

Proposal for a Directive of the European Parliament and of the Council on the coordination of procedures for the award of public supply contracts, public service contracts and public works contracts

(2001/C 531 E/02)

(Text with EEA relevance)

COM(2000) 275 final — 2000/0115(COD)

(Submitted by the Commission on 11 July 2000)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 47(2), 55 and 95 thereof,

Having regard to the proposal from the Commission,

Having regard of the opinion of the Economic and Social Committee,

Having regard of the opinion of the Committee of the Regions,

Acting in accordance with the procedure set out in Article 251 of the Treaty,

Whereas:

- (1) Council Directive 92/50/EEC of 18 June 1992 relating to the coordination of procedures for the award of public service contracts ⁽¹⁾, Directive 93/36/EEC of 14 June 1993 coordinating procedures for the award of public supply contracts ⁽²⁾, and Directive 93/37/EEC of 14 June 1993 concerning the coordination of procedures for the award of public works contracts ⁽³⁾ were last amended by European Parliament and Council Directive 97/52/EC ⁽⁴⁾. On the occasion of further amendments, which are necessary to meet the requirements for simplification and modernisation expressed by contracting authorities and economic operators in their replies to the Green Paper adopted by the Commission on 27 November 1996 ⁽⁵⁾, it is therefore appropriate for reasons of clarity, to recast the Directives in a single text.
- (2) The attainment of freedom of movement of goods in respect of public supply contracts, and the attainment of freedom of establishment and freedom to provide services in respect of public services contracts and public works contracts, whereby such contracts are awarded in Member States on behalf of the State or regional or local authorities or other bodies governed by public law, entail not only the abolition of restrictions but also the implementation of provisions relating to the coordination of national procedures for the award of public contracts. The provisions should be based on the rules governing those three freedoms and on the principles flowing from

them, such as the principles of equal treatment, of which the principle of non-discrimination is but one specific expression, mutual recognition, proportionality, transparency, and also on the introduction of effective competition in public contracts. As a consequence, these coordination provisions should therefore be interpreted in accordance with the abovementioned rules and principles as well as the other rules of the Treaty.

- (3) These coordination provisions should, as far as possible, have regard to the procedures and practices in force in each of the Member States.
- (4) Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-94) ⁽⁶⁾ in particular approved the Agreement on Government Procurement, hereinafter referred to as the 'Agreement', the aim of which is to establish a balanced multilateral framework of rights and obligations regarding government procurement with a view to achieving the liberalisation and expansion of world trade. In view of the international rights and commitments devolving on the Community as a result of the acceptance of the Agreement, the arrangements to be applied to tenderers and products from signatory third countries are those defined by the Agreement. The Agreement has no direct effect. Accordingly, the contracting authorities covered by the Agreement which comply with these coordination provisions and which apply the same provisions as regards the economic operators of the third countries signatory to the Agreement, should have regard to the Agreement. This Directive should also secure, for economic operators established in the Community, conditions for participation in public procurement which are as favourable as those of economic operators of the third countries being signatories to the Agreement.
- (5) The multitude of thresholds for application of the coordination provisions currently in force is a source of complication for contracting authorities. In addition, the thresholds should be laid down in euro. The thresholds should therefore be laid down in euro in a manner that makes it easier to apply these provisions, while ensuring compliance with the thresholds in the Agreement which are expressed in terms of special drawing rights. For these

⁽¹⁾ OJ L 209, 24.7.1992, p. 1.

⁽²⁾ OJ L 199, 9.8.1993, p. 1.

⁽³⁾ OJ L 199, 9.8.1993, p. 54.

⁽⁴⁾ OJ L 328, 28.11.1997, p. 1.

⁽⁵⁾ COM(96) 583 final.

⁽⁶⁾ OJ L 336, 23.12.1994, p. 1.

reasons, thresholds expressed in euro should also be revised periodically to account, if necessary, for any fall in the value of the euro in relation to the special drawing right.

- (6) The public contracts awarded by contracting authorities operating in the water, energy and transport sectors and relating to these activities are covered by Directive 2000/. . ./EC of the European Parliament and of the Council (water). However, contracts awarded by contracting authorities in relation to their use of sea, inshore or inland waterway transport services fall within the scope of this Directive.
- (7) In view of the situation of effective competition in contracts in the telecommunications sector following the implementation of the Community rules aimed at liberalising that sector, public contracts relating to telecommunications should be excluded from the scope of this Directive whenever they are awarded with the sole objective of enabling contracting authorities to carry out specific activities in the telecommunications sector.
- (8) Provision should be made for exceptional cases where measures concerning the coordination of procedures may not necessarily be applied on grounds of State security or secrecy or due to the applicability of specific procurement rules such as those pursuant to international agreements, those concerning the stationing of troops, or the rules of international organisations.
- (9) In accordance with Article 163 of the Treaty, the encouragement of research and development is a means of strengthening the scientific and technological basis of European industry, and the opening-up of public service contracts contributes to this end. The cofunding of research programmes should not be an objective of this Directive; research and development service contracts other than those where the benefits accrue exclusively to the contracting authority for its use in the conduct of its own affairs, on condition that the service provided is wholly remunerated by the contracting authority, are not therefore covered by this Directive.
- (10) Public service contracts relating to the acquisition or rental of immovable property or to rights thereon have particular characteristics, which make the application of procurement rules inappropriate.
- (11) The award of public contracts for certain audiovisual services in the broadcasting field should be able to take into account considerations of cultural and social importance which make the application of procurement rules inappropriate.
- (12) Arbitration and conciliation services are usually provided by bodies or individuals designated or selected in a manner which cannot be governed by procurement rules.
- (13) Financial services covered by this Directive should not include the instruments of monetary policy, exchange rate, public debt, reserve management, and other policies involving transactions in securities and other financial instruments. Accordingly, contracts in connection with the issue, sale, purchase or transfer of securities and other financial instruments are not covered. The services provided by the central bank are also excluded.
- (14) The field of services is best delineated, for the purpose of applying the procedural rules of this Directive and for monitoring purposes, by subdividing it into categories corresponding to particular headings of a common classification and by bringing them together in two annexes, 1 A and 1 B, according to the regime to which they are subject. As regards services in Annex 1 B, the relevant provisions of this Directive should be without prejudice to the application of Community rules specific to the services in question.
- (15) With regard to public service contracts, full application of this Directive should be limited, for a transitional period, to contracts for which its provisions will enable the full potential for increased cross-frontier trade to be realised. Contracts for other services need to be monitored during this transitional period before a decision is taken on the full application of this Directive. The mechanism for such monitoring needs to be defined. This mechanism must, at the same time, enable interested parties to have access to the relevant information.
- (16) Contracting authorities may seek or accept advice which may be used in the preparation of specifications for a specific contract, provided, however, that such advice does not have the effect of precluding competition.
- (17) The technical specifications drawn up by public purchasers need to allow public procurement to be opened up to competition. To this end, it must be possible to submit bids which reflect the diversity of technical solutions. Accordingly, it must be possible to draw up the technical specifications in terms of functional performance and requirements, and, where reference is made to the European standard or, in the absence thereof, to the national standard, other equivalent arrangements must be accepted. To demonstrate equivalence, tenderers should be permitted to use any form of evidence. Reference to specifications stipulating a particular origin should remain the exception.

- (18) For certain particularly complex contracts, contracting authorities may find it objectively impossible to define the tools likely to meet their needs or assess what the contract can offer in terms of technical or financial solutions without this being attributable to a lack of information or deficiencies on their part. Provision should therefore be made for a negotiated procedure, with a call for competition which is sufficiently flexible to deal with these situations. In these cases, the sole aim of negotiation should be to permit the contracting authority, through dialogue with the candidates, to explain its requirements and define them with the necessary precision so that tenders can be formulated and assessed objectively so as to ascertain the most advantageous tender in economic terms. It should therefore be limited to the phase of the procedure which ends with the drawing-up of the definitive contract documents; tenders drawn up on the basis of those contract documents cannot therefore be open to negotiation. This flexibility is granted subject to observance of the principles of equal treatment, non-discrimination and transparency.
- (19) Certain new buying techniques have developed in Member States and meet the needs of contracting authorities. A Community definition of these buying techniques, known as 'framework agreements', should therefore be provided, together with specific rules allowing competition to be reopened between the parties to the framework agreement for the award of public contracts on the basis of that agreement in order to ensure that the contracting authorities have security of supply at the best value for money. The reopening of competition should comply with the special rules on the advertising, time-limits and conditions for the submission of tenders to prevent markets from being partitioned and to ensure that the principle of equal treatment is observed. For the same reasons, the term of the framework agreements should not exceed three years, except in cases duly justified by the contracting authority where a longer term is necessary owing to the nature of the contract.
- (20) To ensure development of effective competition in the field of public contracts, it is necessary that contract notices drawn up by the contracting authorities of Member States be advertised throughout the Community. The information contained in those notices should enable economic operators established in the Community to determine whether the proposed contracts are of interest to them. For this purpose, operators should be provided with an adequate understanding of the subject-matter of the contract and the conditions to which it is subject. It is therefore appropriate to give greater prominence to published notices, by the use of appropriate instruments such as standard-form contract notices and the nomenclature of the Common Procurement Vocabulary (CPV) laid down by European Parliament and Council Regulation (EC) No .../2000. In restricted procedures, advertising should particularly seek to enable economic operators of Member States to express their interest in contracts by seeking from the contracting authorities invitations to tender under the required conditions.
- (21) Additional information concerning contracts should, as is customary in Member States, be given in the contract documents for each contract or else in an equivalent document.
- (22) Contract performance conditions are compatible with the Directive provided that they are not directly or indirectly discriminatory with regard to tenderers from other Member States, and provided that they are indicated in the contract notice. They may in particular be intended to favour employment of excluded or disadvantaged people or to fight against unemployment.
- (23) In the light of the new information and communications technologies and the simplifications they can bring about in the publication of contracts and in terms of the efficiency and transparency of award procedures, it is appropriate to put electronic means on an equal footing with the conventional means of communicating and exchanging information. As far as possible, the means and the technology chosen should be compatible with the technologies used in other Member States.
- (24) European Parliament and Council Directives 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures⁽¹⁾ and .../EC of (date ...) on certain legal aspects of electronic commerce in the internal market should, in the context of this Directive, apply to the transmission of information by electronic means.
- (25) The use of electronic means leads to savings in time. As a result, where electronic means are used, provision should be made for reducing the minimum periods, subject however to the condition that they be compatible with the specific modes of transmission envisaged at Community level.
- (26) Regulation (EEC, Euratom) No 1182/71 of the Council of 3 June 1971 determining the rules applicable to periods, dates and time-limits⁽²⁾ should apply to the calculation of the permitted periods laid down in this Directive.
- (27) The selection of candidates should be completely transparent. A definition should therefore be provided of the objective criteria that the contracting authorities can use to select the competitors and of the means that the economic operators can use to prove that they satisfy those criteria. With this objective of transparency, the contracting authority should be obliged to set out, as soon as a contract is put up for tender, the selection criteria it will use to make its selection, in addition to the specific capacities it may require of the economic operators to admit them to the contract award procedure.

⁽¹⁾ OJ L 13, 19.1.2000, p. 12.

⁽²⁾ OJ L 124, 8.6.1971, p. 1.

- (28) The relevant Community rules on mutual recognition of diplomas, certificates or other evidence of formal qualifications apply when evidence of a particular qualification is required for participation in an award procedure or a design contest for services.
- (29) Contracts should be awarded on the basis of objective criteria which respect the principles of non-discrimination and equality of treatment and ensure that tenders are assessed in conditions of effective competition. Only two award criteria should therefore be applied: that of 'lowest price' and that of 'the most economically advantageous tender'.
- (30) In order to ensure compliance with the principle of equality of treatment in the awarding of contracts, the necessary transparency should be ensured and enhanced with regard to the criteria chosen to determine the most economically advantageous tender. The contracting authorities should therefore indicate at the start of the procedure the relative weighting given to each of these criteria. It should be more than a simple indication of the descending order of importance attaching to the criteria. For exceptional cases fully justified by the contracting authority where it is not possible to fix the relative weighting at the start of the procedure, it should be possible to allow its indication to be given at a later stage.
- (31) The award criteria for the public procurement of services should not prejudice the application of national laws on the remuneration of certain services, such as those on the remuneration of architects or lawyers.
- (32) Certain technical conditions and in particular conditions concerning notices, statistical reports and the nomenclature used and the conditions for reference to such nomenclature need to be adopted and amended in the light of changing technical requirements. The lists of contracting authorities in the annexes need to be updated. A fast and flexible adoption procedure should therefore be provided for this purpose. In accordance with Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽¹⁾, the measures for the implementation of this Directive should be adopted by use of the advisory procedure provided for in Article 3 of that Decision.
- (33) In order to promote access by small and medium-sized undertakings to public contracts, it is appropriate to provide for subcontracting arrangements.
- (34) This Directive should be without prejudice to the obligations laid down on Member States as to the time-limits within which they are required to transpose Directives 92/50/EEC, 93/36/EEC and 93/37/EEC, those time-limits being set out in Annex X,

HAVE ADOPTED THIS DIRECTIVE:

TITLE I

DEFINITIONS AND GENERAL PRINCIPLES

Article 1

Definitions

1. For the purpose of this Directive, the definitions set out in paragraphs 2 to 14 shall apply.

2. 'Public supply contracts' means contracts for pecuniary interest concluded in writing between one or more suppliers and a contracting authority and involving the purchase, lease, rental or hire purchase, with or without option to buy, of products.

'Public service contracts' means contracts for pecuniary interest concluded in writing between one or more service providers and a contracting authority relating exclusively or mainly to the provision of services mentioned in Annex I.

'Public works contracts' means contracts for pecuniary interest concluded in writing between one or more contractors and a contracting authority which have as their object either the execution, or both the execution and design, of works related to one of the activities referred to in Annex II or of a work, or the realisation, by whatever means, of a work corresponding to the requirements specified by the contracting authority. A 'work' means the outcome of building or civil engineering works taken as a whole that is sufficient of itself to fulfil an economic or technical function.

3. A public contract covering the delivery of products and, in addition, siting and installation operations shall be considered to be a public supply contract.

A public contract covering both products and services within the meaning of Annex I shall be considered to be a 'service contract' if the value of the services in question exceeds that of the products covered by the contract.

A public contract intended to cover services referred to in Annexes IA and IB and including activities referred to in Annex II only by way of addition to the principal object of the contract shall be considered to be a public service contract, and not a public works contract.

4. The terms 'supplier', 'service provider' or 'contractor' mean any natural or legal person or public body or group of such persons and/or bodies which offers, respectively, products, services or the execution of works.

The term 'economic operator' shall cover equally a supplier, a service provider or a contractor. An economic operator who has submitted a tender is designated by the term 'tenderer'. One who has sought an invitation to take part in a restricted or negotiated procedure shall be designated by the term 'candidate'.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

5. 'Contracting authorities' means the State, regional or local authorities, bodies governed by public law, associations formed by one or several of such authorities or one or several of such bodies governed by public law.

A 'body governed by public law' means any body:

(a) established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character

and

(b) having legal personality

and

(c) financed, for the most part, by the State, or regional or local authorities, or other bodies governed by public law; or subject to management supervision by those bodies; or having an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities or by other bodies governed by public law.

The non-exhaustive lists of bodies and categories of bodies governed by public law which fulfil the criteria referred to in the second subparagraph are set out in Annex III. Member States shall periodically notify the Commission of any changes of their lists of bodies and categories of bodies.

6. 'Open procedures' means those national procedures whereby any interested economic operator may submit a tender.

'Restricted procedures' means those national procedures whereby only those economic operators invited by the contracting authority may submit a tender.

'Negotiated procedures' means those national procedures whereby the contracting authorities consult the economic operators of their choice and negotiate the terms of contract with one or more of these.

7. A 'framework agreement' means an agreement between several economic operators and a contracting authority under which the contracting authority, after following the procedures laid down by this Directive up to the award phase, selects the parties to the agreement on the basis of the tenders they have submitted on the basis of objective criteria, such as quality, quantity, technical merit, delivery period or period of completion and price; under this agreement the economic operators undertake, under certain terms laid down by the contracting authority, to fulfil contracts awarded under the agreement.

8. An 'outline solution' means a preliminary indication of the type of solution which a candidate intends to propose to

meet the needs and requirements of the contracting authority; as regards public service contracts, this outline solution shall not consist in a plan or design within the meaning of paragraph 9.

9. 'Design contests' means those national procedures which enable the contracting authority to acquire, mainly in the fields of area planning, town planning, architecture and engineering or data processing, a plan or design selected by a jury after being put out to competition with or without the award of prizes.

10. 'Public works concession' means a contract of the same type as the public works contracts referred to in 1(c) except for the fact that the consideration for the works to be carried out consists either solely in the right to exploit the construction or in this right together with payment.

11. 'By electronic means' means by means of electronic equipment for the processing (including digital compression) and storage of data transmitted, conveyed and received by wire, by radio, by optical means or by other electromagnetic means.

12. 'Writing' means any expression consisting of words or figures which can be read, reproduced and subsequently communicated. It may include information which is transmitted and stored by electronic means.

13. The Common Procurement Vocabulary (CPV), adopted by Regulation . . . , is the reference nomenclature applicable to public contracts.

14. For the specific purposes of Articles 15, 58(2) and 65(1), the following phrases shall have the following meanings:

(a) 'public telecommunications network' means the public telecommunications infrastructure which enables signals to be conveyed between defined network termination points by wire, by microwave, by optical means or by other electromagnetic means;

(b) a 'network termination point' means all physical connections and their technical access specifications which form part of the public telecommunications network and are necessary for access to, and efficient communication through, that public network;

(c) 'public telecommunications services' means telecommunications services the provision of which the Member States have specifically assigned to, *inter alia*, one or more telecommunications entities;

(d) 'telecommunications services' means services the provision of which consists wholly or partly in the transmission and routing of signals on the public telecommunications network by means of telecommunications processes.

*Article 2***Equality of treatment, non-discrimination and transparency**

Contracting authorities shall take all necessary steps to ensure compliance with the principles of equality of treatment, transparency and non-discrimination.

TITLE II

RULES ON PUBLIC CONTRACTS

CHAPTER I

GENERAL PROVISIONS*Article 3***Groups of economic operators**

1. Tenders may be submitted by groups of economic operators. These groups may not be required to assume a specific legal form in order to submit the tender; however, the group selected may be required to do so when it has been awarded the contract, to the extent that this change is necessary for the satisfactory performance of the contract.

2. In the procedures for the award of public service contracts, candidates or tenderers who, under the law of the Member State in which they are established, are entitled to provide the relevant service activity, shall not be rejected solely on the grounds that, under the law of the Member State in which the contract is awarded, they would have been required to be either natural or legal persons.

Legal persons may be required to indicate in the tender or the request for participation the names and relevant professional qualifications of the staff to be responsible for the performance of the service.

*Article 4***Conditions laid down by the agreements concluded within the World Trade Organisation**

For the purposes of the award of contracts by contracting authorities, Member States shall apply in their relations conditions as favourable as those which they grant to economic operators of third countries in implementation of the Agreement on government procurement (hereinafter: 'the Agreement'), concluded in the framework of the Uruguay Round multilateral negotiations.

The Member States shall, to this end, consult each other within the Advisory Committee for Public Contracts on the measures to be taken pursuant to the Agreement.

*Article 5***Confidentiality**

Without prejudice to the obligations relating to the advertising of awarded contracts and to the information to candidates and

tenderers set out in Articles 34(3) and 41 respectively, the contracting authorities shall respect fully the confidential nature of any information furnished by the economic operators.

