinces and territories.
7. For provinces and territories listed in Section B, this Chapter does not cover procurement of urban rail and urban transportation equipment, systems, components and materials incorporated therein as well as all project related materials of iron or steel.
8. For Malaysia, Mexico, United States and Vietnam, this Chapter does not apply to procurement by entities listed in Section B. Canada is prepared to extend coverage of Section B upon the negotiation of mutually acceptable concessions.

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## SECTION C

### *Other Entities*

Unless otherwise specified, this Chapter covers procurement by the entities listed in this Section, subject to the following thresholds:

<i>Thresholds:</i>	355,000 SDRs	<i>Goods</i>
	355,000 SDRs	<i>Services</i>
	5,000,000 SDRs	<i>Construction Services</i>

### *List of Central Government Other Entities:*

1. Atlantic Pilotage Authority
2. Blue Water Bridge Authority
3. Canada Development Investment Corporation
4. Canada Lands Company Limited
5. Canada Post Corporation
6. Canadian Museum of History
7. Canada Museum of Human Rights
8. Canadian Museum of Nature
9. Canadian Museum of Immigration at Pier 21
10. Canadian Tourism Commission
11. Defence Construction (1951) Ltd.
12. Federal Bridge Corporation Limited
13. Great Lakes Pilotage Authority
14. Laurentian Pilotage Authority
15. Marine Atlantic Inc.
16. National Capital Commission
17. National Gallery of Canada
18. National Museum of Science and Technology
19. Pacific Pilotage Authority
20. PPP Canada Inc.
21. Royal Canadian Mint
22. Via Rail Canada Inc.

### *Notes to Section C*

1. This Chapter does not cover procurement by or on behalf of the Royal Canadian Mint of direct inputs for use in minting anything other than Canada legal tender.
2. This Chapter does not cover procurement by the Canada Lands Company Limited or its subsidiaries for the development of real property for commercial sale or resale.
3. This Chapter does not cover leasing or rental of transportation equipment by or on behalf of Canada Post Corporation, Marine Atlantic Inc., or any pilotage authority.

## SECTION D

*Goods*

1. Unless otherwise specified and subject to paragraph 2, this Chapter covers all goods.
2. Subject to the application of [paragraph 3 of Article 15.3 [ESSENTIAL SECURITY EXCEPTION]] of this Chapter, with respect to procurement by the Department of National Defence, the Royal Canadian Mounted Police, the Department of Fisheries and Oceans for the Canadian Coast Guard, and provincial police forces, this Chapter covers only the goods described in the Federal Supply Classifications (FSC) listed below:

FSC	22.	Railway equipment
FSC	23.	Motor vehicles, trailers and cycles (except buses in 2310 and except military trucks and trailers in 2320 and 2330 and tracked combat, assault and tactical vehicles in 2350 and wheeled combat, assault and tactical vehicles in 2355 formerly classified in 2320)
FSC	24.	Tractors
FSC	25.	Vehicular equipment components
FSC	26.	Tires and tubes
FSC	29.	Engine accessories
FSC	30.	Mechanical power transmission equipment
FSC	32.	Woodworking machinery and equipment
FSC	34.	Metal working machinery
FSC	35.	Service and trade equipment
FSC	36.	Special industry machinery
FSC	37.	Agricultural machinery and equipment
FSC	38.	Construction, mining, excavating and highway maintenance equipment
FSC	39.	Materials handling equipment
FSC	40.	Rope, cable, chain and fittings
FSC	41.	Refrigeration and air conditioning equipment
FSC	42.	Fire fighting, rescue and safety equipment (except 4220: Marine lifesaving and diving equipment; and 4230: Decontaminating and impregnating equipment)
FSC	43.	Pumps and compressors
FSC	44.	Furnace, steam plant, drying equipment and nuclear reactors
FSC	45.	Plumbing, heating and sanitation equipment
FSC	46.	Water purification and sewage treatment equipment
FSC	47.	Pipe, tubing, hose and fittings
FSC	48.	Valves
FSC	49.	Maintenance and repair shop equipment

