

**Annex 502.4**

**Procurement - Provisions for municipalities, municipal organizations, school boards and publicly-funded academic, health and social service entities**

**F. Legitimate Objectives**

1. Where it is established that a measure is inconsistent with Section “D” (Non-Discrimination) of this Annex, that measure is still permissible under this Annex where it can be demonstrated that:

- (a) the purpose of the measure is to achieve a legitimate objective;
- (b) the measure does not operate to impair unduly the access of persons, goods, services or investments of a Province that meet that legitimate objective;
- (c) the measure is not more trade restrictive than necessary to achieve that legitimate objective; and
- (d) the measure does not create a disguised restriction on trade.

2. In this Annex, legitimate objective means one of the following objectives:

- (a) public security and safety;
- (b) public order;
- (c) protection of human, animal or plant life or health;
- (d) protection of the environment;
- (e) consumer protection;
- (f) protection of the health, safety and well-being of workers; or
- (g) affirmative action programs for disadvantaged groups;

considering, among other things, where appropriate, fundamental climatic or other geographical factors, technological or infrastructural factors, or scientific justification.

The protection of the production of a Province is not a legitimate objective.