CHAPTER II

SCOPE*Article 6***General**

This Directive shall apply to public supply, service and works contracts not excluded under Section 2 whose estimated value net of value-added tax (VAT) is equal to or greater than the thresholds laid down in Article 8.

*Article 7***Defence procurement**

This Directive shall apply to public contracts awarded by contracting authorities in the field of defence, except for public supply and service contracts to which the provisions of Article 296 of the Treaty apply.

Section 1

Thresholds

*Subsection 1***Amounts***Article 8***Public contracts**

The thresholds for the applicability of this Directive shall be as follows:

(a) EUR 130 000 for public supply and service contracts awarded by contracting authorities which are listed as central government authorities in Annex IV; in the case of public supply contracts awarded by contracting authorities operating in the field of defence, this shall apply only to contracts involving products covered by Annex V;

(b) EUR 200 000

— for public supply and service contracts awarded by contracting authorities other than those listed in Annex IV,

— for public supply contracts awarded by contracting authorities which are listed in Annex IV and operate in the field of defence, where these contracts involve products not covered by Annex V;

(c) EUR 5 300 000 for public works contracts awarded by all contracting authorities.

Article 9

Contracts subsidised by more than 50 % by contracting authorities

Member States shall take the necessary measures to ensure that contracting authorities which subsidise directly by more than 50 % a works contract whose estimated value net of VAT is equal to or greater than EUR 5 300 000 and which involves civil engineering activities in position 45 200 000 of the CPV in Annex II or relating to building work for hospitals, facilities intended for sports, recreation and leisure, school and university buildings and buildings used for administrative purposes, ensure compliance with this Directive where that contract is awarded by one or more entities other than themselves or comply with this Directive where they themselves award that contract for and on behalf of those entities.

The first paragraph shall also apply where contracting authorities subsidise directly, by more than 50 %, a service contract whose estimated value net of VAT is equal to or greater than EUR 200 000 which is connected with a works contract within the meaning of the first paragraph.

Subsection 2

Methods for calculating value

Article 10

Calculating the value of framework agreements

1. The basis for calculating the value of a framework agreement shall be the estimated maximum value net of VAT of all the contracts envisaged for the period in question.

2. The value of contracts as referred to in paragraph 1 shall be calculated in accordance with Articles 11, 12 and 13.

Article 11

Calculating the value of public supply contracts

1. For the purposes of calculating the value of public supply contracts, their estimated value shall equal or exceed the threshold concerned at the time of dispatch of the contract notice in accordance with Article 34(2).

2. No procurement requirement for a given quantity of supplies may be split up with the intention of evading the application of this Directive.

3. In the case of contracts for the lease, rental or hire purchase of products, the value to be taken as the basis for calculating the estimated value of the contract shall be:

(a) in the case of fixed-term contracts, where their term is 12 months or less the total contract value for its duration, or, where their term exceeds 12 months, its total value including the estimated residual value;

(b) in the case of contracts for an indefinite period or in cases where there is doubt as to the duration of the contracts, the monthly value multiplied by 48.

4. In the case of regular contracts or of contracts which are to be renewed within a given time, the estimated contract value shall be established on the basis of:

(a) either the actual aggregate value of similar successive contracts awarded over the previous fiscal year or 12 months, adjusted, where possible, for anticipated changes in quantity or value over the 12 months following the initial contract;

(b) or the estimated aggregate value of successive contracts awarded during the 12 months following the first delivery or during the term of the contract, where this is greater than 12 months.

The method of valuation shall not be used with the intention of evading the application of this Directive.

5. If a proposed procurement of supplies of the same type may lead to contracts being awarded at the same time in separate lots, the estimated value of the total sum of these lots shall be taken as the basis for the application of paragraph 3 and of points (a) and (b) of Article 8.

6. Where a proposed contract provides for options, the basis for calculating the estimated contract value shall be the maximum permitted total amount of the purchase, lease, rental, or hire-purchase, including use of the option clauses.

Article 12

Calculating the value of public service contracts

1. For the purposes of calculating the estimated amount of a contract, the contracting authority shall include the estimated total remuneration of the service provider, taking account of the provisions set out in paragraphs 2 to 8.

2. Where a proposed contract provides for options, the basis for calculating the contract value shall be the maximum permitted total amount, including use of the option clauses.

3. For the purposes of calculating the estimated contract value for the following types of services, account shall be taken, where appropriate:

(a) of the premium payable, in the case of insurance services;

(b) as regards banking and other financial services, of fees, commissions and interest as well as other types of remuneration;

(c) of fees or commissions, in the case of design contracts.

4. Where the services are subdivided into several lots, each one the subject of a contract, the value of each lot shall be taken into account for the purpose of calculating the applicable threshold.

5. Where the value of the lots is equal to or greater than the applicable threshold, the provisions of this Directive shall apply to all lots. A contracting authority need not apply the first indent of points (a) and (b) of Article 8 to any lots which have an estimated individual value net of VAT of less than EUR 80 000, provided that the total value of such lots does not exceed 20 % of the total value of the lots.

6. In the case of contracts which do not specify a total price, the value to be taken as the basis for calculating the estimated contract value shall be:

(a) in the case of fixed-term contracts, where their term is 48 months or less, the total contract value for its duration;

(b) in the case of contracts of indefinite duration or with a term of more than 48 months, the monthly value multiplied by 48.

7. In the case of regular contracts or contracts which are to be renewed within a given time, the contract value shall be established on the basis of:

(a) either the actual aggregate cost of similar contracts for the same categories of services awarded over the previous fiscal year or twelve months, adjusted, where possible, for anticipated changes in quantity or value over the twelve months following the initial contract;

(b) or the estimated aggregate cost during the twelve months following the first service performed or during the term of the contract, where this is greater than twelve months.

8. The selection of the valuation method shall not be used with the intention of evading the application of this Directive, nor shall any procurement requirement for a given amount of services be split up with the intention of evading the application of this Article.

Article 13

Calculating the value of public works contracts

1. When calculating the thresholds referred to in point (c) of Article 8 and the amounts referred to in points (a) and (b) of Article 31(4), account shall be taken not only of the value of the public works contracts but also of the estimated value of the supplies needed to carry out the works and made available to the contractor by the contracting authorities.

2. No work or contract may be split up with the intention of evading the application of this Directive.

3. Where a work is subdivided into several lots, each one the subject of a contract, the value of each lot must be taken into account for the purpose of calculating the threshold referred to in point (c) of Article 8.

Where the aggregate value of the lots is equal to or greater than this threshold, the provisions of point (c) of Article 8 shall apply to all lots.

However, a contracting authority need not apply point (c) of Article 8 to any lots which have an estimated individual value net of VAT of less than EUR 1 million, provided that the total value of such lots does not exceed 20 % of the total value of the lots.

Section 2

Excluded contracts

Article 14

Contracts in the water, energy and transport sectors

This Directive shall not apply to public contracts covered by Directive 2000/.../EC (water) which are awarded by contracting authorities exercising one or more of the activities referred to in Articles 3 to 6 of that Directive and are awarded for the pursuit of such activities, nor to public contracts excluded from the scope of that Directive under Articles 5(2), 20 and 27 thereof.

Article 15

Specific exclusions in the field of telecommunications

This Directive shall not apply to public contracts for the principal purpose of permitting the contracting authorities to provide or exploit public telecommunications networks or to provide one or more public telecommunications services.

Article 16

Secret contracts and contracts requiring special security measures

This Directive shall not apply to public contracts when they are declared to be secret, when their execution must be accompanied by special security measures in accordance with the laws, regulations or administrative provisions in force in the Member State concerned, or when the protection of the basic security interests of that State so requires.

*Article 17***Contracts awarded pursuant to international rules**

This Directive shall not apply to public contracts governed by different procedural rules and awarded:

- (a) pursuant to an international agreement concluded in conformity with the Treaty between a Member State and one or more third countries and covering supplies or works intended for the joint implementation or exploitation of a work by the signatory States or services intended for the joint implementation or exploitation of a project by the signatory States; all agreements shall be communicated to the Commission, which may consult the Advisory Committee for Public Contracts;
- (b) to undertakings in a Member State or a third country pursuant to an international agreement relating to the stationing of troops;
- (c) pursuant to the particular procedure of an international organisation.

*Article 18***Contracts excluded from the definition of a public service contract**

This Directive shall not apply to public service contracts for:

- (a) the acquisition or rental, by whatever means, of land, existing buildings, or other immovable property or concerning rights thereon; nevertheless, financial service contracts concluded at the same time as, before or after the contract of acquisition or rental, in whatever form, shall be subject to this Directive;
- (b) the acquisition, development, production or co-production of programmes by broadcasters and contracts for broadcasting time;
- (c) arbitration and conciliation services;
- (d) financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services;
- (e) employment contracts;
- (f) research and development services other than those where the benefits accrue exclusively to the contracting authority for its use in the conduct of its own affairs, on condition that the service provided is wholly remunerated by the contracting authority.

*Article 19***Service contracts awarded on the basis of an exclusive right**

This Directive shall not apply to public service contracts awarded to an entity which is itself a contracting authority

on the basis of an exclusive right which it enjoys pursuant to a published law, regulation or administrative provision which is compatible with the Treaty.

CHAPTER III

ARRANGEMENTS FOR PUBLIC SERVICE CONTRACTS*Article 20***Service contracts listed in Annex I A**

Contracts which have as their object services listed in Annex I A shall be awarded in accordance with the provisions of Chapters IV to VII.

*Article 21***Service contracts listed in Annex I B**

Contracts which have as their object services listed in Annex I B shall be subject solely to Articles 24 and 34(3).

*Article 22***Mixed contracts including services listed in Annex I A and services listed in Annex I B**

Contracts which have as their object services listed both in Annex I A and in Annex I B shall be awarded in accordance with the provisions of Titles IV to VII where the value of the services listed in Annex I A is greater than the value of the services listed in Annex I B. In other cases, contracts shall be awarded in accordance with Article 24 and the third subparagraph of Article 34(3).

CHAPTER IV

SPECIFIC RULES GOVERNING SPECIFICATIONS AND CONTRACT DOCUMENTS*Article 23***General provisions**

1. For each contract, contracting authorities shall draw up a set of contract documents, clarifying and supplementing the information contained in the contract notices. In this context they shall introduce only technical specifications in accordance with Article 24 and, if they accept variants, the provisions set out in Article 25 shall be applicable.
2. Contracting authorities may require information on the subject of sub-contracting in accordance with Article 26 or stipulate conditions concerning obligations relating to employment protection provisions and working conditions in accordance with Article 27.
3. Contracting authorities may require particular conditions concerning performance of the contract, provided that those conditions are compatible with Community law.

*Article 24***Technical specifications**

1. The technical specifications as defined in point 1 of Annex VI shall be set out in the contract documentation, such as contract notices, contract documents or additional documents.

2. Technical specifications shall afford equal access for tenderers and not have the effect of creating unjustified obstacles to the opening of public procurement to competition.

3. Technical specifications shall be formulated by referring to national standards implementing European standards, European technical approvals, common technical specifications, international standards or when these do not exist national standards or national technical approvals, or any other technical reference produced by European standardisation bodies as defined in Annex VI, provided that the reference is accompanied by the words 'or equivalent'.

They may also be formulated in terms either of performance or of functional requirements. They shall, however, be sufficiently precise to allow tenderers to determine the subject-matter of the contract and to allow contracting authorities to award the contract.

4. Where, in the case of public works contracts, there are no European standards, European technical approvals or common technical specifications, and it is impossible to formulate the specifications in terms of performance or functional requirements, the technical specifications may be defined by reference to national technical specifications relating to design and method of calculation and execution of works and use of material. Such reference shall be accompanied by the words 'or equivalent'.

5. Where a contracting authority makes use of the option of referring to the specifications mentioned in the first subparagraph of paragraph 3 and in paragraph 4, it cannot reject a tender on the grounds that the products and services tendered for do not comply with a national standard transposing a European standard, with a European technical approval, a common technical specification, an international standard, or a national standard, a national technical specification or a national technical approval, where the tenderer can show in his tender, by whatever appropriate means, that the solutions he proposes satisfy in an equivalent manner the requirements defined by the technical specifications.

An appropriate means is constituted by a technical dossier of the manufacturer or a test report of a body which is a third party.

6. Where a contracting authority uses the option laid down in the second subparagraph of paragraph 3 to prescribe in terms of performance, it may not reject a tender for products or services which comply with a national standard transposing a European standard, with a European technical approval, a common technical specification or an international standard, if these standards and approvals address the same functional and performance requirements and are appropriate.

The tenderer must demonstrate in his tender by any appropriate means such as a technical dossier or a test report by a third party that the product or service in compliance with the standard meets the functional or performance requirements of the contracting authority.

7. Technical specifications shall not refer to a specific make or source, or a particular process, or to trade marks, patents, types or a specific origin or production. Such reference shall be permitted on an exceptional basis, where a sufficiently precise and intelligible description of the subject-matter of the contract pursuant to paragraphs 3 and 4 is not possible; such reference shall be accompanied by the words 'or equivalent'.

*Article 25***Variants**

1. Where the criterion for the award of the contract is that of the most economically advantageous tender, contracting authorities may take account of variants which are submitted by a tenderer and meet the minimum performance or specifications required by these contracting authorities.

2. The contracting authorities shall state in the contract documents the minimum specifications to be respected by the variants and any specific requirements for their presentation. The contracting authorities shall indicate in the tender notice if variants are not permitted.

3. Article 24 shall apply to variants.

4. In the procedures for awarding public supply contracts, contracting authorities which have admitted variants pursuant to paragraph 1 may not reject a variant on the sole ground that it would lead, if successful, to a service contract rather than a public supply contract within the meaning of this Directive.

In the procedures for awarding public service contracts, contracting authorities which have admitted variants pursuant to paragraph 1 may not reject a variant on the sole ground that it would lead, if successful, to a supply contract rather than a public service contract within the meaning of this Directive.

Article 26

Subcontracting

In the contract documents, the contracting authority may ask the tenderer to indicate in his tender any share of the contract he may intend to subcontract to third parties and any designated subcontractors. This indication shall be without prejudice to the question of the principal economic operator's liability.

Article 27

Service and works contracts: obligations relating to employment protection provisions and working conditions

1. In the procedures for awarding service and works contracts, the contracting authority may state in the contract documents, or be obliged by a Member State to do so, the authority or authorities from which a tenderer may obtain the appropriate information on the obligations relating to the employment protection provisions and the working conditions which are in force in the Member State, region or locality in which the services are to be provided or in which the works are to be performed and which shall be applicable to the services provided or the works carried out on site during the performance of the contract.

2. The contracting authority which supplies the information referred to in paragraph 1 shall request the tenderers or those participating in the contract award procedure to indicate that they have taken account, when drawing up their tender, of the obligations relating to employment protection provisions and the working conditions which are in force in the place where the service is to be provided or the works are to be carried out.

The first subparagraph shall be without prejudice to the application of the provisions of Article 54 concerning the examination of abnormally low tenders.

CHAPTER V

PROCEDURES

Article 28

Use of open, restricted and negotiated procedures

1. In awarding public contracts the contracting authorities shall apply the procedures defined in Article 1(6), in accordance with this Directive.

2. Contracting authorities shall award their public contracts by the open procedure or by the restricted procedure.

3. In the specific cases and under the specific conditions laid down in Articles 29, 30 and 31, they may use the negotiated procedure.

Article 29

Cases justifying use of the negotiated procedure with publication of a contract notice

Contracting authorities may award their public contracts by negotiated procedure, after publication of a contract notice, in the following cases:

1. In respect of public supply contracts, public service contracts and public works contracts:

(a) in the event of irregular tenders or the submission of tenders which are unacceptable under national provisions compatible with the provisions of Articles 3, 25, 26, 27 and those of Chapter VII, in response to an open or restricted procedure, in so far as the original terms of the contract are not substantially altered.

Contracting authorities may refrain from publishing a contract notice where they include in the negotiated procedure all the tenderers and only those tenderers who satisfy the criteria of Articles 46 to 52 and which, during the prior open or restricted procedure, have submitted tenders in accordance with the formal requirements of the tendering procedure;

(b) for the award of particularly complex public contracts, provided that the criterion for the award of the contract is that of the most economically advantageous tender, and provided that the procedure rules set out in Article 30 are complied with.

A contract is considered to be particularly complex when the contracting authority

— is not objectively able to define the technical or other means of meeting its requirements, or

— is not objectively in a position to assess what the market can offer in terms of technical or financial solutions.

2. In respect of public service contracts and public works contracts, in exceptional cases, when the nature of the services or works or the risks attaching thereto do not permit prior overall pricing.

3. In respect of public service contracts, when the nature of the services to be procured, in particular in the case of intellectual services and services falling within category 6 of Annex I A, is such that contract specifications cannot be established with sufficient precision to permit the award of the contract by selecting the best tender according to the rules governing open or restricted procedures.

4. In respect of public works contracts, for works which are performed solely for purposes of research, testing or development and not with the aim of ensuring profitability or recovering research and development costs.

Article 30

Specific rules on particularly complex public contracts

1. In the cases referred to in point (b) of Article 29(1), the contracting authorities shall publish a contract notice, choose the candidates and negotiate with them the means and the solutions best suited to meeting their needs. They shall then draw up the contract documents, check that the candidates' capacity is appropriate to the retained technical solution and invite all the candidates or a restricted number thereof to submit a tender and they shall assess the tenders, without negotiation, on the basis of the criteria established to determine the most economically advantageous tender.

2. The contracting authorities shall state in the contract notice all the conditions which the economic operators must fulfil in order to be admitted to the award procedure. These conditions shall consist

- (a) either of only the information specified in accordance with the provisions of Article 44 and those on qualitative selection criteria referred to in Articles 46 to 52,
- (b) or of this information and the obligation to present an outline solution and, if necessary, an estimate of the costs of its implementation.

The qualitative selection criteria defined in the contract notice shall remain unchanged throughout the award procedure.

Under Article 45(2) the contracting authorities may decide to invite a restricted number of candidates meeting the selection criteria to negotiate. In this case, they shall announce this in the contract notice and reduce the number of invited candidates objectively on the basis of the selection criteria set out in the same notice.

When an outline solution is requested, the contracting authorities may define their requirements concerning the economic operators' financial and economic standing, as provided for in Article 48, in terms of percentages of the estimated value of the outline solutions to be presented by the various candidates, and the requirements concerning their technical capability and experience, as provided for in Article 49, according to the skills and experience required to compile the outline solutions.

3. Contracting authorities shall set out their needs and requirements in terms of objectives to be achieved and, if necessary, in terms of performance or functional requirements. These needs shall be set out in the most detailed manner possible.

The requirements thus defined shall serve as a basis for the formulation of the outline solutions and the cost estimates, where requested, and for the negotiation.

4. The award criteria shall be established in accordance with point (b) of Article 29(1) and with Article 53, and may not be amended in the course of the procedure unless they are no longer appropriate to the subject-matter of the contract as defined in the contract documents after the negotiation phase. Article 54 concerning abnormally low tenders shall be applicable.

The conditions shall be set out in the contract notice or in the document specifying the authority's requirements; however, if an outline solution is not required, they may be specified in the invitations to participate in the negotiation phase.

5. Contracting authorities which have not required the request to participate to be accompanied by an outline solution may, in the invitations to be negotiated, ask that an outline solution be submitted. The time-limit for this submission shall be appropriate to the complexity of the needs which outline solutions are invited to meet and, in any case, may not be less than 25 days from the date of dispatch of the invitations.

6. The purpose of negotiation with the selected candidates shall be solely to discuss and define the means best suited to meeting the needs of the contracting authority.