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FSC	52.	Measuring tools
FSC	53.	Hardware and abrasives
FSC	54.	Prefabricated structures and scaffolding
FSC	55.	Lumber, millwork, plywood and veneer
FSC	56.	Construction and building materials
FSC	61.	Electric wire and power and distribution equipment
FSC	62.	Lighting fixtures and lamps
FSC	63.	Alarm and signal systems
FSC	65.	Medical, dental and veterinary equipment and supplies
FSC	66.	Instruments and laboratory equipment (except 6615: Automatic pilot mechanisms and airborne Gyro components; and 6665: Hazard detecting instruments and apparatus)
FSC	67.	Photographic equipment
FSC	68.	Chemicals and chemical products
FSC	69.	Training aids and devices
FSC	70.	General purpose automatic data processing equipment, software, supplies and support equipment (except 7010: Automatic Data Processing Equipment (ADPE) configurations)
FSC	71.	Furniture
FSC	72.	Household and commercial furnishings and appliances
FSC	73.	Food preparation and serving equipment
FSC	74.	Office machines, text processing system and visible record equipment
FSC	75.	Office supplies and devices
FSC	76.	Books, maps and other publications (except 7650: drawings and specifications)
FSC	77.	Musical instruments, phonographs and home-type radios
FSC	78.	Recreational and athletic equipment
FSC	79.	Cleaning equipment and supplies
FSC	80.	Brushes, paints, sealers and adhesives
FSC	81.	Containers, packaging and packing supplies
FSC	85.	Toiletries
FSC	87.	Agricultural supplies
FSC	88.	Live animals
FSC	91.	Fuels, lubricants, oils and waxes
FSC	93.	Non-metallic fabricated materials
FSC	94.	Non-metallic crude materials
FSC	96.	Ores, minerals and their primary products

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FSC 99. Miscellaneous

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SECTION E

*Services*

1. Unless otherwise specified, this Chapter covers the services specified in paragraphs 2 and 3. Such services are identified in accordance with the United Nations Provisional Central Product Classification (CPC Prov.) which is found at: <http://unstats.un.org/unsd/cr/registry/regcst.asp?Cl=9&Lg=1>. For purposes of implementation of this Chapter, Canada reserves the right to use a classification system of its choosing.

2. This Chapter covers the following services procured by central government entities listed in Section A and other entities listed in Section C:

- 61 Sale, Maintenance and Repair Services of Motor Vehicles and Motorcycles
- 62 Commission agents' and wholesale trade services, except of motor vehicles and motorcycles
- 7522 Business network services
- 7525 Interconnection services
- 7526 Integrated telecommunications services
- 754 Telecommunications related services
- 83 Leasing or rental services without operator
- 861 Legal Services (advisory services on foreign and international law only)
- 862 Accounting, auditing and book-keeping services
- 863 Taxation Services (except legal services)
- 86503 Marketing management consulting services
- 8671 Architectural services
- 8672 Engineering services
- 8673 Integrated engineering services (except 86731 Integrated engineering services for transportation infrastructure turnkey projects)
- 8676 Technical testing and analysis services including quality control and inspection (except with reference transportation equipment)
- 872 Placement and supply services of personnel

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- 87903 Telephone answering services
- 87906 Mailing list compilation and mailing services
- 881 Services incidental to agriculture, hunting and forestry
- 882 Services incidental to fishing
- 884 Services incidental to manufacturing (except 88442 Publishing and printing, on a fee or contract basis)
- 885 Services incidental to the manufacture of metal products, machinery and equipment
- 886 Repair services incidental to metal products, machinery and equipment
- 8921 Patent Agents
- 8922 Trademark Agents
- 923/924 Vocational, Technical and Professional Training
- 932 Veterinary services (except veterinary diagnostic services relating to zoonotic infectious diseases and related surveillance services)
- 9701 Washing, cleaning and dyeing services
- 9702 Hairdressing and other beauty services

3. This Chapter covers the following services procured by central government entities listed in Section A, sub-central government entities listed in Section B, and other entities listed in Section C:

- 633 Repair services of personal and household goods
- 64 Hotel and Restaurant services
- 7471 Travel agency and tour operator services
- 7512 Commercial courier services (including multi-modal)
- 7523 Electronic data interchange (EDI)
- 7523 Electronic mail
- 7523 Enhanced/value-added facsimile services, including store and forward, store and retrieve Code and protocol conversion

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- 7523 On-line information and data base retrieval
- 7523 Voice mail
- 821 Real estate services involving own or leased property
- 822 Real estate services on a fee or contract basis
- 83106  
to 83109 only Leasing or rental services concerning machinery and equipment without operator
- 83203  
to 83209 only Leasing or rental services concerning personal and household goods
- 841 Consultancy services related to the installation of computer hardware
- 842 Software implementation services, including systems and software consulting services, systems analysis, design, programming and maintenance services
- 843 Data processing services, including processing, tabulation and facilities management services
- 843 On-line information and/or data processing (including transaction processing)
- 844 Data base services
- 845 Maintenance and repair services of office machinery and equipment including computers
- 849 Other computer services
- 86501 General management consulting services
- 86504 Human resources management consulting services
- 86505 Production management consulting services
- 866 Services related to management consulting (except 86602 Arbitration and conciliation services)
- 8674 Urban planning and landscape architectural services
- 8676 Technical testing and analysis services including quality control and inspection (except with reference to FSC 58 and transportation equipment)
- 874 Building-cleaning services