During negotiation, the contracting authorities may not disclose to the other participants the solutions proposed or any other confidential information given by a participant.

7. After announcing the end of negotiations and informing all the participants thereof, the contracting authorities shall check, by applying the selection criteria already set in accordance with paragraph 2, whether the candidates' economic, financial and technical capacity is appropriate to the technical solution specified in the final contract documents. Where the economic, financial or technical capacity of one or more candidates, as proven at the request to participate in negotiations, is not appropriate to the technical solution, contracting authorities shall make a written request to the candidates concerned to present the necessary documentation to allow a check to be carried out, on the basis of the above mentioned criteria, as to whether they have the capacity adapted to the retained technical solution. Article 44(5) shall apply.

The invitations to submit a tender shall be drawn up in accordance with Article 40 and sent in writing. They shall be accompanied by the definitive contract documents setting out the technical specifications in accordance with Article 24.

In accordance with Article 45(2), the number of candidates invited to submit bids may not be less than three, provided that there is a sufficient number of suitable candidates meeting the selection criteria specified by the contracting authority.

8. Time periods for receipt of tenders shall be fixed in accordance with Article 37.

9. The contracting authorities may specify prices and payments to the participants. Such prices and payments shall be taken into consideration for the application of Article 8.

Article 31

Cases justifying use of the negotiated procedure without publication of a contract notice

Contracting authorities may award public contracts by a negotiated procedure without prior publication of a contract notice in the following cases:

1. As regards public supply contracts, public service contracts and public works contracts:

- (a) when no tenders or no suitable tenders have been submitted in response to an open procedure or restricted procedure, provided that the initial conditions of contract are not substantially altered and on condition that a report is sent to the Commission if it so requests;
- (b) when, for technical or artistic reasons, or for reasons connected with the protection of exclusive rights, the contract may be awarded only to a particular economic operator;
- (c) in so far as is strictly necessary when, for reasons of extreme urgency brought about by events unforeseeable by the contracting authorities in question, the time-limit for the open, restricted or negotiated procedures with publication of a contract notice referred to in Article 29 cannot be kept. The circumstances invoked to justify extreme urgency must not in any event be attributable to the contracting authority.

2. As regards public supply contracts:

- (a) when the products involved are manufactured purely for the purpose of research, experiment, study or development, this provision does not extend to quantity production to establish commercial viability or to recover research and development costs;
- (b) for additional deliveries by the original supplier which are intended either as a partial replacement of normal supplies or installations or as the extension of existing supplies or installations where a change of supplier would oblige the contracting authority to acquire material having different technical characteristics which would result in incompatibility or disproportionate technical difficulties in operation and maintenance: the length of such contracts as well as that of recurrent contracts may, as a general rule, not exceed three years.

3. As regards public service contracts, when the contract concerned follows a design contest and shall, under the rules applying, be awarded to the successful candidate or to one of the successful candidates: in the latter case, all

successful candidates shall be invited to participate in the negotiations.

4. As regards public service contracts and public works contracts:

(a) for additional services or works not included in the project initially considered or in the contract first concluded but which have, through unforeseen circumstances, become necessary for the performance of the services or works described therein, on condition that the award is made to the economic operator performing such services or works:

— when such additional services or works cannot be technically or economically separated from the main contract without major inconvenience to the contracting authorities,

or

— when such services or works, a though separable from the performance of the original contract, are strictly necessary for its completion.

However, the aggregate value of contracts awarded for additional services or works may not exceed 50 % of the amount of the main contract;

(b) for new services or works consisting of the repetition of similar services or works entrusted to the economic operator to whom the same contracting authorities awarded an earlier contract, provided that such services or works conform to a basic project for which a first contract was awarded according to the open or restricted procedures.

As soon as the first project is put up for tender, the option of using this procedure shall be pointed out, and the total estimated cost of subsequent services or works shall be taken into consideration by the contracting authorities when they apply the provisions of Article 8.

This procedure may be used only during the three years following the conclusion of the original contract.

Article 32

Framework agreements

1. Contracting authorities which have concluded a framework agreement within the meaning of Article 1(7) shall reopen competition between the parties to the framework agreement in accordance with the following procedure:

(a) For every contract to be awarded, the contracting authorities shall consult all economic operators who are party to the framework agreement, in writing.

- (b) The contracting authorities shall fix a time-limit which is sufficiently long to allow tenders for each specific contract to be submitted, taking into account factors such as the complexity of the subject of the contract and the time needed to send in tenders.
- (c) Tenders shall be submitted in writing, and their content shall remain confidential until the time-limit for reply has expired.
- (d) Contracting authorities shall award each contract to the tenderer who has submitted the best tender on the basis of the award criteria established in accordance with Article 53.

The procedure set out in the first subparagraph may be applied only between the contracting authority and the economic operators originally party to the framework agreement.

2. Where a contracting authority has not concluded a framework agreement within the meaning of Article 1(7), it shall award each contract falling within the scope of this Directive in accordance with the provisions thereof.

3. Contracting authorities shall enter into framework agreements as defined in Article 1(7), with a minimum of three parties, where there is a sufficient number of economic operators satisfying the selection criteria.

The term of these agreements may not exceed three years or, in exceptional, duly justified cases, five years. Contracting authorities may not use framework agreements improperly or in such a way as to restrict or to distort competition.

Article 33

Public works contracts: particular rules on subsidised housing schemes

In the case of contracts relating to the design and construction of a subsidised housing scheme whose size and complexity, and the estimated duration of the work involved, require that planning be based from the outset on close collaboration within a team comprising representatives of the contracting authorities, experts and the contractor to be responsible for carrying out the works, a special award procedure may be adopted for selecting the contractor most suitable for integration into the team.

In particular, contracting authorities shall include in the contract notice as accurate as possible a description of the works to be carried out so as to enable interested contractors to form a valid idea of the project. Furthermore, contracting authorities shall, in accordance with the selection criteria referred to in Articles 46 to 52, set out in such a contract notice the personal, technical and financial conditions to be fulfilled by candidates.

Where such procedure is adopted, contracting authorities shall apply the common advertising rules relating to the restricted procedure and to the criteria for qualitative selection.

CHAPTER VI

RULES ON ADVERTISING AND TRANSPARENCY

Section 1

Publication of notices

Article 34

Notices

1. Contracting authorities shall make known, by means of an indicative notice:

(a) In the case of public supply contracts, the total procurement by product area which they intend to award over the following twelve months, where the total estimated value, taking into account the provisions of Articles 8 and 11, is equal to or greater than EUR 750 000.

The product area shall be established by the contracting authorities by reference to the CPV nomenclature.

(b) In the case of public service contracts, the estimated total value of the service contracts in each of the categories of services listed in Annex I A which they intend to award over the following twelve months, where such estimated total value, taking into account the provisions of Articles 8 and 13, is equal to or greater than EUR 750 000.

(c) In the case of public works contracts, the essential characteristics of the works contracts which they intend to award, the value of which is equal to or greater than the threshold specified in Article 8, taking into account the provisions of Article 13.

The notices referred to in (a) and (b) shall be sent as soon as possible after the beginning of their budgetary year.

The notice referred to in (c) shall be sent as soon as possible after the decision approving the planning of the works contracts that the contracting authorities intend to award.

The Commission shall determine the conditions of reference in the notice to particular positions of the nomenclature, in accordance with the procedure laid down in Article 76(2).

2. Contracting authorities who wish to award a public contract by open, restricted or, under the conditions laid down in Article 29, negotiated procedure, shall make known their intention by means of a contract notice.

3. Contracting authorities which have awarded a public contract or a framework agreement within the meaning of Article 1(7) shall send a notice of the results of the award procedure no later than 48 days after the award of the contract or framework agreement.

In the case of contracts awarded under a framework agreement within the meaning of Article 1(7), the contracting authorities are not bound to send a notice of the results of the award procedure for each contract based on that agreement.

In the case of public contracts for services listed in Annex I B, the contracting authorities shall indicate in the notice whether they agree to its publication. The Commission shall draw up the rules for establishing statistical reports on the basis of such notices and for the publication of such reports in accordance with the procedure laid down in Article 76(2).

Certain information on the contract award or the contract award under a framework agreement may be withheld from publication where release of such information would impede law enforcement or otherwise be contrary to the public interest, would harm the legitimate commercial interests of economic operators, public or private, or might prejudice fair competition between them.

Article 35

Form and manner of publication of notices

1. The notices shall be drawn up in accordance with the standard forms adopted by the Commission in accordance with the procedure in Article 76(2) and shall, at the least, specify the information indicated in Annex VII A.

The contracting authorities may not set any conditions other than those specified in Articles 48 and 49 when requesting information concerning the economic, financial and technical standards which they require of economic operators for their selection.

2. In the case of framework agreements within the meaning of Article 1(7), the notices referred to in Article 34(1) and (2) shall also be marked 'framework agreement' and shall indicate the planned duration specifying, where appropriate, the grounds justifying duration of the framework agreement of more than three years, the expected number and where appropriate the maximum number of economic operators, the estimated total value of the supplies, services or works for the entire duration and, as a guideline, the value and frequency of the contracts to be awarded. It shall also indicate the objective criteria on which the choice of tenders is based, and the criteria governing the award of each contract under a reopened competition, such criteria being established in accordance with Article 53.

3. The notices shall be published in accordance with the technical specifications for publication set out in Annex VIII.

4. Notices drawn up and transmitted by electronic means in accordance with the technical specifications for publication set out in Annex VIII shall be published not later than five days after they are sent.

Notices which are not transmitted by electronic means in accordance with the technical specifications for publication

given in Annex VIII shall be published not later than 12 days after they are sent.

In the case of the accelerated procedure referred to in Article 37(9), this period shall be reduced to five days provided that the notice was sent by fax or by electronic means.

5. Contract notices referred to in Article 34(2) shall be published in full in an official language of the Community, this language version constituting the sole authentic text. A summary of the important elements of each notice shall be published in the other official languages.

6. The notices and their contents may not be made public at national level before the date on which they are sent in accordance with Annex VIII.

7. Notices published at national level shall not contain information other than that contained in the notices dispatched in accordance with Annex VIII, but shall mention the date of that dispatch.

8. The costs of publishing notices in accordance with Annex VIII shall be borne by the Community.

The content of notices not sent by electronic means in accordance with the technical specifications for publication set out in Annex VIII shall be limited to approximately 650 words.

9. The contracting authorities shall be able to supply proof of the dates on which notices are dispatched.

Article 36

Non-mandatory publication

Contracting authorities may publish in accordance with Annex VIII notices of public contracts which are not subject to the publication requirement laid down in this Section.

Section 2

Time-limits

Article 37

Requests to participate and receipt of tenders

1. All time-limits for the receipt of tenders and requests to participate fixed by the contracting authorities shall be sufficiently long to give interested parties reasonable time appropriate to the contract to draw up and submit their tenders. When fixing these time-limits, contracting authorities shall take particular account of the complexity of the contract and the time required for drawing up tenders.

2. In the case of open procedures, the minimum time-limit for the receipt of tenders is 52 days from the date on which the contract notice was sent.

3. In the case of restricted procedures and negotiated procedures with publication of a contract notice referred to in Article 29:

(a) the minimum time-limit for receipt of requests to participate shall be 37 days from the date on which the contract notice was sent; however, for particularly complex contracts referred to in point (b) of Article 29(1), this time-limit shall not be less than 47 days from the date on which the contract notice was sent where the request to participate must be accompanied by an outline solution;

(b) the minimum time-limit for the receipt of tenders shall be 40 days from the date on which the invitation was sent.

4. When contracting authorities have published an indicative notice, the minimum time-limit for the receipt of tenders shall be, as a general rule, 36 days, but under no circumstances less than 26 days.

The period shall run from the date on which the contract notice was sent in open procedures, and from the date on which the invitation to tender was sent in restricted procedures and negotiated procedures with publication of a contract notice referred to in Article 29.

The shortened time-limits referred to in the first subparagraph shall be permitted, provided that the indicative notice has included all the information required in the model contract notice and was sent for publication between no less than 52 days and no more than twelve months before the date on which the contract notice was sent.

5. Where notices are drawn up and transmitted by electronic means in accordance with Annex VIII, the time-limits for the receipt of tenders referred to in paragraph 2 and 4 in open procedures, and the time-limit for the receipt of the requests to participate referred to in the first phrase of point (a) of paragraph 3, in restricted and negotiated procedures, may be shortened by seven days.

6. The time-limits for receipt of tenders in open, restricted and negotiated procedures referred to in paragraph 2, point (b) of paragraph 3 and paragraph 4 may be reduced by five days where the contracting authority offers free direct access to the entire contract documents and any supporting documents by electronic means as from the date on which the notice is sent, in accordance with Annex VIII.

This reduction may be aggregated with the reduction referred to in paragraph 5.

7. The reductions in time-limits for the receipt of tenders referred to in paragraphs 5 and 6 shall not apply to particularly complex public contracts awarded under the procedural rules laid down in Article 30.

8. If, for whatever reason, the contract documents and the supporting documents or additional information, although requested in good time, have not been supplied within the time-limits set in Article 38, or where tenders can be made only after a visit to the site or after on-the-spot inspection of

the documents supporting the contract documents, the time-limits for the receipt of tenders shall be extended so that they only apply once all economic operators concerned are aware of all the information needed to produce a tender.

9. In the case of restricted procedures and negotiated procedures with publication of a contract notice referred to in Article 29, where urgency renders impracticable the time-limits laid down in paragraphs 3 to 6, contracting authorities may fix

(a) a time-limit for the receipt of requests to participate which may not be less than 15 days from the date on which the contract notice was sent, or less than 10 days if the notice was sent by electronic means, in accordance with Annex VIII;

(b) a time-limit for the receipt of tenders which shall be not less than 10 days from the date of the invitation to tender.

These time-limits may not be used for particularly complex contracts awarded under the procedural rules laid down in Article 30.

Article 38

Contract documents and additional information

1. Where contracting entities do not offer free direct access to the entire contract documents and any supporting documents by electronic means in accordance with Annex VIII, and where, in restricted and negotiated procedures with publication of a contract notice, the invitation to tender is not accompanied by such documents, the contract documents and supporting documents shall be sent to economic operators within six days of receipt of the request to participate, provided that the request was made in good time before the deadline for submission of tenders.

2. Provided it has been requested in good time, additional information relating to the contract documents shall be supplied by the contracting authorities or competent departments not later than six days before the final date fixed for receipt of tenders. In the case of the accelerated form of restricted or negotiated procedures, the time-limit shall be four days.

Section 3

Information content and means of transmission

Article 39

Means of transmission of requests to participate

1. Requests to participate in procedures for the award of public contracts may be made by electronic means, letter or fax.

2. In the accelerated form of restricted and negotiated procedures, requests for participation shall be made by the most rapid means of communication possible.

3. Requests to participate made by fax must be confirmed by letter or electronic means before the expiry of the time-limit set for their receipt.

Article 40

Invitations to submit a tender or to negotiate

1. In restricted procedures and negotiated procedures with publication of a contract notice within the meaning of Article 29, the contracting authorities shall simultaneously and in writing invite the selected candidates to submit their tenders or to negotiate.

2. The invitation to the candidates shall specify how the candidates can access the set of specifications and supporting documents made directly available by electronic means in accordance with Annex VIII.

If this access is not provided, the invitation shall be accompanied by one copy of the specifications and supporting documents.

3. In the accelerated form of restricted and negotiated procedures, invitations to submit a tender shall be made by the most rapid means of communication possible.

4. The invitation to submit tenders and the invitation to negotiate referred to in Article 29 must contain at least

(a) where an entity other than the contracting authority responsible for the award procedure has the specifications and contract documents, the address from which those specifications and documents may be requested, the closing date for requesting such documents, the sum payable, if any, for obtaining them and any payment procedures;

(b) in the case of particularly complex contracts under the rules laid down in Article 30, the invitation to negotiate shall also specify the date set for the start of negotiation, the address at which the negotiation is to take place and the language or languages used for negotiating;

(c) the final date for the receipt of the tenders, the address to which the tenders must be sent and the language or languages in which the tenders must be drawn up;

(d) a reference to the contract notice published;

(e) a reference to any documents to be submitted, either in support of verifiable declarations by the tenderer in accordance with the second subparagraph of Article 35(1), or to supplement the information referred to in that Article, and under the conditions laid down in Articles 48 and 49;

(f) the relative weighting of criteria for the award of the contract if, in exceptional cases referred to in the third subparagraph of Article 53(2), this is not given in the contract notice;

(g) any other specific condition for taking part in the tendering procedure.

Article 41

Informing candidates and tenderers

1. The contracting authority shall, within 15 days of the date on which a written request is received, inform any eliminated candidate or tenderer of the reasons for rejection of his application or his tender, and any tenderer who has made an admissible tender of the characteristics and relative advantages of the tender selected as well as the name of the successful tenderer.

However, contracting authorities may decide to withhold certain information on the contract award, referred to in the preceding subparagraph, where release of such information would impede law enforcement or otherwise be contrary to the public interest or would prejudice the legitimate commercial interests of economic operators, public or private, or might prejudice fair competition between them.

2. The contracting authorities shall as soon as possible inform candidates and tenderers of decisions reached concerning the award of the contract, including the grounds for any decision not to award a contract for which there has been a call for competition or to recommence the procedure, and shall do so in writing if requested.

Section 4

Communication

Article 42

Means of communication

1. All communication and information exchange mentioned in this Title may be performed by letter, fax or electronic means, according to the choice of the contracting authority.

Directives 1999/93/EC and 2000/.../EC (on certain legal aspects of electronic commerce in the internal market) shall apply to the transmission of information by electronic means.

2. Communication and information exchange shall be carried out in such a way as to ensure that the integrity of data and the confidentiality of tenders and of all information supplied by economic operators are preserved, and that the contracting authorities only examine the content of tenders after the time-limit set for submitting them has expired.

3. If tenders are submitted by electronic means, tenderers shall undertake to submit the documents, certificates, attestations and declarations mentioned in Articles 46 to 50 and 52 by any appropriate means by the day before the tenders are opened.

4. Whichever means is chosen for submitting tenders may not have the effect of hampering the proper functioning of the internal market.

Section 5

Reports

Article 43

Content of reports

For every contract the contracting authorities shall draw up a written report which shall include at least the following:

- (a) the name and address of the contracting authority, the subject and value of the contract;
- (b) the names of the candidates or tenderers admitted and the reasons for their selection;
- (c) the names of the candidates or tenderers rejected and the reasons for their rejection;
- (d) the reasons for the rejection of tenders found to be abnormally low;
- (e) the name of the successful tenderer and the reasons why his tender was selected and, if known, the share of the contract which the successful tenderer intends to subcontract to third parties;
- (f) for negotiated procedures, the circumstances referred to in Articles 29 and 31 which justify the use of these procedures;
- (g) if necessary, the reasons why the contracting authority has decided not to award a contract.

The report, or the main features of it, shall be communicated to the Commission if it so requests.

CHAPTER VII

CONDUCT OF THE PROCEDURE

Section 1

General provisions

Article 44

Selection of participants and award of contracts

1. Contracts shall be awarded on the basis of the criteria laid down in Section 3, taking into account Article 25, after the suitability of the economic operators not excluded under Articles 46 and 47 has been checked by contracting authorities in accordance with the criteria of economic and financial standing and of professional and technical knowledge or ability referred to in Articles 48 to 52.

2. Under Section 2, the contracting authorities may determine the level of capacity and experience required for a specific contract.

3. Tenderers, in the case of open procedures, and candidates, in the case of restricted and negotiated procedures, may not be excluded from the award procedure on the basis of selection criteria and/or levels of capacity and experience not specified in the contract notice.

4. Where contracting authorities decide, in a restricted or negotiated procedure with publication of a contract notice, to limit the number of candidates to be invited to submit tenders within the maximum number or range specified in Article 45, they shall do so on the basis of objective criteria established in accordance with paragraph 2.

These criteria shall be set out in the contract notice.

5. Contracting authorities shall eliminate any tenderer, in the case of open procedures, and any candidate, in the case of restricted and negotiated procedures, not meeting the selection criteria or possessing the capacity and experience levels set in advance.

6. The extent of the information referred to in Articles 48 and 49 and the capacity level required for a specific contract shall be confined and proportionate to the subject-matter of the contract. In handling this information contracting authorities shall take into consideration the legitimate interests of the economic operators as regards the protection of their technical or trade secrets.

Article 45

Further rules governing restricted and negotiated procedures

1. In restricted and negotiated procedures the contracting authorities shall, on the basis of information given relating to the economic operator's personal position as well as to the information and formalities necessary for the evaluation of the minimum conditions of an economic and technical nature to be fulfilled by him, select from among the candidates with the qualifications required by Section 2 those whom they will invite to submit a tender or to negotiate.

2. Where contracting authorities award a contract by restricted procedure and by negotiated procedure with publication of a contract notice, namely in those cases referred to in Article 29, they may prescribe the minimum number of candidates which they intend to invite to submit a tender or negotiate. This minimum number shall be five candidates in restricted procedures and three in negotiated procedures. They may also set a maximum number of candidates which they intend to invite to submit a tender provided that this maximum number is fixed in such a way that competition is not restricted. Any numbers set shall be indicated in the contract notice.

Section 2

Criteria for qualitative selection

Article 46

Personal situation of the candidate or tenderer

1. Any economic operator shall be excluded from participation in the contract who, at any time during a five-year period preceding the start of the contract award procedure, has been convicted by definitive judgment:

(a) of having committed a serious offence by participating in the activities of a criminal organisation, defined as a structured association established over a period of time and operating in a concerted manner to achieve financial advantage and, where appropriate, to influence unduly the functioning of public authorities;

(b) of corruption, that is to say, of having promised, offered or given, whether directly or via third parties, a benefit of whatever kind to a civil servant or public agent of a Member State, a third country or an international organisation or to any person for the benefit of that person or a third party, with the intention that such person will carry out or refrain from carrying out any act in breach of his professional obligations;

(c) of fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities established by the Council Act of 26 July 1995 ⁽¹⁾.

2. Any economic operator may be excluded from participation in the contract who:

(a) is bankrupt or is being wound up, whose affairs are being administered by the court, who has entered into an arrangement with creditors, who has suspended business activities or who is in any analogous situation arising from a similar procedure under national laws and regulations;

(b) is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or for composition with creditors or of any other similar proceedings under national laws and regulations;

(c) has been convicted by a judgment of any offence concerning his professional conduct;

(d) has been guilty of grave professional misconduct proven by any means which the contracting authorities can demonstrate;

(e) has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;

(f) has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of countries concerned;

(g) is guilty of serious misrepresentation in supplying the information required under this Section;

(h) has been convicted by a judgment of fraud or any other illegal activity within the meaning of Article 280 of the Treaty, other than those within point (c) of paragraph 1 of this Article.

3. Where the contracting authority requests the economic operator to provide proof that none of the cases quoted in paragraph 1 and points (a), (b), (c), (e) (f) or (h) of paragraph 2 applies to him, it shall accept as sufficient evidence:

(a) for paragraph 1 and points (a), (b), (c) and (h) of paragraph 2, the production of an extract from the 'judicial record' or, failing this, of an equivalent document issued by a competent judicial or administrative authority in the country of origin in the country whence that person comes showing that these requirements have been met;

(b) for points (e) or (f) of paragraph 2, a certificate issued by the competent authority in the Member State concerned.

4. Where the country in question does not issue the documents or certificates referred to in paragraph 3, or where these do not cover all the cases quoted in paragraph 1 and points (a), (b) or (c) of paragraph 2, they may be replaced by a declaration on oath or, in Member States where there is no provision for declarations on oath, by a solemn declaration made by the person concerned before a competent judicial or administrative authority, a notary or a competent professional or trade body, in the country of origin or in the country from which that person comes.

5. Member States shall designate the authorities and bodies competent to issue the documents, certificates or declarations referred to in paragraphs 3 and 4 and shall forthwith inform the other Member States and the Commission thereof.

Article 47

Suitability to pursue the professional activity

Any economic operator wishing to take part in a public contract may be requested to prove his enrolment, as prescribed in his country of establishment, in one of the professional or trade registers or to provide a declaration on oath or certificate as described in Annex IX A for public supply contracts, in Annex IX B for public service contracts and in Annex IX C for public works contracts.

In procedures for the award of public service contracts in so far as candidates for a public contract or tenderers have to possess a particular authorisation or to be members of a particular organisation in their home country in order to be able to perform the service concerned, the contracting authority may require them to prove that they hold such authorisation or membership.

⁽¹⁾ OJ C 316, 27.11.1995, p. 48.

Article 48

Economic and financial standing

1. Proof of the economic operator's economic and financial standing may, as a general rule, be furnished by one or more of the following references:

- (a) appropriate statements from banks or evidence of relevant professional risk indemnity insurance;
- (b) the presentation of balance-sheets or extracts from the balance-sheets, where publication of the balance-sheet is required under the law of the country in which the economic operator is established;
- (c) a statement of the undertaking's overall turnover.

2. Contracting authorities shall specify, in the contract notice or in the invitation to tender, which reference or references mentioned in paragraph 1 they have chosen and which other references they intend to obtain.

3. If, for any valid reason, the economic operator is unable to provide the references requested by the contracting authority, he may prove his economic and financial standing by any other document which the contracting authority considers appropriate.

Article 49

Technical and/or professional capability

1. The technical and/or professional capabilities of the economic operators shall be assessed and examined in accordance with paragraphs 2, 3 and 4.

2. In the procedures for awarding public supply contracts, evidence of the supplier's technical capability may be furnished by one or more of the following means according to the nature, quantity and purpose of the products to be supplied:

- (a) a list of the principal deliveries effected in the past three years, with the sums, dates and recipients, public or private, involved:
 - where the supplies are made to public authorities, evidence of delivery shall be in the form of certificates issued or countersigned by the competent authority,
 - where the supplies are to private purchasers, delivery shall be certified by the purchaser or, failing this, simply declared by the supplier to have been effected;
- (b) a description of the supplier's technical facilities, his measures for ensuring quality and its study and research facilities;
- (c) indication of the technicians or technical bodies involved, whether or not belonging directly to the supplier, especially those responsible for quality control;

(d) samples, description and/or photographs of the products to be supplied, the authenticity of which must be certified if the contracting authority so requests;

(e) certificates drawn up by official quality control institutes or agencies of recognised competence attesting the conformity of products clearly identified by references to specifications or standards;

(f) where the products to be supplied are complex or, exceptionally, are required for a special purpose, a check carried out by the contracting authorities or on their behalf by a competent official body of the country in which the supplier is established, subject to that body's agreement, on the production capacities of the supplier and if necessary on his study and research facilities and quality control measures.

3. In the procedures for awarding public service contracts, the ability of service providers to perform services may be evaluated in particular with regard to their skills, efficiency, experience and reliability.

Evidence of the service provider's technical capability may be furnished by one or more of the following means according to the nature, quantity and purpose of the services to be provided:

- (a) the service provider's educational and professional qualifications and/or those of the firm's managerial staff and, in particular, those of the person or persons responsible for providing the services;
- (b) a list of the principal services provided in the past three years, with the sums, dates and recipients, public or private, of the services provided:
 - where the services are provided to contracting authorities, evidence of their performance shall be in the form of certificates issued or countersigned by the competent authority,
 - where they are provided to private purchasers, their performance shall be certified by the purchaser or, failing this, simply declared by the service provider to have been effected;
- (c) an indication of the technicians or technical bodies involved, whether or not belonging directly to the service provider, especially those responsible for quality control;
- (d) a statement of the service provider's average annual manpower and the number of managerial staff for the last three years;
- (e) a statement of the tools, plant or technical equipment available to the service provider for carrying out the services;
- (f) a description of the service provider's measures for ensuring quality and his study and research facilities;

- (g) where the services to be provided are complex or, exceptionally, are required for a special purpose, a check carried out by the contracting authority or on its behalf by a competent official body of the country in which the service provider is established, subject to that body's agreement, on the technical capacities of the service provider and, if necessary, on his study and research facilities and quality control measures;
- (h) an indication of the proportion of the contract which the service provider may intend to subcontract.

4. In the procedures for awarding public works contracts, evidence of the contractor's technical capability may be furnished by:

- (a) the contractor's educational and professional qualifications and/or those of the firm's managerial staff, and, in particular, those of the person or persons responsible for carrying out the works;
- (b) a list of the works carried out over the past five years, accompanied by certificates of satisfactory execution for the most important works; the certificates shall indicate the value, date and site of the works and shall specify whether they were carried out according to the rules of the trade and properly completed; where necessary, the competent authority shall submit these certificates to the contracting authority direct;
- (c) a statement of the tools, plant and technical equipment available to the contractor for carrying out the work;
- (d) a statement of the firm's average annual manpower and the number of managerial staff for the last three years;
- (e) a statement of the technicians or technical divisions which the contractor can call upon for carrying out the work, whether or not they belong to the firm.

5. The contracting authority shall specify, in the notice or in the invitation to tender, which references under paragraphs 2, 3 and 4 it wishes to receive.

Article 50

Quality assurance standards

Should contracting authorities require the production of certificates drawn up by independent bodies attesting the compliance of the economic operator with certain quality assurance standards, they shall refer to quality assurance systems based on the relevant European standards series certified by bodies conforming to the European standards series concerning certification. They shall recognise equivalent certificates from bodies established in other Member States. They shall also accept other evidence of equivalent quality assurance measures from economic operators who have no

access to such certificates or no possibility of obtaining them within the relevant time-limits.

Article 51

Additional documentation and information

Within the limits of Articles 46 to 49 the contracting authority may invite the economic operators to supplement the certificates and documents submitted or to clarify them.

Article 52

Official lists of approved economic operators

1. Member States which have official lists of approved suppliers, approved service providers or approved contractors shall adapt them to Article 46(1), points (a) to (d) and (g) of Article 46(2), to Articles 47 and 48, and to Article 49(2), in the case of suppliers, Article 49(3) in the case of service providers, and Article 49(4) in the case of contractors.

2. Economic operators registered in the official lists may, for each contract, submit to the contracting authority a certificate of registration issued by the competent authority. The certificate shall state the reference which enabled them to be registered in the list and the classification given in that list.

3. Certified registration in official lists of approved suppliers by the competent bodies shall not, for the purposes of the contracting authorities of other Member States, constitute a presumption of suitability except as regards Article 46(1) and points (a) to (d) and (g) of Article 46(2), Article 47, points (b) and (c) of Article 48 and point (a) of Article 49(2).

Certified registration in official lists of service providers by the competent bodies shall not constitute, for the purposes of the contracting authorities of other Member States, a presumption of suitability corresponding to the service provider's classification except as regards Article 46(1) and points (a) to (d) and (g) of Article 46(2), Article 47, points (b) and (c) of Article 48(1) and point (a) of the second subparagraph of Article 49(2).

Certified registration of a contractor in the official lists by the competent bodies shall not, for the contracting authorities of other Member States, constitute a presumption of suitability for works corresponding to the contractor's classification except as regards Article 46(1) and points (a) to (d) and (g) of Article 46, Article 47, points (b) and (c) of Article 48(1) and points (b) and (d) of Article 49(4).

4. Information which can be deduced from registration in official lists may not be questioned. However, with regard to the payment of social security contributions, an additional certificate may be required of any registered economic operator whenever a contract is offered.

The contracting authorities of other Member States shall apply paragraph 3 and the first subparagraph of this paragraph only in favour of economic operators established in the country holding the official list.

5. For any registration of economic operators of other Member States in an official list, no further proof or statements can be required other than those requested of national economic operators and, in any event, only those provided for under Articles 46, 47, 48, 49 and 50, and Article 49(1), in the case of suppliers, Article 49(2), in the case of service providers, or Article 49(3), in the case of contractors.

6. Member States which have official lists shall be obliged to inform the other Member States of the address of the body to which applications for registration should be sent.

Section 3

The award of the contract

Article 53

Contract award criteria

1. Without prejudice to national laws, regulations or administrative provisions on the remuneration of certain services, the criteria on which the contracting authorities shall base the award of contracts shall be:

- (a) either the lowest price only; or
- (b) when award is made to the most economically advantageous tender for the contracting authorities, various criteria directly linked to the subject of the public contract in question: for example, quality, price, technical merit, aesthetic and functional characteristics, environmental characteristics, running costs, cost-effectiveness, after-sales service and technical assistance, delivery date and delivery period or period of completion.

2. In the case referred to in point (b) of paragraph 1, the contracting authority shall specify the relative weighting which it gives to each of the criteria chosen to determine the most economically advantageous tender:

- (a) in the contract notice or in the contract documents in the case of open procedures;
- (b) in the contract notice in the case of restricted and negotiated procedures.

This weighting can be expressed by providing for a range within which the value attributed to each criteria shall be stated.

In restricted and negotiated procedures, the contracting authority may, exceptionally, and in duly justified cases, state this weighting in the contract documents or in the invitation to tender. Under the same conditions and in the case of particularly complex contracts awarded under the procedural rules laid down in Article 30, this weighting shall be stated in the invitation to negotiate.

Article 54

Abnormally low tenders

If, for a given contract, tenders appear to be abnormally low in relation to the goods, works or services, the contracting authority shall, before it may reject those tenders, request in writing details of the constituent elements of the tender which it considers relevant and shall verify, after due hearing of the parties, those constituent elements taking account of the explanations received.

The contracting authority shall take into consideration explanations relating to:

- (a) the economics of the manufacturing process, of the services provided and of the construction method;
- (b) the technical solutions chosen and/or the exceptionally favourable conditions available to the tenderer for the supply of the goods and services, and the execution of the work;
- (c) the originality of the supplies, services or work proposed by the tenderer.

Where the contracting authority establishes that a tender is abnormally low on grounds that the tenderer has obtained a State aid, the tender can only be rejected after consultation with the tenderer where the latter is unable to prove, within a sufficient timeframe fixed by the contracting authority, that the aid in question was notified to the Commission under Article 88(3) of the Treaty and authorised. Where the contracting authority rejects a tender in these circumstances, it shall inform the Commission of that fact.

TITLE III

GRANTING OF SPECIAL OR EXCLUSIVE RIGHTS

Article 55

Compulsory stipulation

When a contracting authority grants to a body other than a contracting authority — regardless of its legal status — special or exclusive rights to engage in a public service activity, the instrument granting this right shall stipulate that the body in question must observe the rules and principles of the Treaty when awarding public supply contracts to third parties.

TITLE IV

RULES GOVERNING SERVICE DESIGN CONTESTS

Article 56

General provisions

1. The rules for the organisation of the contests shall be in conformity with Articles 56 to 63 and shall be communicated to those interested in participating in the contest.

2. The admission of participants to design contests shall not be limited:

- (a) by reference to the territory or part of the territory of a Member State,
- (b) on the grounds that, under the law of the Member State in which the contest is organised, they would have been required to be either natural or legal persons.

Article 57

Scope

1. In accordance with the provisions laid down in this Title, design contests shall be organised by:

- (a) contracting authorities which are listed as central government authorities in Annex IV, where the value is equal to or greater than EUR 130 000;
- (b) contracting authorities not listed in Annex IV, where the value is equal to or greater than EUR 200 000.

2. The provisions of this Title shall apply to:

- (a) design contests organised as part of a procedure leading to the award of a public service contract;
- (b) design contests with prizes and/or payments to participants.

In the cases referred to in point (a), the threshold refers to the estimated value net of VAT of the services.

In the cases referred to in point (b), the threshold refers to the total amount of the prizes and payments.

Article 58

Exclusions from the scope

This Title shall not apply to:

- 1. service contests within the meaning of Directive 2000/.../EC (water, etc. ...) which are organised by contracting authorities exercising one or more of the activities referred to in Articles 3 to 6 of that Directive and are awarded for the pursuit of such activities; nor shall it apply to contests excluded from the scope of that Directive under Articles 5(2) and 60 thereof;
- 2. contests organised for the principal purpose of permitting the contracting authorities to provide or exploit public telecommunications networks or to provide one or more public telecommunications services;
- 3. contests which are subject to different procedural rules and granted under:
 - (a) an international agreement concluded in conformity with the Treaty, between a Member State and one or

more non-member countries and covering services intended for the joint implementation or exploitation of a project by the signatory States; all agreements shall be communicated to the Commission, which may consult the Advisory Committee for Public Contracts;

- (b) an international agreement relating to the stationing of troops and concerning undertakings in a Member State or a third country;

- (c) the particular procedure of an international organisation.

Article 59

Notices

1. Contracting authorities who wish to carry out a design contest shall make known their intention by means of a contest notice.

2. Contracting authorities who have held a design contest shall send a notice of the results of the award procedure in accordance with Annex VIII and must be able to prove the date of dispatch.

Where the release of information on the outcome of the contest would impede law enforcement or otherwise be contrary to the public interest or would prejudice the legitimate commercial interests of a particular enterprise, public or private, or might prejudice fair competition between service providers, such information need not be published.

3. Contracting authorities may publish in accordance with Annex VIII notices of contests which are not subject to the publication requirement laid down in this Title.

Article 60

Form and manner of publication of notices

1. The notices shall be drawn up in accordance with the standard model notices adopted by the Commission in accordance with the procedure in Article 76(2) and shall specify, at least, the information indicated in Annex VII B.

2. The notices shall be published as provided in Annex VIII.

3. Notices drawn up and transmitted by electronic means in accordance with the technical specifications for publication given in Annex VIII shall be published not later than five days after they are sent.

Notices which are not transmitted by electronic means in accordance with the technical specifications for publication given in Annex VIII shall be published not later than 12 days after they are sent.

4. Contracting authorities shall be responsible for the information they send for publication, and for ensuring that this information complies with the provisions of this Title.

5. The design contest notices referred to in Article 59(1) shall be published in full in an official language of the Community, this language version constituting the sole authentic text. A summary of the important elements of each notice is published in the other official languages.

6. The notices and their contents may not be made public at national level before the date of their dispatch in accordance with Annex VIII.

7. Notices published at national level shall not contain information other than that contained in the notices sent in accordance with Annex VIII and must state the date of dispatch of the latter.

8. The costs of publishing notices in accordance with Annex VIII shall be borne by the Community.

Notices which are not sent electronically in accordance with the technical specifications for publication given in Annex VIII shall be limited to around 650 words in length.

Article 61

Means of communication

1. All communication and information exchange mentioned in this Title may be performed by letter, fax or electronic means, according to the choice of the contracting authority.

2. The communication and information exchange covered by this Title shall be carried out in such a way as to ensure that the integrity and confidentiality of all information supplied by service providers are preserved, and that the contracting authorities may only examine the content of plans and projects after the time-limit set for submitting these has expired.

3. If plans and designs are submitted by electronic means, participants in design contests shall undertake to submit any documents, certificates, attestations and declarations required by the contracting authorities by any appropriate means not later than the day before the plans and designs are examined by the jury.

4. Whichever means is chosen for submitting plans and projects may not have the effect of hampering the proper functioning of the internal market.

Article 62

Selection of competitors

Where design contests are restricted to a limited number of participants, the contracting authorities shall lay down clear and non-discriminatory selection criteria. In any event, the number of candidates invited to participate shall be sufficient to ensure genuine competition.