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- 876 Packaging services
- 8814 Services incidental to forestry and logging, including forest management
- 883 Services incidental to mining, including drilling and field services
- 8861  
to 8864,  
and 8866 Repair services incidental to metal products, machinery and equipment
- 94 Sewage and refuse disposal, sanitation and similar services

***Notes to Section E***

1. This Chapter does not cover procurement of the following:
  - (a) Services for the management and operation of government facilities or privately owned facilities used for government purposes, including federally-funded research and development;
  - (b) Public utilities services;
  - (c) Shipbuilding and repair and related architectural and engineering services;
  - (d) Services, with reference to those goods purchased by the Department of National Defence, the Royal Canadian Mounted Police, the Department of Fisheries and Oceans for the Canadian Coast Guard and provincial police forces which are not covered by this Chapter;
  - (e) Services procured in support of military forces located overseas; and
  - (f) Services related to culture or cultural industries
2. The coverage of any service listed in this Section that is provided by or from an aircraft is covered with respect to a particular Party only to the extent that such Party provides effective market access for such service in its territory.

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## SECTION F

### *Construction Services*

1. Unless otherwise specified and subject to paragraph 2, this Chapter covers all construction services identified in Division 51 of the United Nations Provisional Central Product Classification (CPC Prov.)
2. This Chapter does not cover procurement of the following:
  - (a) dredging services; and
  - (b) construction services procured by or on behalf of the federal Department of Transport.

SECTION G

*General Notes*

Unless otherwise specified, the following General Notes apply to this Chapter, including to Sections A through F.

1. This Chapter does not cover procurement in respect of:
  - (a) shipbuilding and repair, including related architectural and engineering services;
  - (b) agricultural goods made in furtherance of agricultural support programmes or human feeding programmes;
  - (c) transportation services that form a part of, or are incidental to, a procurement contract; and
  - (d) an international crossing between Canada and another country, including the design, construction, operation or maintenance of the crossing as well as any related infrastructure.
2. This Chapter does not cover procurement by a procuring entity from another government entity.
3. This Chapter does not apply to:
  - (a) any form of preference, including set asides, to benefit micro, small and medium enterprises;
  - (b) any measure adopted or maintained with respect to Aboriginal peoples, nor to set asides for aboriginal businesses; existing aboriginal or treaty rights of any of the Aboriginal peoples of Canada protected by section 35 of the *Constitution Act, 1982* are not affected by this Chapter;
4. For greater certainty, this Chapter shall be interpreted in accordance with the following:
  - (a) The procurement process is the process that begins after a procuring entity has decided on its requirement and continues through to and including contract award;
  - (b) Where a contract to be awarded by a procuring entity is not covered by this Chapter, this Chapter shall not be construed to cover any good or service component of that contract;
  - (c) Any exclusion that is related either specifically or generally to a procuring entity will also apply to any successor entity in such a manner as to maintain the value of this offer;

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- (d) For the purpose of the definition of build-operate-transfer contract and public works concession contract, a “contractual arrangement” means a contract;
- (e) Services covered by this Chapter are subject to Canada’s exclusions from and reservations to the Chapters on Cross-Border Trade in Services, Investment and Financial Services;
- (f) For the purposes of Article 15.12(7), "government information" includes third party information held by or on behalf of the government and "sensitive" information includes confidential, classified or otherwise protected information; and
- (g) This Chapter does not cover procurement by a procuring entity on behalf of another entity where the procurement would not be covered by this Chapter if it were conducted by the other entity itself.

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## SECTION H

### *Threshold Adjustment Formula*

1. The thresholds shall be adjusted at two-year intervals with each adjustment taking effect on January 1, beginning on January 1, XX.
2. Every two years, Canada shall calculate and publish the value of the thresholds under this Chapter expressed in Canadian dollars. These calculations shall be based on the conversion rates published by the International Monetary Fund in its monthly “International Financial Statistics”.
3. The conversion rates shall be the average of the daily values of the Canadian dollar in terms of the Special Drawing Rights (SDR) over the two-year period preceding October 1 of the year before the adjusted thresholds are to take effect.
4. Canada shall consult if a major change in its national currency relative to the SDR or to the national currency of another Party were to create a significant problem with regard to the application of the Chapter.

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## SECTION I

### *Procurement Information*

All information on government procurements is published on the following websites:

Legislation and Regulations: <http://laws-lois.justice.gc.ca>

Canadian Government Tender System: <https://buyandsell.gc.ca/>