Article 63

Composition and decisions of the jury

The jury shall be composed exclusively of natural persons who are independent of participants in the contest. Where a

particular professional qualification is required from participants in a contest, at least a third of its members of the jury shall have that qualification or its equivalent.

The jury shall be autonomous in its decisions or opinions. These shall be reached on the basis of projects submitted anonymously and solely on the grounds of the criteria indicated in the contest notice.

TITLE V

RULES ON CONCESSIONS

CHAPTER I

RULES GOVERNING PUBLIC WORKS CONCESSIONS

Article 64

Scope

The provisions under this Chapter shall apply to all public works concession contracts concluded by the contracting authorities where the value of the contracts is equal to or greater than EUR 5 300 000.

Article 65

Exclusions from the scope

The provisions of this Title shall not apply to public works concessions:

1. which are principally for the purpose of permitting the contracting authorities to provide or exploit public telecommunications networks or to provide one or more public telecommunications services;
2. which are declared secret or when their execution must be accompanied by special security measures in accordance with the laws, regulations or administrative provisions in force in the Member State concerned or when the protection of the basic interests of that State's security so requires;
3. which are subject to different procedural rules and granted under:
 - (a) an international agreement concluded in conformity with the Treaty, between a Member State and one or more non-member countries and covering works intended for the joint implementation or exploitation of a project by the signatory States; all agreements shall be communicated to the Commission, which may consult the Advisory Committee for Public Contracts;
 - (b) an international agreement relating to the stationing of troops and concerning the undertakings in a Member State or a third country;

- (c) the particular procedure of an international organisation.

Article 66

Publication of the notice

1. Contracting authorities who wish to award a works concession contract shall make known their intention by means of a notice.
2. The notice shall be drawn up in accordance with the standard forms adopted by the Commission in accordance with the procedure in Article 76(2) and shall specify at least the information indicated in Annex VII C.
3. The notice shall be published as provided in Annex VIII.
4. Notices drawn up and transmitted by electronic means in accordance with the technical specifications for publication given in Annex VIII shall be published not later than five days after they are sent.

Notices which are not transmitted by electronic means in accordance with the technical specifications for publication given in Annex VIII shall be published not later than 12 days after they are sent.

5. Contracting authorities shall be responsible for the information they send for publication, and for ensuring that this information complies with the provisions of this Directive and must be able to supply proof of the date of dispatch.

6. The notice shall be published in full in an official language of the Community, that language version constituting the sole authentic text. A summary of the important elements of the notice shall be published in the other official languages.

7. The notices and their contents shall not be made public at national level before the date of dispatch in accordance with Annex VIII. Notices published at national level shall not contain information other than that contained in the notices sent in accordance with Annex VIII and must state the date of dispatch of the latter.

8. The costs of publishing notices in accordance with Annex VIII shall be borne by the Community.

Notices which are not sent electronically in accordance with the technical specifications for publication given in Annex VIII shall be limited to around 650 words in length.

9. Contracting authorities may publish in accordance with Annex VIII notices of concessions which are not subject to the publication requirement laid down in this Chapter.

Article 67

Time-limit for the submission of applications

When contracting authorities resort to a public works concession, the time-limit for the presentation of applications for the concession shall be not less than 52 days from the date of dispatch of the notice.

Article 68

Subcontracting

The contracting authority may:

- (a) either require the concessionaire to award contracts representing a minimum of 30 % of the total value of the work for which the concession contract is to be awarded, to third parties, at the same time providing the option for candidates to increase this percentage, this minimum percentage being specified in the concession contract; or
- (b) request the candidates for concession contracts to specify in their tenders the percentage, if any, of the total value of the work for which the concession contract is to be awarded which they intend to assign to third parties.

CHAPTER II

RULES ON CONTRACTS AWARDED BY CONCESSIONAIRES

Article 69

Rules applicable when the concessionaire is a contracting authority

When the concessionaire is a contracting authority as referred to in Article 1(5), he shall comply with the provisions laid down by this Directive for public works contracts in the case of works to be carried out by third parties.

Article 70

Rules applicable when the concessionaire is not a contracting authority

When the concessionaire is not a contracting authority as referred to in Article 1(5), he shall comply with the provisions in Articles 71, 72 and 73 for contracts which he awards with third parties.

Article 71

Advertising rules: threshold and exceptions

1. The Member States shall take the necessary measures to ensure that public works concessionaires apply the advertising rules defined in Article 72 when awarding works contracts to third parties when the value of such contracts is equal to or greater than EUR 5 300 000.

Advertising shall not, however, be required when a works contract satisfies the conditions listed in Article 31.

2. Groups of undertakings that have been formed to obtain the concession or undertakings related to them shall not be considered third parties.

'Related undertaking' shall mean any undertaking on which the concessionaire can exert a dominant influence, directly or indirectly, or any undertaking which can exert a dominant influence on the concessionaire or which, as the concessionaire, is subject to the dominant influence of another undertaking as a result of ownership, financial participation or the rules which govern it. A dominant influence on the part of a firm is presumed when, directly or indirectly, in relation to another firm, it:

- (a) holds a majority of the undertaking's subscribed capital; or
- (b) controls a majority of the votes attached to the shares issued by the undertaking; or
- (c) can appoint more than half of the undertaking's administrative, management or supervisory body.

The restrictive list of undertakings shall be included in the application for the concession. This list shall be brought up to date following any subsequent changes in the relationship between the undertakings.

Article 72

Publication of the notice

1. Works concessionaires who wish to award works contracts to a third party within the meaning of Article 71, shall make known their intention by way of a notice.
2. The notice shall be drawn up in accordance with the standard form in accordance with the procedure in Article 76(2) and shall specify at least the information indicated in Annex VII D.
3. The notice shall be published in accordance with the provisions laid down in Article 66(2) to (8).
4. Article 66(9) on the voluntary publication of notices shall apply.

Article 73

Time-limit for the receipt of requests to participate and receipt of tenders

In works contracts awarded by a works concessionaire, the time-limit for the receipt of requests to participate, fixed by the concessionaire, shall be not less than 37 days from the date on which the contract notice was dispatched, and the time-limit for the receipt of tenders not less than 40 days from the date on which the contract notice or the invitation to tender was dispatched.

TITLE VI

STATISTICAL DUTIES, EXECUTORY POWERS AND FINAL PROVISIONS

Article 74

Statistical duties

In order to permit assessment of the results of applying this Directive, Member States shall forward to the Commission a statistical report, prepared in accordance with Article 75, separately addressing public supply, services and works contracts awarded by contracting authorities during the preceding year, not later than 31 October each year.

Article 75

Content of statistical report

1. For each contracting authority listed in Annex IV, the statistical report shall detail at least:

- (a) the number and value of contracts awarded;
- (b) the number and total value of contracts awarded pursuant to derogations to the Agreement.

As far as possible, the data referred to in point (a) of the first subparagraph shall be broken down by:

- (a) the contract award procedures used;
- (b) and, for each of these procedures, according to category:
 - of products identified using the CPV nomenclature,
 - of services identified using the nomenclature given in Annex I,
 - of works identified using the nomenclature given in Annex II;
- (c) the nationality of the economic operator to whom the contract was awarded.

Where the contracts have been concluded according to the negotiated procedure, the data referred to in point (a) of the first subparagraph shall also be broken down according to the circumstances referred to in Articles 29 and 31 and shall specify the number and value of contracts awarded by the Member State and non-member country of the successful contractor.

2. For each category of contracting authority which is not given in Annex IV, the statistical report shall detail at least:

- (a) the number and value of the contracts awarded, broken down in accordance with the second subparagraph of paragraph 1;
- (b) the total value of contracts awarded pursuant to derogations to the Agreement.

3. The statistical report shall set out any other statistical information, which is required under the Agreement.

The information referred to in the first subparagraph shall be determined pursuant to the procedure under Article 76(2).

Article 76

Advisory Committee

1. The Commission shall be assisted by the Advisory Committee for Public Contracts instituted by Article 1 of Council Decision 71/306/EEC⁽¹⁾ (hereinafter 'the Committee').

2. Where reference is made to this paragraph, the advisory procedure laid down in Article 3 of Decision 1999/468/EC shall apply, in compliance with Article 7 and Article 8 thereof.

3. The Committee shall examine, on the initiative of the Commission or at the request of a Member State, any question relating to the application of this Directive.

Article 77

Revision of the thresholds

1. The Commission shall revise, in accordance with the procedure laid down in Article 76(2), the thresholds established in Article 8, every two years from 1 January 2000, where such revision is necessary in order to ensure compliance with the thresholds in force as laid down by the Agreement, which are expressed in Special Drawing Rights (SDR).

The calculation of the value of these thresholds shall be based on the average daily value of the euro, expressed in SDR, over the 24 months terminating on the last day of August preceding the revision with effect from 1 January. The value of the thresholds thus revised shall, where necessary, be rounded down to the nearest ten thousand euro.

2. At the same time as the revision under paragraph 1, the Commission, in accordance with the procedure under Article 76(2), shall align:

- (a) the thresholds established in the first paragraph of Article 9 (subsidised contracts), in Article 64 (concessions), and in Article 71 (contracts awarded by the concessionaire) on the revised threshold applying to public works contracts;
- (b) the thresholds established in the second paragraph of Article 9 (subsidised services, and point (a) of Article 57(1) (contests organised by central government authorities) on the revised threshold applying to public service contracts concluded by the contracting authorities referred to in Annex IV;

(c) the threshold established in point (b) of Article 57 (service contracts awarded by contracting authorities other than central government authorities), on the revised threshold applying to public service contracts awarded by the contracting authorities not included in Annex IV.

3. The value of the thresholds set pursuant to paragraph 1 in the national currencies of the Member States who are not participating in monetary union is normally to be adjusted every two years from 1 January 2002 onwards. The calculation of such value shall be based on the average daily values of those currencies expressed in euro over the 24 months terminating on the last day of August preceding the revision with effect from 1 January.

4. The revised thresholds referred to in paragraph 1 and their corresponding values in the national currencies referred to in paragraph 3 shall be published by the Commission in the *Official Journal of the European Communities* at the beginning of the month of November following their revision.

Article 78

Amendments

1. In accordance with the procedure referred to in Article 76(2), the Commission may amend:

- (a) the calculations methods set out in the second subparagraph of Article 77(1) and in paragraph 3 of that Article;
- (b) the conditions for the drawing-up, transmission, receipt, translation, collection and distribution of the notices referred to in Articles 34, 59, 65 and in the first subparagraph of Article 71(1), and the statistical reports provided for in the third subparagraph of Article 34(3) and Articles 74 and 75;
- (c) the special conditions of reference to the CPV nomenclature in the notices;
- (d) the lists of bodies and categories of bodies governed by public law in Annex III, when, in particular on the basis of the notifications from the Member States, amendments appear necessary;
- (e) the lists of central government authorities in Annex IV, following any adaptations which might prove necessary subsequent to the agreements concluded within the World Trade Organisation;
- (f) the nomenclature set out in Annex I, in so far as this does not change the material scope of the Directive, and the reference in the notices to particular provisions in the nomenclature within the categories of services listed in the said Annexes;

⁽¹⁾ OJ L 185, 16.8.1971; Decision as amended by Decision 77/63/EEC (OJ L 13, 15.1.1977, p. 15).

(g) the nomenclature set out in Annex II, in so far as this does not change the material scope of the Directive, and the conditions of reference to particular positions of the nomenclature in the notices;

(h) Annex VIII.

2. In accordance with the procedure laid down in Article 76(2), the Commission shall examine the application of this Directive to public service contracts and evaluate, in particular, the prospects for the full application of the Directive to procurement of the other services listed in Annex I B and the effects of in-house performance of services on the effective opening-up of procurement in this area. It shall make any necessary proposals to adapt the Directive accordingly.

Article 79

Implementation

Member States shall bring into force the laws, regulations and administrative provisions to comply with this Directive by 30 June 2002 at the latest. They shall immediately inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 80

Repeals

Directives 93/36/EEC, 92/50/EEC and 93/37/EEC are repealed with effect from the date shown in Article 79, without prejudice to the obligations of the Member States concerning the deadlines for transposition and application set out in Annex X.

References to the repealed Directives shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex XI.

Article 81

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

Article 82

Addressees

This Directive is addressed to the Member States.

ANNEX I

SERVICES REFERRED TO IN ARTICLE 1(2), SECOND SUBPARAGRAPH

ANNEX I A

Category No	Subject	CPC Reference No	CPV Reference No
1	Maintenance and repair services	6112, 6122, 633, 886	50000000, 50100000, 50110000, 50111110, 50112000, 50112100, 50112110, 50112111, 50112120, 50112200, 50112300, 50113000, 50113100, 50113200, 50114000, 50114100, 50114200, 50115000, 50115100, 50115200, 50116000, 50116100, 50116200, 50116300, 50116400, 50116500, 50116510, 50116600, 50117000, 50117100, 50117200, 50117300, 50118000, 50118100, 50118110, 50118200, 50118300, 50118400, 50118500, 50200000, 50210000, 50211000, 50211100, 50211200, 50211210, 50211211, 50211212, 50211300, 50211310, 50212000, 50220000, 50221000, 50221100, 50221200, 50221300, 50221400, 50222000, 50222100, 50223000, 50224000, 50224100, 50224200, 50225000, 50230000, 50231000, 50231100, 50232000, 50232100, 50232200, 50240000, 50241000, 50241100, 50241200, 50242000, 50243000, 50244000, 50245000, 50246000, 50246100, 50246200, 50246300, 50246400, 50314000, 50315000, 50330000, 50331000, 50332000, 50333000, 50333100, 50333200, 50334000, 50334100, 50334110, 50334120, 50334130, 50334140, 50334200, 50334300, 50334400, 50340000, 50341000, 50341100, 50341200, 50342000, 50343000, 50344000, 50344100, 50344200, 50400000, 50410000, 50411000, 50411100, 50411200, 50411300, 50411400, 50411500, 50412000, 50413000, 50413100, 50413200, 50420000, 50421000, 50421100, 50421200, 50422000, 50430000, 50431000, 50432000, 50433000, 50510000, 50511000, 50511100, 50511200, 50512000, 50513000, 50514000, 50514100, 50514200, 50530000, 50531000, 50531100, 50531200, 50531300, 50531400, 50531600, 50532000, 50532100, 50532200, 50532300, 50532400, 50800000, 50810000, 50820000, 50821000, 50822000, 50830000, 50840000, 50841000, 50842000, 50850000, 50860000, 50870000, 50880000, 50881000, 50882000, 50883000, 50884000, 50911000, 50911100, 50911110, 50911120, 50911130, 50911200, 50911210, 50911220, 50912100, 50913100, 50913300, 50913310, 50913400, 50913500, 50913510, 50914000, 50914100, 50914200, 50914300, 50914400, 50914500, 50914600, 50920000, 50921000, 50921100, 50922000, 50923000, 50924000, 50930000, 50931000, 50931100, 50931200, 50931300, 50931400, 50932000, 50932100, 50932200, 50933000, 50934000, 50935000, 50940000, 50941000, 50942000, 50951000, 50952000, 50952100, 50952110, 50952200, 50952400, 50952500, 50960000, 50961000, 50961100, 50961110, 50961200, 50962000, 50970000, 50971000, 50971100, 50971200, 50972000, 50973000, 50973100, 50973200, 50973300, 50973400, 50974000, 50974100, 50974200, 50974300, 50975000, 50975100, 50975200, 50975300, 50976000, 50976100, 50976200, 74732000, 74732100, 74741000, 74742000, 74743000

Category No	Subject	CPC Reference No	CPV Reference No
2	Land transport services ⁽¹⁾ , including armoured car services, and courier services, except transport of mail	712 (except 71235), 7512, 87304	55521200, 60110000, 60112000, 60112100, 60112200, 60112300, 60113000, 60113100, 60113310, 60113400, 60114000, 60115000, 60115100, 60115110, 60116000, 60116100, 60116200, 60116300, 60122110, 60122120, 60122130, 60122140, 60122150, 60122160, 60122161, 60122170, 60123100, 60123200, 60123300, 60123400, 60123500, 60123600, 64120000, 64121000, 64122000, 74612000
3	Air transport services of passengers and freight, except transport of mail	73 (except 7321)	62110000, 62122000, 62210000, 62230000, 62300000
4	Transport of mail by land ⁽¹⁾ and by air	71235, 7321	62121000
5	Telecommunications services	752	64200000, 64210000, 64211000, 64212000, 64213000, 64214000, 64214200, 64216000, 64216100, 64216110, 64216120, 64216130, 64216140, 64216200, 64216210, 64216300, 64221000, 64222000, 64223000, 64224000, 64225000, 64226000, 72315000, 72318000, 72511100
6	Financial services: (a) Insurance services (b) Banking and investment services ⁽²⁾	ex 81, 812, 814	66000000, 66100000, 66110000, 66120000, 66130000, 66140000, 66200000, 66300000, 66310000, 66311000, 66312000, 66313000, 66314000, 66315000, 66316000, 66317000, 66320000, 66321000, 66330000, 66331000, 66332000, 66333000, 66334000, 66335000, 66340000, 66341000, 66342000, 66343000, 66343100, 66343200, 66350000, 66360000, 66370000, 66371000, 66372000, 66373000, 66374000, 66380000, 66381000, 66382000, 66383000, 66384000, 67200000, 67210000, 67211000, 67212000, 67220000, 67221000, 67230000, 67240000, 67250000, 67251000, 67260000
7	Computer and related services	84	50310000, 50311000, 50311400, 50312000, 50312100, 50312110, 50312120, 50312200, 50312210, 50312220, 50312300, 50312310, 50312320, 50312400, 50312410, 50312420, 50312500, 50312510, 50312520, 50312600, 50312610, 50312620, 50313000, 50313100, 50313200, 50316000, 50317000, 50320000, 50321000, 50322000, 50323000, 50323100, 50323200, 50324000, 50324100, 50324200, 72000000, 72100000, 72110000, 72120000, 72130000, 72140000, 72150000, 72200000, 72210000, 72211000, 72212000, 72220000, 72221000, 72222000, 72222100, 72222200, 72222300, 72223000, 72224000, 72224100, 72224200, 72225000, 72226000, 72227000, 72228000, 72230000, 72231000, 72232000, 72240000, 72241000, 72243000, 72245000, 72246000, 72250000, 72251000, 72252000, 72253000, 72253100, 72253200, 72254000, 72254100, 72260000, 72261000, 72262000, 72263000, 72264000, 72265000, 72266000, 72267000, 72268000, 72300000, 72310000, 72311000, 72311100, 72311200, 72311300, 72312000, 72312100, 72312200, 72313000, 72314000, 72315100, 72316000, 72317000, 72319000, 72320000, 72321000, 72510000, 72511000, 72511110, 72512000, 72514000, 72514100, 72514200, 72514300, 72520000, 72521000, 72521100, 72540000, 72541000, 72541100, 72550000, 72560000, 72570000, 72580000, 72590000, 72591000

Category No	Subject	CPC Reference No	CPV Reference No
8	Research and development services ⁽³⁾	85	63368000, 73000000, 73100000, 73110000, 73111000, 73112000
9	Accounting, auditing and bookkeeping services	862	74121000, 74121100, 74121110, 74121112, 74121113, 74121120, 74121200, 74121210, 74121220, 74121230, 74121240, 74121250, 74541000
10	Market research and public opinion polling services	864	74130000, 74131000, 74131100, 74131110, 74131120, 74131121, 74131130, 74131200, 74131300, 74131400, 74131500, 74131600, 74132000, 74133000, 74423100, 74423110
11	Management consulting services ⁽⁴⁾ and related services	865, 866	73200000, 73210000, 73220000, 73300000, 74121111, 74141000, 74141100, 74141110, 74141200, 74141300, 74141400, 74141500, 74141510, 74141600, 74141610, 74141620, 74141700, 74141800, 74141900, 74142200, 74150000, 74871000, 90311000, 93620000
12	Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services	867	72242000, 72244000, 74142300, 74142310, 74220000, 74221000, 74222000, 74223000, 74224000, 74225000, 74225100, 74230000, 74231100, 74231110, 74231120, 74231130, 74231200, 74231300, 74231310, 74231320, 74231400, 74231500, 74231510, 74231520, 74231521, 74231530, 74231540, 74231600, 74231700, 74231710, 74231720, 74231721, 74231800, 74231900, 74232000, 74232100, 74232110, 74232120, 74232200, 74232210, 74232220, 74232230, 74232240, 74232300, 74232310, 74232320, 74232400, 74232500, 74232600, 74233000, 74233100, 74233200, 74233300, 74233400, 74233500, 74233600, 74233700, 74240000, 74250000, 74251000, 74252000, 74252100, 74260000, 74261000, 74262000, 74262100, 74263000, 74270000, 74271000, 74271100, 74271200, 74271210, 74271220, 74271300, 74271400, 74271500, 74271700, 74271710, 74271720, 74271800, 74272000, 74272100, 74272110, 74272111, 74272112, 74272113, 74272300, 74273000, 74273100, 74273200, 74274000, 74274100, 74274200, 74274300, 74274400, 74274500, 74275000, 74275100, 74275200, 74276000, 74276100, 74276200, 74276300, 74276400, 74300000, 74310000, 74311000, 74312000, 74312100, 74313000, 74313100, 74313110, 74313120, 74313130, 74313140, 74313141, 74313142, 74313143, 74313144, 74313145, 74313146, 74313147, 74313200, 74313210, 74313220, 74874000
13	Advertising services	871	74410000, 74411000, 74412000, 78225000
14	Building-cleaning services and property management services	874, 82201 to 82206	70300000, 70310000, 70311000, 70320000, 70321000, 70322000, 70330000, 70331000, 70331100, 70332000, 70332100, 70332200, 70332300, 74710000, 74720000, 74721000, 74721100, 74721210, 74721300, 74722000, 74724000, 74730000, 74731000, 74744000, 74750000, 74760000, 93411200, 93411300, 93411400
15	Publishing and printing services on a fee or contract basis	88442	74831530, 78000000, 78100000, 78110000, 78111000, 78112000, 78113000, 78113100, 78114000, 78114100, 78114200, 78114300, 78114400, 78115000, 78115100, 78116000, 78117000, 78118000, 78119000, 78120000,

Category No	Subject	CPC Reference No	CPV Reference No
			78121000, 78122000, 78122100, 78123000, 78124000, 78125000, 78130000, 78131000, 78132000, 78133000, 78134000, 78135000, 78135100, 78136000, 78140000, 78141000, 78142000, 78150000, 78151000, 78152000, 78153000, 78160000, 78170000, 78180000, 78200000, 78210000, 78220000, 78221000, 78222000, 78223000, 78224000, 78230000, 78240000, 78300000, 78310000, 78311000, 78312000
16	Sewage and refuse disposal services; sanitation and similar services	94	71221110, 74734000, 74735000, 85142200, 90000000, 90100000, 90110000, 90111000, 90111100, 90111200, 90111300, 90112000, 90112100, 90112200, 90112210, 90112300, 90113000, 90114000, 90120000, 90121000, 90121100, 90121110, 90121120, 90121130, 90121140, 90121200, 90121300, 90121310, 90121320, 90121330, 90121340, 90121400, 90122000, 90122100, 90122110, 90122111, 90122112, 90122113, 90122120, 90122121, 90122122, 90122123, 90122124, 90122130, 90122131, 90122200, 90122210, 90122220, 90122230, 90122240, 90122300, 90122310, 90122320, 90122330, 90122340, 90200000, 90210000, 90211000, 90212000, 90213000, 90220000, 90221000, 90240000, 90300000, 90310000, 90312000, 90313000, 90313100, 90313110, 90313120, 90314000, 90315000, 90315100, 90315200, 90315300, 90320000

ANNEX I B

Category No	Subject	CPC Reference No	CPV Reference No
17	Hotel and restaurant services	64	55000000, 55100000, 55200000, 55210000, 55220000, 55221000, 55240000, 55241000, 55242000, 55243000, 55250000, 55260000, 55270000, 55300000, 55310000, 55311000, 55312000, 55320000, 55321000, 55322000, 55330000, 55400000, 55410000, 55500000, 55510000, 55511000, 55512000, 55520000, 55521000, 55521100, 55522000, 55523000, 55523100, 55524000, 93410000, 93411000
18	Rail transport services	711	60111000, 60121000, 60121100, 60121200, 60121300, 60121400, 60121500, 60121600
19	Water transport services	72	61000000, 61100000, 61110000, 61200000, 61210000, 61220000, 61230000, 61240000, 61250000, 61400000, 63370000, 63371000, 63372000, 71221120, 71221130
20	Supporting and auxiliary transport services	74	62224000, 62224100, 62226000, 63000000, 63100000, 63110000, 63111000, 63112000, 63112100, 63112110, 63120000, 63121000, 63121100, 63121110, 63122000, 63200000, 63210000, 63220000, 63221000, 63222000, 63222100, 63223000, 63223100, 63223110, 63223200, 63223210, 63224000, 63225000, 63226000, 63300000, 63310000, 63311000,

Category No	Subject	CPC Reference No	CPV Reference No
			63313000, 63314000, 63315000, 63320000, 63330000, 63340000, 63341000, 63341100, 63342000, 63343000, 63343100, 63344000, 63350000, 63351000, 63352000, 63353000, 63360000, 63361000, 63362000, 63363000, 63364000, 63365000, 63366000, 63366100, 63369000, 63400000, 63410000, 63420000, 63430000, 63500000, 63510000, 63511000, 63512000, 63514000, 63515000, 63516000, 63520000, 63521000, 63522000, 63523000, 63524000, 63600000, 71221140, 74322000, 93600000
21	Legal services	861	74110000, 74111000, 74111100, 74111200, 74112000, 74112100, 74112110, 74113000, 74113100, 74113200, 74113210, 74114000
22	Personnel placement and supply services	872	74512000, 74522000, 95100000, 95110000, 95120000, 95130000, 95131000, 95132000, 95133000
23	Investigation and security services, except armoured car services	873 (except 87304)	74611000, 74613000, 74614000, 74614100, 74614110, 74615000, 74620000
24	Education and vocational education services	92	80000000, 80100000, 80110000, 80200000, 80210000, 80211000, 80212000, 80220000, 80300000, 80310000, 80320000, 80330000, 80340000, 80400000, 80411000, 80411100, 80411200, 80412000, 80421000, 80422000, 80422100, 80423000, 80423100, 80423110, 80423120, 80423200, 80423300, 80423320, 80424000, 80425000, 80426000, 80426100, 80426200, 80427000, 80428000, 80430000, 92312212, 92312213
25	Health and social services	93	60113300, 74511000, 85000000, 85100000, 85110000, 85111000, 85111100, 85111200, 85111300, 85111320, 85111400, 85111500, 85111600, 85111700, 85111800, 85112000, 85112100, 85120000, 85121000, 85121100, 85121200, 85121300, 85130000, 85131000, 85131100, 85131110, 85140000, 85141000, 85141100, 85141200, 85141210, 85141211, 85141212, 85141220, 85142000, 85142100, 85142200, 85142300, 85142400, 85143000, 85144000, 85144100, 85145000, 85146000, 85146100, 85146200, 85147000, 85148000, 85149000, 85200000, 85300000, 85310000, 85311000, 85311100, 85311200, 85311300, 85312000, 85312100, 85312200, 85312300, 85312310, 85312320, 85312330, 85312400, 85320000, 85323000
26	Recreational, cultural and sporting services	96	74875000, 74875100, 74875200, 77310000, 77311000, 77313000, 77400000, 80413000, 80414000, 80415000, 92000000, 92100000, 92110000, 92111000, 92111100, 92111200, 92111210, 92111220, 92111230, 92111240, 92111250, 92111260, 92111300, 92111310, 92111320, 92112000, 92120000, 92121000, 92122000, 92130000, 92140000, 92200000, 92210000, 92211000, 92220000, 92221000, 92300000, 92310000, 92311000, 92312000, 92312100, 92312110, 92312120, 92312130, 92312140, 92312200, 92312210, 92312220, 92312230, 92312240, 92312250, 92320000, 92330000, 92331000, 92331100, 92331200, 92332000, 92340000, 92341000, 92342000, 92342100, 92342200, 92350000, 92351000, 92351100, 92351200, 92352000, 92352100,

Category No	Subject	CPC Reference No	CPV Reference No
			92352200, 92360000, 92400000, 92500000, 92510000, 92511000, 92512000, 92520000, 92521000, 92521100, 92521200, 92521210, 92521220, 92522000, 92522100, 92522200, 92530000, 92531000, 92532000, 92533000, 92534000, 92600000, 92610000, 92620000, 92621000, 92622000
27	Other services		50111100, 50232110, 50246500, 50520000, 50521000, 50522000, 50523000, 50531500, 50531510, 50700000, 50710000, 50711000, 50712000, 50720000, 50730000, 50731000, 50732000, 50732100, 50740000, 50760000, 50761000, 50762000, 50911230, 50912200, 50913200, 50915000, 50915100, 50915200, 50952300, 50977000, 52000000, 52100000, 52200000, 52300000, 52400000, 52500000, 52600000, 52700000, 52800000, 52900000, 60113200, 60200000, 60210000, 60220000, 61300000, 62221000, 62222000, 62223000, 63367000, 64110000, 64111000, 64112000, 64113000, 64114000, 64115000, 64116000, 64214100, 64214400, 65000000, 65100000, 65110000, 65120000, 65130000, 65200000, 65210000, 65300000, 65310000, 65320000, 65400000, 65410000, 65500000, 67100000, 67110000, 67120000, 67121000, 67122000, 67130000, 67140000, 67300000, 70100000, 70110000, 70111000, 70112000, 70120000, 70121000, 70121100, 70121200, 70122000, 70122100, 70122110, 70122200, 70122210, 70123000, 70123100, 70123200, 70130000, 70311100, 70311200, 70333000, 71000000, 71100000, 71110000, 71120000, 71130000, 71140000, 71150000, 71160000, 71170000, 71180000, 71181000, 71211300, 71211310, 71211320, 71211400, 71211600, 71211900, 71300000, 71310000, 71311000, 71320000, 71321000, 71321100, 71321200, 71321300, 71321400, 71330000, 71331000, 71332000, 71332100, 71332200, 71333000, 71340000, 71350000, 71360000, 71380000, 74122000, 74122100, 74122200, 74271600, 74271900, 74321000, 74321100, 74420000, 74421000, 74422000, 74423000, 74423200, 74423210, 74542000, 74543000, 74731100, 74810000, 74811000, 74811100, 74811200, 74811300, 74811310, 74811320, 74811330, 74811340, 74812000, 74813000, 74820000, 74821000, 74830000, 74831000, 74831100, 74831110, 74831200, 74831210, 74831300, 74831400, 74831500, 74831510, 74831520, 74831600, 74832000, 74832100, 74841000, 74842000, 74844000, 74850000, 74851000, 74860000, 74861000, 74870000, 74872000, 74873100, 74876000, 74877000, 75000000, 75100000, 75110000, 75111000, 75111100, 75111200, 75112000, 75112100, 75120000, 75121000, 75122000, 75123000, 75124000, 75125000, 75130000, 75131000, 75131100, 75200000, 75210000, 75211000, 75211100, 75211110, 75211200, 75211300, 75220000, 75221000, 75222000, 75230000, 75231000, 75231100, 75231200, 75231210, 75231220, 75231230, 75231240, 75240000, 75241000, 75241100, 75242000, 75242100, 75242110, 75250000, 75251000, 75251100, 75251110, 75251120, 75252000, 75300000, 75310000, 75311000, 75312000, 75313000, 75313100, 75314000, 75320000, 75330000, 75340000, 76000000, 76100000, 76110000, 76111000, 76120000, 76200000, 76210000, 76211000, 76211100, 76211200, 76300000, 76310000, 76320000, 76330000, 76340000, 76400000, 76410000,

Category No	Subject	CPC Reference No	CPV Reference No
			76411000, 76420000, 76430000, 76431000, 76440000, 76450000, 76460000, 76470000, 76480000, 76490000, 76491000, 76492000, 76500000, 76510000, 76520000, 76521000, 76522000, 76530000, 76531000, 77000000, 77100000, 77110000, 77120000, 77210000, 77211000, 77211100, 77211300, 77220000, 77230000, 77330000, 77500000, 77510000, 77600000, 77610000, 77700000, 78400000, 85321000, 85322000, 90114100, 90115000, 90122132, 90123000, 90123100, 90123200, 90123300, 90230000, 91000000, 91100000, 91110000, 91120000, 91130000, 91131000, 91200000, 91300000, 91310000, 91320000, 91330000, 91331000, 91331100, 92230000, 92312211, 93100000, 93110000, 93111000, 93112000, 93120000, 93121000, 93130000, 93140000, 93150000, 93160000, 93200000, 93210000, 93211000, 93220000, 93221000, 93221100, 93221200, 93221300, 93300000, 93310000, 93320000, 93330000, 93411100, 93500000, 93510000, 93511000, 93511100, 93621000, 93700000, 93710000, 93711000, 93711100, 93711110, 93711200, 93712000, 93910000, 93930000, 93940000, 93950000, 95000000, 99000000, 99100000

⁽¹⁾ Except for rail transport services covered by category 18

⁽²⁾ Except contracts for financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services

⁽³⁾ Except research and development service contracts other than those where the benefits accrue exclusively to the contracting authority for its use in the conduct of its own affairs on condition that the service provided is wholly remunerated by the contracting authority

⁽⁴⁾ Except arbitration and conciliation services.

ANNEX II

LIST OF PROFESSIONAL ACTIVITIES AS SET OUT IN ARTICLE 1(2), THIRD SUBPARAGRAPH

NACE ⁽¹⁾

SECTION F — CONSTRUCTION

Division	Group	Class	Subject	Notes	CPV Code
45			Construction	This division includes: — construction of new buildings and works, restoring and common repairs	45000000
	45.1		Site preparation		45100000
		45.11	Demolition and wrecking of buildings; earth moving	This class includes: — demolition of buildings and other structures — clearing of building sites — earth moving: excavation, landfill, levelling and grading of construction sites, trench digging, rock removal, blasting, etc. — site preparation for mining: — overburden removal and other development and preparation of mineral properties and sites This class also includes: — building site drainage — drainage of agricultural or forestry land	45110000
		45.12	Test drilling and boring	This class includes: — test drilling, test boring and core sampling for construction, geophysical, geological or similar purposes This class excludes: — drilling of production oil or gas wells, see 11.20 — water well drilling, see 45.25 — shaft sinking, see 45.25 — oil and gas field exploration, geophysical, geological and seismic surveying, see 74.20	45120000
	45.2		Building of complete constructions or parts thereof; civil engineering		45200000
		45.21	General construction of buildings and civil engineering works	This class includes: — construction of all types of buildings — construction of civil engineering constructions — bridges, including those for elevated highways, viaducts, tunnels and subways — long-distance pipelines, communication and power lines, urban pipelines, urban communication and power lines; ancillary urban works	45210000

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community, OJ 293, 24.10.1990, p. 1, as amended by Commission Regulation (EEC) No 761/93 of 24 March 1993, OJ L 83, 3.4.1993, p. 1.

Division	Group	Class	Subject	Notes	CPV Code
				<ul style="list-style-type: none"> — assembly and erection of prefabricated constructions on the site <p>This class excludes:</p> <ul style="list-style-type: none"> — service activities incidental to oil and gas extraction, see 11.20 — erection of complete prefabricated constructions from self-manufactured parts not of concrete, see divisions 20, 26 and 28 — construction work, other than buildings, for stadiums, swimming pools, gymnasiums, tennis courts, golf courses and other sports installations, see 45.23 — building installation, see 45.3 — building completion, see 45.4 — architectural and engineering activities, see 74.20 — project management for construction, see 74.20 	
		45.22	Erection of roof covering and frames	<p>This class includes:</p> <ul style="list-style-type: none"> — erection of roofs — roof covering — waterproofing 	45220000
		45.23	Construction of highways, roads, airfields and sport facilities	<p>This class includes:</p> <ul style="list-style-type: none"> — construction of highways, streets, roads, other vehicular and pedestrian ways — construction of railways — construction of airfield runways — construction work, other than buildings, for stadiums, swimming pools, gymnasiums, tennis courts, golf courses and other sports installations — painting of markings on road surfaces and car parks <p>This class excludes:</p> <ul style="list-style-type: none"> — preliminary earth moving, see 45.11 	45230000
		45.24	Construction of water projects	<p>This class includes:</p> <ul style="list-style-type: none"> — construction of: <ul style="list-style-type: none"> — waterways, harbour and river works, pleasure ports (marinas), locks, etc. — dams and dykes — dredging — subsurface work 	45240000
		45.25	Other construction work involving special trades	<p>This class includes:</p> <ul style="list-style-type: none"> — construction activities specializing in one aspect common to different kinds of structures, requiring specialised skill or equipment: <ul style="list-style-type: none"> — construction of foundations, including pile driving 	45250000

Division	Group	Class	Subject	Notes	CPV Code
				<ul style="list-style-type: none"> — water well drilling and construction, shaft sinking — erection of non-self-manufactured steel elements — steel bending — bricklaying and stone setting — scaffolds and work platform erecting and dismantling, including renting of scaffolds and work platforms — erection of chimneys and industrial ovens <p>This class excludes:</p> <ul style="list-style-type: none"> — renting of scaffolds without erection and dismantling, see 71.32 	
	45.3		Building installation		45300000
		45.31	Installation of electrical wiring and fittings	<p>This class includes:</p> <ul style="list-style-type: none"> — installation in buildings or other construction projects of: <ul style="list-style-type: none"> — electrical wiring and fittings — telecommunications systems — electrical heating systems — residential antennas and aerials — fire alarms — burglar alarm systems — lifts and escalators — lightning conductors, etc. 	45310000
		45.32	Insulation work activities	<p>This class includes:</p> <ul style="list-style-type: none"> — installation in buildings or other construction projects of thermal, sound or vibration insulation <p>This class excludes:</p> <ul style="list-style-type: none"> — waterproofing, see 45.22 	45320000
		45.33	Plumbing	<p>This class includes:</p> <ul style="list-style-type: none"> — installation in buildings or other construction projects of: <ul style="list-style-type: none"> — plumbing and sanitary equipment — gas fittings — heating, ventilation, refrigeration or air-conditioning equipment and ducts — sprinkler systems 	45330000

Division	Group	Class	Subject	Notes	CPV Code
				This class excludes: — installation of electrical heating systems, see 45.31	
		45.34	Other building installation	This class includes: — installation of illumination and signalling systems for roads, railways, airports and harbours — installation in buildings or other construction projects of fittings and fixtures n.e.c.	45340000
	45.4		Building completion		45400000
		45.41	Plastering	This class includes: — application in buildings or other construction projects of interior and exterior plaster or stucco, including related lathing materials	45410000
		45.42	Joinery installation	This class includes: — installation of not self-manufactured doors, windows, door and window frames, fitted kitchens, staircases, shop fittings and the like, of wood or other materials — interior completion such as ceilings, wooden wall coverings, movable partitions, etc. This class excludes: — laying of parquet and other wood floor coverings, see 45.43	45420000
		45.43	Floor and wall covering	This class includes: — laying, tiling, hanging or fitting in buildings or other construction projects of: — ceramic, concrete or cut stone wall or floor tiles — parquet and other wood floor coverings — carpets and linoleum floor coverings, including of rubber or plastic — terrazzo, marble, granite or slate floor or wall coverings — wallpaper	45430000
		45.44	Painting and glazing	This class includes: — interior and exterior painting of buildings — painting of civil engineering structures — installation of glass, mirrors, etc. This class excludes: — installation of windows, see 45.42	45440000

Division	Group	Class	Subject	Notes	CPV Code
		45.45	Other building completion	<p>This class includes:</p> <ul style="list-style-type: none"> — installation of private swimming pools — steam cleaning, sand blasting and similar activities for building exteriors — other building completion and finishing work n.e.c <p>This class excludes:</p> <ul style="list-style-type: none"> — interior cleaning of buildings and other structures, see 74.70 	45450000
	45.5		Renting of construction or demolition equipment with operator		45500000
		45.50	Renting of construction or demolition equipment with operator	<p>This class excludes:</p> <ul style="list-style-type: none"> — renting of construction or demolition machinery and equipment without operators, see 71.32 	45500000

ANNEX III

LIST OF BODIES AND CATEGORIES OF BODIES GOVERNED BY PUBLIC LAW REFERRED TO IN ARTICLE 1(5)

I. BELGIUM

Bodies

- Archives générales du Royaume et Archives de l'État dans les provinces — Algemeen Rijksarchief en Rijksarchief in de Provinciën,
- Conseil autonome de l'enseignement communautaire — Autonome Raad van het Gemeenschapsonderwijs,
- Radio et télévision belges, émissions néerlandaises — Belgische Radio en Televisie, Nederlandse uitzendingen,
- Belgisches Rundfunk- und Fernsehzentrum der Deutschsprachigen Gemeinschaft (Centre de radio et télévision belge de la Communauté de langue allemande — Centrum voor Belgische Radio en Televisie voor de Duitstalige Gemeenschap),
- Bibliothèque royale Albert Ier — Koninklijke Bibliotheek Albert I,
- Caisse auxiliaire de paiement des allocations de chômage — Hulpkas voor Werkloosheidsuitkeringen,
- Caisse auxiliaire d'assurance maladie-invalidité — Hulpkas voor Ziekte-, en Invaliditeitsverzekeringen,
- Caisse nationale des pensions de retraite et de survie — Rijkskas voor Rust- en Overlevingspensioenen,
- Caisse de secours et de prévoyance en faveur des marins naviguant sous pavillon belge — Hulp- en Voorzorgskas voor Zeevarenden onder Belgische Vlag,
- Caisse nationale des calamités — Nationale Kas voor de Rampenschade,
- Caisse spéciale de compensation pour allocations familiales en faveur des travailleurs de l'industrie diamantaire — Bijzondere Verrekenkas voor Gezinsvergoedingen ten bate van de Arbeiders der Diamantnijverheid,
- Caisse spéciale de compensation pour allocations familiales en faveur des travailleurs de l'industrie du bois — Bijzondere Verrekenkas voor Gezinsvergoedingen ten bate van Arbeiders in de Houtnijverheid,
- Caisse spéciale de compensation pour allocations familiales en faveur des travailleurs occupés dans les entreprises de batellerie — Bijzondere Verrekenkas voor Gezinsvergoedingen ten bate van Arbeiders der Ondernemingen voor Binnenscheepvaart,
- Caisse spéciale de compensation pour allocations familiales en faveur des travailleurs occupés dans les entreprises de chargement, déchargement et manutention de marchandises dans les ports débarcadères, entrepôts et stations (appelée habituellement «Caisse spéciale de compensation pour allocations familiales des régions maritimes») — Bijzondere Verrekenkas voor Gezinsvergoedingen ten bate van de Arbeiders gebezigd door Ladings- en Lossingsondernemingen en door de Stuwadoors in de Havens, Losplaatsen, Stapelplaatsen en Stations (gewoonlijk genoemd: „Bijzondere Compensatiekas voor kindertoeslagen van de zeevaartgewesten”),
- Centre informatique pour la Région bruxelloise — Centrum voor Informatica voor het Brusselse Gewest,
- Commissariat général de la Communauté flamande pour la coopération internationale — Commissariaat-generaal voor Internationale Samenwerking van de Vlaamse Gemeenschap,
- Commissariat général pour les relations internationales de la Communauté française de Belgique — Commissariaat-generaal bij de Internationale Betrekkingen van de Franse Gemeenschap van België,
- Conseil central de l'économie — Centrale Raad voor het Bedrijfsleven,
- Conseil économique et social de la Région wallonne — Sociaal-economische Raad van het Waals Gewest,
- Conseil national du travail — Nationale Arbeidsraad,
- Conseil supérieur des classes moyennes — Hoge Raad voor de Middenstand,
- Office pour les travaux d'infrastructure de l'enseignement subsidié — Dienst voor Infrastructuurwerken van het Gesubsidieerd Onderwijs,
- Fondation royale — Koninklijke Schenking,
- Fonds communautaire de garantie des bâtiments scolaires — Gemeenschappelijk Waarborgfonds voor Schoolgebouwen,
- Fonds d'aide médicale urgente — Fonds voor Dringende Geneeskundige Hulp,
- Fonds des accidents du travail — Fonds voor Arbeidsongevallen,
- Fonds des maladies professionnelles — Fonds voor Beroepsziekten,
- Fonds des routes — Wegenfonds,

- Fonds d'indemnisation des travailleurs licenciés en cas de fermeture d'entreprises — Fonds tot Vergoeding van de in geval van Sluiting van Ondernemingen Ontslagen Werknemers,
- Fonds national de garantie pour la réparation des dégâts houillers — Nationaal Waarborgfonds inzake Kolenmijnschade,
- Fonds national de retraite des ouvriers mineurs — Nationaal Pensioenfonds voor Mijnwerkers,
- Fonds pour le financement des prêts à des États étrangers — Fonds voor Financiering van de Leningen aan Vreemde Staten,
- Fonds pour la rémunération des mousses enrôlés à bord des bâtiments de pêche — Fonds voor Scheepjongens aan Boord van Vissersvaartuigen,
- Fonds wallon d'avances pour la réparation des dommages provoqués par des pompages et des prises d'eau souterraine — Waals Fonds van Voorschotten voor het Herstel van de Schade veroorzaakt door Grondwaterzuiveringen en Afpompingen,
- Institut d'aéronomie spatiale — Instituut voor Ruimte-aëronomie,
- Institut belge de normalisation — Belgisch Instituut voor Normalisatie,
- Institut bruxellois de l'environnement — Brussels Instituut voor Milieubeheer,
- Institut d'expertise vétérinaire — Instituut voor Veterinaire Keuring,
- Institut économique et social des classes moyennes — Economisch en Sociaal Instituut voor de Middenstand,
- Institut d'hygiène et d'épidémiologie — Instituut voor Hygiëne en Epidemiologie,
- Institut francophone pour la formation permanente des classes moyennes — Franstalig Instituut voor Permanente Vorming voor de Middenstand,
- Institut géographique national — Nationaal Geografisch Instituut,
- Institut géotechnique de l'État — Rijksinstituut voor Grondmechanica,
- Institut national d'assurance maladie-invalidité — Rijksinstituut voor Ziekte- en Invaliditeitsverzekering,
- Institut national d'assurances sociales pour travailleurs indépendants — Rijksinstituut voor de Sociale Verzekeringen der Zelfstandigen,
- Institut national des industries extractives — Nationaal Instituut voor de Extractiebedrijven,
- Institut national des invalides de guerre, anciens combattants et victimes de guerre — Nationaal Instituut voor Oorlogsinvaliden, Oudstrijders en Oorlogsslachtoffers,
- Institut pour l'amélioration des conditions de travail — Instituut voor Verbetering van de Arbeidsvoorwaarden,
- Institut pour l'encouragement de la recherche scientifique dans l'industrie et l'agriculture — Instituut tot Aanmoediging van het Wetenschappelijk Onderzoek in Nijverheid en Landbouw,
- Institut royal belge des sciences naturelles — Koninklijk Belgisch Instituut voor Natuurwetenschappen,
- Institut royal belge du patrimoine artistique — Koninklijk Belgisch Instituut voor het Kunstpatrimonium,
- Institut royal de météorologie — Koninklijk Meteorologisch Instituut,
- Enfance et famille — Kind en Gezin,
- Compagnie des installations maritimes de Bruges — Maatschappij der Brugse Zeevaartinrichtingen,
- Mémorial national du fort de Breendonck — Nationaal Gedenkteken van het Fort van Breendonck,
- Musée royal de l'Afrique centrale — Koninklijk Museum voor Midden-Afrika,
- Musées royaux d'art et d'histoire — Koninklijke Musea voor Kunst en Geschiedenis,
- Musées royaux des beaux-arts de Belgique — Koninklijke Musea voor Schone Kunsten van België,
- Observatoire royal de Belgique — Koninklijke Sterrenwacht van België,
- Office belge de l'économie et de l'agriculture — Belgische Dienst voor Bedrijfsleven en Landbouw,
- Office belge du commerce extérieur — Belgische Dienst voor Buitenlandse Handel,
- Office central d'action sociale et culturelle au profit des membres de la communauté militaire — Centrale Dienst voor Sociale en Culturele Actie ten behoeve van de Leden van de Militaire Gemeenschap,
- Office de la naissance et de l'enfance — Dienst voor Borelingen en Kinderen,
- Office de la navigation — Dienst voor de Scheepvaart,
- Office de promotion du tourisme de la Communauté française — Dienst voor de Promotie van het Toerisme van de Franse Gemeenschap,

- Office de renseignements et d'aide aux familles des militaires — Hulp- en Informatiebureau voor Gezinnen van Militairen,
- Office de sécurité sociale d'outre-mer — Dienst voor Overzeese Sociale Zekerheid,
- Office national d'allocations familiales pour travailleurs salariés — Rijksdienst voor Kinderbijslag voor Werknemers,
- Office national de l'emploi — Rijksdienst voor de Arbeidsvoorziening,
- Office national des débouchés agricoles et horticoles — Nationale Dienst voor Afzet van Land- en Tuinbouwprodukten,
- Office national de sécurité sociale — Rijksdienst voor Sociale Zekerheid,
- Office national de sécurité sociale des administrations provinciales et locales — Rijksdienst voor Sociale Zekerheid van de Provinciale en Plaatselijke Overheidsdiensten,
- Office national des pensions — Rijksdienst voor Pensioenen,
- Office national des vacances annuelles — Rijksdienst voor de Jaarlijkse Vakantie,
- Office national du lait — Nationale Zuiveldienst,
- Office régional bruxellois de l'emploi — Brusselse Gewestelijke Dienst voor Arbeidsbemiddeling,
- Office régional et communautaire de l'emploi et de la formation — Gewestelijke en Gemeenschappelijke Dienst voor Arbeidsvoorziening en Vorming,
- Office régulateur de la navigation intérieure — Dienst voor Regeling der Binnenvaart,
- Société publique des déchets pour la Région flamande — Openbare Afvalstoffenmaatschappij voor het Vlaams Gewest,
- Orchestre national de Belgique — Nationaal Orkest van België,
- Organisme national des déchets radioactifs et des matières fissiles — Nationale Instelling voor Radioactief Afval en Spleijstoffen,
- Palais des beaux-arts — Paleis voor Schone Kunsten,
- Pool des marins de la marine marchande — Pool van de Zeelieden ter Koopvaardij,
- Port autonome de Charleroi — Autonome Haven van Charleroi,
- Port autonome de Liège — Autonome Haven van Luik,
- Port autonome de Namur — Autonome Haven van Namen,
- Radio et télévision belges de la Communauté française — Belgische Radio en Televisie van de Franse Gemeenschap,
- Régie des bâtiments — Regie der Gebouwen,
- Régie des voies aériennes — Regie der Luchtwegen,
- Régie des postes — Regie der Posterijen,
- Régie des télégraphes et des téléphones — Regie van Telegraaf en Telefoon,
- Conseil économique et social pour la Flandre — Sociaal-economische Raad voor Vlaanderen,
- Société anonyme du canal et des installations maritimes de Bruxelles — Naamloze Vennootschap „Zeekanaal en Haveninrichtingen van Brussel”,
- Société du logement de la Région bruxelloise et sociétés agréées — Brusselse Gewestelijke Huisvestingsmaatschappij en erkende maatschappijen,
- Société nationale terrienne — Nationale Landmaatschappij,
- Théâtre royal de la Monnaie — De Koninklijke Muntchouwburg,
- Universités relevant de la Communauté flamande — Universiteiten afhangende van de Vlaamse Gemeenschap,
- Universités relevant de la Communauté française — Universiteiten afhangende van de Franse Gemeenschap,
- Office flamand de l'emploi et de la formation professionnelle — Vlaamse Dienst voor Arbeidsvoorziening en Beroepsopleiding,
- Fonds flamand de construction d'institutions hospitalières et médico-sociales — Vlaams Fonds voor de Bouw van Ziekenhuizen en Medisch-Sociale Instellingen,
- Société flamande du logement et sociétés agréées — Vlaamse Huisvestingsmaatschappij en erkende maatschappijen,

- Société régionale wallonne du logement et sociétés agréées — Waalse Gewestelijke Maatschappij voor de Huisvesting en erkende maatschappijen,
- Société flamande d'épuration des eaux — Vlaamse Maatschappij voor Waterzuivering,
- Fonds flamand du logement des familles nombreuses — Vlaams Woningfonds van de Grote Gezinnen.

Categories

- les centres publics d'aide sociale (public social welfare centres),
- les fabriques d'église (church councils).

II. DENMARK

Bodies

- Københavns Havn,
- Danmarks Radio,
- TV 2/Danmark,
- TV2 Reklame A/S,
- Danmarks Nationalbank,
- A/S Storebæltsforbindelsen,
- A/S Øresundsforbindelsen (alene tilslutningsanlæg i Danmark),
- Københavns Lufthavn A/S,
- Byfornyelseskabet København,
- Tele Danmark A/S avec ses filiales,
- Fyns Telefon A/S,
- Jydsk Telefon Aktieselskab A/S,
- Københavns Telefon Aktieselskab,
- Tele Sønderjylland A/S,
- Telecom A/S,
- Tele Danmark Mobil A/S.

Categories

- De kommunale havne (municipal ports),
- Andre Forvaltningssubjekter (other public administrative bodies).

III. GERMANY

1. Categories

Authorities, establishments and foundations governed by public law and created by federal, State or local authorities in particular in the following sectors:

1.1 Authorities

- Wissenschaftliche Hochschulen und verfaßte Studentenschaften (universities and established student bodies),
- berufsständige Vereinigungen (Rechtsanwalts-, Notar-, Steuerberater-, Wirtschaftsprüfer-, Architekten-, Ärzte- und Apothekerkammern) (professional associations representing lawyers, notaries, tax consultants, accountants, architects, medical practitioners and pharmacists),
- Wirtschaftsvereinigungen (Landwirtschafts-, Handwerks-, Industrie- und Handelskammern, Handwerksinnungen, Handwerkerschaften) (business and trade associations: agricultural and craft associations, chambers of industry and commerce, craftsmen's guilds, tradesmen's associations),
- Sozialversicherungen (Krankenkassen, Unfall- und Rentenversicherungsträger) (social security institutions: health, accident and pension insurance funds),
- kassenärztliche Vereinigungen (associations of panel doctors),
- Genossenschaften und Verbände (cooperatives and other associations).

1.2 Establishments and foundations

Non-industrial and non-commercial establishments subject to State control and operating in the general interest, particularly in the following fields:

- Rechtsfähige Bundesanstalten (federal institutions having legal capacity),
- Versorgungsanstalten und Studentenwerke (pension organizations and students' unions),
- Kultur-, Wohlfahrts- und Hilfsstiftungen (cultural, welfare and relief foundations).

2. Legal persons governed by private law

Non-industrial and non-commercial establishments subject to State control and operating in the general interest (including 'Kommunale Versorgungsunternehmen' - municipal utilities), particularly in the following fields:

- Gesundheitswesen (Krankenhäuser, Kurmittelbetriebe, medizinische Forschungseinrichtungen, Untersuchungs- und Tierkörperbeseitigungsanstalten) (health: hospitals, health resort establishments, medical research institutes, testing and carcass-disposal establishments),
- Kultur (öffentliche Bühnen, Orchester, Museen, Bibliotheken, Archive, zoologische und botanische Gärten) (culture: public theatres, orchestras, museums, libraries, archives, zoological and botanical gardens),
- Soziales (Kindergärten, Kindertagesheime, Erholungseinrichtungen, Kinder- und Jugendheime, Freizeiteinrichtungen, Gemeinschafts- und Bürgerhäuser, Frauenhäuser, Altersheime, Obdachlosenunterkünfte) (social welfare: nursery schools, children's playschools, rest-homes, children's homes, hostels for young people, leisure centres, community and civic centres, homes for battered wives, old people's homes, accommodation for the homeless),
- Sport (Schwimmbäder, Sportanlagen und -einrichtungen) (sport: swimming baths, sports facilities),
- Sicherheit (Feuerwehren, Rettungsdienste) (safety: fire brigades, other emergency services),
- Bildung (Umschulungs-, Aus-, Fort- und Weiterbildungseinrichtungen, Volkshochschulen) (education: training, further training and retraining establishments, adult evening classes),
- Wissenschaft, Forschung und Entwicklung (Großforschungseinrichtungen, wissenschaftliche Gesellschaften und Vereine, Wissenschaftsförderung) (science, research and development: large-scale research institutes, scientific societies and associations, bodies promoting science),
- Entsorgung (Straßenreinigung, Abfall- und Abwasserbeseitigung) (refuse and garbage disposal services: street cleaning, waste and sewage disposal),
- Bauwesen und Wohnungswirtschaft (Stadtplanung, Stadtentwicklung, Wohnungsunternehmen, Wohnraumvermittlung) (building, civil engineering and housing: town planning, urban development, housing enterprises, housing agency services),
- Wirtschaft (Wirtschaftsförderungsgesellschaften), (economy: organizations promoting economic development),
- Friedhofs- und Bestattungswesen (cemeteries and burial services),
- Zusammenarbeit mit den Entwicklungsländern (Finanzierung, technische Zusammenarbeit, Entwicklungshilfe, Ausbildung) (cooperation with developing countries: financing, technical cooperation, development and training).

IV. GREECE

Categories

Other legal persons governed by public law whose public works contracts are subject to State control.

V. SPAIN

Categories

- Entidades Gestoras y Servicios Comunes de la Seguridad Social (administrative entities and common services of the health and social services),
- Organismos Autónomos de la Administración del Estado (independent bodies of the national administration),
- Organismos Autónomos de las Comunidades Autónomas (independent bodies of the autonomous communities),
- Organismos Autónomos de las Entidades Locales (independent bodies of local authorities),
- Otras entidades sometidas a la legislación de contratos del Estado español (other entities subject to Spanish State legislation on procurement).

VI. FRANCE

Bodies

1. National public bodies:

1.1 with scientific, cultural and professional character:

- Collège de France,
- Conservatoire national des arts et métiers,
- Observatoire de Paris;

1.2 scientific and technological:

- Centre national de la recherche scientifique (CNRS),
- Institut national de la recherche agronomique,
- Institut national de la santé et de la recherche médicale,
- Institut français de recherche scientifique pour le développement en coopération (ORSTOM);

1.3 with administrative character:

- Agence nationale pour l'emploi,
- Caisse nationale des allocations familiales,
- Caisse nationale d'assurance maladie des travailleurs salariés,
- Caisse nationale d'assurance vieillesse des travailleurs salariés,
- Office national des anciens combattants et victimes de la guerre,
- Agences financières de bassins.

Categories

1. National public bodies:

- universités, (universities),
- écoles normales d'instituteurs (teacher training colleges).

2. Administrative bodies at regional, departmental and local level:

- collèges (secondary schools),
- lycées (secondary schools),
- établissements publics hospitaliers (public hospitals),
- offices publics d'habitations à loyer modéré (OPHLM) (public offices for low-cost housing).

3. Groupings of territorial authorities:

- syndicats de communes (associations of local authorities),
- districts (districts),
- communautés urbaines (municipalities),
- institutions interdépartementales et interrégionales (institutions common to more than one Département and interregional institutions).

VII. IRELAND

Bodies

- Shannon Free Airport Development Company Ltd,
- Local Government Computer Services Board,
- Local Government Staff Negotiations Board,
- Córas Tráchtála (Irish Export Board),
- Industrial Development Authority,
- Irish Goods Council (Promotion of Irish Goods),
- Córas Beostoic agus Feola (CBF) (Irish Meat Board),
- Bord Fáilte Éireann (Irish Tourism Board),
- Údarás na Gaeltachta (Development Authority for Gaeltacht Regions),
- An Bord Pleanála (Irish Planning Board).

Categories

- Third Level Educational Bodies of a Public Character
- National Training, Cultural or Research Agencies,
- Hospital Boards of a Public Character,
- National Health & Social Agencies of a Public Character,
- Central & Regional Fishery Boards.

VIII. ITALY

Bodies

- Agenzia per la promozione dello sviluppo nel Mezzogiorno.

Categories

- Enti portuali e aeroportuali (port and airport authorities),
- Consorzi per le opere idrauliche (consortia for water engineering works),
- Le università statali, gli istituti universitari statali, i consorzi per i lavori interessanti le università (State universities, State university institutes, consortia for university development work),
- Gli istituti superiori scientifici e culturali, gli osservatori astronomici, astrofisici, geofisici o vulcanologici (higher scientific and cultural institutes, astronomical, astrophysical, geophysical or vulcanological observatories),
- Enti di ricerca e sperimentazione (organizations conducting research and experimental work),
- Le istituzioni pubbliche di assistenza e di beneficenza (public welfare and benevolent institutions),
- Enti che gestiscono forme obbligatorie di previdenza e di assistenza (agencies administering compulsory social security and welfare schemes),
- Consorzi di bonifica (land reclamation consortia),
- Enti di sviluppo o di irrigazione (development or irrigation agencies),
- Consorzi per le aree industriali (associations for industrial areas),
- Comunità montane (groupings of municipalities in mountain areas),
- Enti preposti a servizi di pubblico interesse (organizations providing services in the public interest),
- Enti pubblici preposti ad attività di spettacolo, sportive, turistiche e del tempo libero (public bodies engaged in entertainment, sport, tourism and leisure activities),
- Enti culturali e di promozione artistica (organizations promoting culture and artistic activities).

IX. LUXEMBOURG

Categories

- Établissements publics de l'État placés sous la surveillance d'un membre du gouvernement (public establishments of the State placed under the supervision of a member of the Government),
- Établissements publics placés sous la surveillance des communes (public establishments placed under the supervision of the communes),
- Syndicats de communes créés en vertu de la loi du 14 février 1900 telle qu'elle a été modifiée par la suite (associations of communes created under the law of 14 February 1900 as subsequently modified).

X. THE NETHERLANDS

Bodies

- De Nederlandse Centrale Organisatie voor Toegepast Natuurwetenschappelijk Onderzoek (TNO) en de daaronder ressorterende organisaties.

Categories

- De waterschappen (administration of water engineering works),
- De instellingen van wetenschappelijk onderwijs vermeld in artikel 8 van de Wet op het Wetenschappelijk Onderwijs (1985), de academische ziekenhuizen (Institutions for scientific education, as listed in Article 8 of the Scientific Education Act (1985), teaching hospitals).

XI. AUSTRIA

All bodies subject to budgetary supervision by the 'Rechnungshof' (audit authority) not having an industrial or commercial character.

XII. PORTUGAL

Categories

- Estabelecimentos públicos de ensino, investigação científica e saúde (public establishments for education, scientific research and health),
- Institutos públicos sem carácter comercial ou industrial (public institutions without commercial or industrial character),
- Fundações públicas (public foundations),
- Administrações gerais e juntas autónomas (general administration bodies and independent councils).

XIII. FINLAND

Public or publicly controlled entities or undertakings not having an industrial or commercial character.

XIV. SWEDEN

All non-commercial bodies whose procurement is subject to supervision by the National Board for Public Procurement.

XV. UNITED KINGDOM

Bodies

- Central Blood Laboratories Authority,
- Design Council,
- Health and Safety Executive,
- National Research Development Corporation,
- Public Health Laboratory Services Board,
- Advisory, Conciliation and Arbitration Service,
- Commission for the New Towns,
- Development Board For Rural Wales,
- English Industrial Estates Corporation,
- National Rivers Authority,
- Northern Ireland Housing Executive,
- Scottish Enterprise,
- Scottish Homes,
- Welsh Development Agency.

Categories

- Universities and polytechnics, maintained schools and colleges,
 - National Museums and Galleries,
 - Research Councils,
 - Fire Authorities,
 - National Health Service Authorities,
 - Police Authorities,
 - New Town Development Corporations,
 - Urban Development Corporations.
-

ANNEX IV

CENTRAL GOVERNMENT AUTHORITIES

BELGIUM

A. L'État fédéral

- Services du premier ministre
- Ministère des affaires économiques
- Ministère des affaires étrangères, du commerce extérieur et de la coopération au développement
- Ministère de l'agriculture
- Ministère des classes moyennes
- Ministère des communications et de l'infrastructure
- Ministère de la défense nationale ⁽¹⁾
- Ministère de l'emploi et du travail
- Ministère des finances
- Ministère de l'intérieur et de la fonction publique
- Ministère de la justice
- Ministère de la santé publique et de l'environnement
- la Poste ⁽²⁾
- la Régie des bâtiments
- le Fonds des routes

B. L'Office national de sécurité sociale

- L'Institut national d'assurances sociales pour travailleurs indépendants
- L'Institut national d'assurance maladie-invalidité
- L'Office national des pensions
- La Caisse auxiliaire d'assurance maladie-invalidité
- Le Fonds des maladies professionnelles
- L'Office national de l'emploi.

⁽¹⁾ Non-warfare materials.

⁽²⁾ Postal business covered by the Law of 24 December 1993.

DENMARK

1. Folketinget — Rigsrevisionen
2. Statsministeriet
3. Udenrigsministeriet — 2 departementer
4. Arbejdsministeriet — 5 styrelser og institutioner
5. Boligministeriet — 7 styrelser og institutioner
6. Erhvervsministeriet — 7 styrelser og institutioner
7. Finansministeriet — 3 styrelser og institutioner
8. Forskningsministeriet — 1 styrelse
9. Forsvarsministeriet ⁽¹⁾ — adskillige institutioner
10. Indenrigsministeriet — 2 styrelser
11. Justitsministeriet — 2 direktorater og adskillige politimyndigheder og domstole
12. Kirkeministeriet — 10 stiftsøvrigheder
13. Kulturministeriet — 3 institutioner samt adskillige statsejede museer og højere læreanstalter
14. Landbrugs- og fiskeriministeriet — 23 direktorater og institutioner
15. Miljø- og energiministeriet — 6 styrelser og forsøgsanlægget Risø
16. Skatteministeriet — 1 styrelse

17. Socialministeriet — 4 styrelser og institutioner
18. Sundhedsministeriet — adskillige institutioner inklusive Statens Seruminstitut
19. Trafikministeriet — 12 styrelser og institutioner
20. Undervisningsministeriet — 6 direktorater samt 12 universiteter og andre højere læreanstalter
21. Økonomiministeriet — Danmarks Statistik.

(¹) Non-warfare materials.

GERMANY

1. Auswärtiges Amt
2. Bundesministerium für Arbeit und Sozialordnung
3. Bundesministerium für Bildung und Wissenschaft
4. Bundesministerium für Ernährung, Landwirtschaft und Forsten
5. Bundesministerium der Finanzen
6. Bundesministerium für Forschung und Technologie
7. Bundesministerium des Innern (nur zivile Güter)
8. Bundesministerium für Gesundheit
9. Bundesministerium für Frauen und Jugend
10. Bundesministerium für Familie und Senioren
11. Bundesministerium der Justiz
12. Bundesministerium für Raumordnung, Bauwesen und Städtebau
13. Bundesministerium für Post und Telekommunikation (¹)
14. Bundesministerium für Wirtschaft
15. Bundesministerium für wirtschaftliche Zusammenarbeit
16. Bundesministerium der Verteidigung (²)
17. Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit
18. Bundesministerium für Verkehr

(¹) With the exception of telecommunications equipment.

(²) Non-warfare materials.

GREECE

1. Ministry of National Economy
2. Ministry of Education and Religion
3. Ministry of Commerce
4. Ministry of Industry, Energy and Technology
5. Ministry of Merchant Marine
6. Ministry to the Prime Minister
7. Ministry of the Aegean
8. Ministry of Foreign Affairs
9. Ministry of Justice
10. Ministry of the Interior
11. Ministry of Labour
12. Ministry of Culture and Sciences
13. Ministry of Environment, Planning and Public Works
14. Ministry of Finance
15. Ministry of Transport and Communications
16. Ministry of Health and Social Security
17. Ministry of Macedonia and Thrace

18. Army General Staff
19. Navy General Staff
20. Airforce General Staff
21. Ministry of Agriculture
22. General Secretariat for Press and Information
23. General Secretariat for Youth
24. General State Laboratory
25. General Secretariat for Further Education
26. General Secretariat of Equality
27. General Secretariat for Social Security
28. General Secretariat for Greeks Living Abroad
29. General Secretariat for Industry
30. General Secretariat for Research and Technology
31. General Secretariat for Sports
32. General Secretariat for Public Works
33. National Statistical Service
34. National Welfare Organisation
35. Workers' Housing Organisation
36. National Printing Office
37. Greek Atomic Energy Commission
38. Greek Highway Fund
39. University of Athens
40. University of the Aegean
41. University of Thessaloniki
42. University of Thrace
43. University of Ioannina
44. University of Patras
45. Polytechnic School of Crete
46. Sivitaniidios Technical School
47. University of Macedonia
48. Eginitio Hospital
49. Areteio Hospital
50. National Centre of Public Administration
51. Hellenic Post (EL. TA.)
52. Public Material Management Organisation
53. Farmers' Insurance Organisation
54. School Building Organisation

SPAIN

1. Ministerio de Asuntos Exteriores
2. Ministerio de Justicia
3. Ministerio de Defensa ⁽¹⁾
4. Ministerio de Economía y Hacienda
5. Ministerio del Interior
6. Ministerio de Obras Públicas, Transportes y Medio Ambiente
7. Ministerio de Educación y Ciencia
8. Ministerio de Trabajo y Seguridad Social
9. Ministerio de Industria y Energía
10. Ministerio de Agricultura, Pesca y Alimentación

11. Ministerio de la Presidencia
12. Ministerio para las Administraciones Públicas
13. Ministerio de Cultura
14. Ministerio de Comercio y Turismo
15. Ministerio de Sanidad y Consumo
16. Ministerio de Asuntos Sociales.

(¹) Non-warfare materials.

FRANCE

1. Main Purchasing Bodies

A. Budget général

- Services du premier ministre
- Ministère des affaires sociales, de la santé et de la ville
- Ministère de l'intérieur et de l'aménagement du territoire
- Ministère de la justice
- Ministère de la défense
- Ministère des affaires étrangères
- Ministère de l'éducation nationale
- Ministère de l'économie
- Ministère de l'industrie, des postes et télécommunications et du commerce extérieur
- Ministère de l'équipement, des transports et du tourisme
- Ministère des entreprises et du développement économique, chargé des petites et moyennes entreprises et du commerce et de l'artisanat
- Ministère du travail, de l'emploi et de la formation professionnelle
- Ministère de la culture et de la francophonie
- Ministère du budget
- Ministère de l'agriculture et de la pêche
- Ministère de l'enseignement supérieur et de la recherche
- Ministère de l'environnement
- Ministère de la fonction publique
- Ministère du logement
- Ministère de la coopération
- Ministère des départements et territoires d'outre-mer
- Ministère de la jeunesse et des sports
- Ministère de la communication
- Ministère des anciens combattants et victimes de guerre

B. Budget annexe

On peut notamment signaler:

- Imprimerie nationale

C. Comptes spéciaux du Trésor

On peut notamment signaler:

- Fonds forestier national
- Soutien financier de l'industrie cinématographique et de l'industrie des programmes audiovisuels
- Fonds national d'aménagement foncier et d'urbanisme
- Caisse autonome de la reconstruction

2. National Public Administrative Establishments

- Académie de France à Rome
- Académie de marine
- Académie des sciences d'outre-mer
- Agence centrale des organismes de sécurité sociale (ACOSS)
- Agences financières de bassins
- Agence nationale pour l'amélioration des conditions de travail (ANACT)
- Agence nationale pour l'amélioration de l'habitat (ANAH)
- Agence nationale pour l'emploi (ANPE)
- Agence nationale pour l'indemnisation des français d'outre-mer (ANIFOM)
- Assemblée permanente des chambres d'agriculture (APCA)
- Bibliothèque nationale
- Bibliothèque nationale et universitaire de Strasbourg
- Bureau d'études des postes et télécommunications d'outre-mer (BEPTOM)
- Caisse des dépôts et consignations
- Caisse nationale des allocations familiales (CNAF)
- Caisse nationale d'assurance maladie des travailleurs salariés (CNAM)
- Caisse nationale d'assurance-vieillesse des travailleurs salariés (CNAVTS)
- Caisse nationale des autoroutes (CNA)
- Caisse nationale militaire de sécurité sociale (CNMSS)
- Caisse nationale des monuments historiques et des sites
- Caisse nationale des télécommunications (1)
- Caisse de garantie du logement social
- Casa de Velasquez
- Centre d'enseignement zootechnique de Rambouillet
- Centre d'études du milieu et de pédagogie appliquée du ministère de l'agriculture
- Centre d'études supérieures de sécurité sociale
- Centres de formation professionnelle agricole
- Centre national d'art et de culture Georges Pompidou
- Centre national de la cinématographie française
- Centre national d'études et de formation pour l'enfance inadaptée
- Centre national d'études et d'expérimentation du machinisme agricole, du génie rural, des eaux et des forêts
- Centre national et de formation pour l'adaptation scolaire et l'éducation spécialisée (CNEFASES)
- Centre national de formation et de perfectionnement des professeurs d'enseignement ménager agricole
- Centre national des lettres
- Centre national de documentation pédagogique
- Centre national des œuvres universitaires et scolaires (CNOUS)
- Centre national d'ophtalmologie des Quinze-Vingts
- Centre national de préparation au professorat de travaux manuels éducatifs et d'enseignement ménager
- Centre national de promotion rurale de Marmilhat
- Centre national de la recherche scientifique (CNRS)
- Centre régional d'éducation populaire d'Ale-de-France
- Centres d'éducation populaire et de sport (CREPS)
- Centres régionaux des œuvres universitaires (CROUS)
- Centres régionaux de la propriété forestière
- Centre de sécurité sociale des travailleurs migrants
- Chancelleries des universités
- Collège de France
- Commission des opérations de bourse
- Conseil supérieur de la pêche
- Conservatoire de l'espace littoral et des rivages lacustres

- Conservatoire national des arts et métiers
- Conservatoire national supérieur de musique
- Conservatoire national supérieur d'art dramatique
- Domaine de Pompadour
- École centrale — Lyon
- École centrale des arts et manufactures
- École française d'archéologie d'Athènes
- École française d'Extrême-Orient
- École française de Rome
- École des hautes études en sciences sociales
- École nationale d'administration
- École nationale de l'aviation civile (ENAC)
- École nationale des Chartes
- École nationale d'équitation
- École nationale du génie rural des eaux et des forêts (ENGREF)
- Écoles nationales d'ingénieurs
- École nationale d'ingénieurs des industries des techniques agricoles et alimentaires
- Écoles nationales d'ingénieurs des travaux agricoles
- École nationale des ingénieurs des travaux ruraux et des techniques sanitaires
- École nationale des ingénieurs des travaux des eaux et forêts (ENITEF)
- École nationale de la magistrature
- Écoles nationales de la marine marchande
- École nationale de la santé publique (ENSP)
- École nationale de ski et d'alpinisme
- École nationale supérieure agronomique — Montpellier
- École nationale supérieure agronomique — Rennes
- École nationale supérieure des arts décoratifs
- École nationale supérieure des arts et industries — Strasbourg
- École nationale supérieure des arts et industries textiles — Roubaix
- Écoles nationales supérieures d'arts et métiers
- École nationale supérieure des beaux-arts
- École nationale supérieure des bibliothécaires
- École nationale supérieure de céramique industrielle
- École nationale supérieure de l'électronique et de ses applications (ENSEA)
- École nationale supérieure d'horticulture
- École nationale supérieure des industries agricoles alimentaires
- École nationale supérieure du paysage (rattachée à l'École nationale supérieure d'horticulture)
- École nationale supérieure des sciences agronomiques appliquées (ENSSA)
- Écoles nationales vétérinaires
- École nationale de voile
- Écoles normales d'instituteurs et d'institutrices
- Écoles normales nationales d'apprentissage
- Écoles normales supérieures
- École polytechnique
- École technique professionnelle agricole et forestière de Meymac (Corrèze)
- École de sylviculture — Croigny (Aube)
- École de viticulture et d'oenologie de la Tour-Blanche (Gironde)
- École de viticulture — Avize (Marne)
- Établissement national de convalescents de Saint-Maurice
- Établissement national des invalides de la marine (ENIM)
- Établissement national de bienfaisance Koenigs-Wazter

- Fondation Carnegie
- Fondation Singer-Polignac
- Fonds d'action sociale pour les travailleurs immigrés et leurs familles
- Hôpital-hospice national Dufresne-Sommeiller
- Institut de l'élevage et de médecine vétérinaire des pays tropicaux (IEMVPT)
- Institut français d'archéologie orientale du Caire
- Institut géographique national
- Institut industriel du Nord
- Institut international d'administration publique (IIAP)
- Institut national agronomique de Paris-Grignon
- Institut national des appellations d'origine des vins et eaux-de-vie (INAOVEV)
- Institut national d'astronomie et de géophysique (INAG)
- Institut national de la consommation (INC)
- Institut national d'éducation populaire (INEP)
- Institut national d'études démographiques (INED)
- Institut national des jeunes aveugles — Paris
- Institut national des jeunes sourds — Bordeaux
- Institut national des jeunes sourds — Chambéry
- Institut national des jeunes sourds — Metz
- Institut national des jeunes sourds — Paris
- Institut national de physique nucléaire et de physique des particules (I.N2.P3)
- Institut national de promotion supérieure agricole
- Institut national de la propriété industrielle
- Institut national de la recherche agronomique (INRA)
- Institut national de recherche pédagogique (INRP)
- Institut national de la santé et de la recherche médicale (INSERM)
- Institut national des sports
- Instituts nationaux polytechniques
- Instituts nationaux des sciences appliquées
- Institut national supérieur de chimie industrielle de Rouen
- Institut national de recherche en informatique et en automatique (INRIA)
- Institut national de recherche sur les transports et leur sécurité (INRETS)
- Instituts régionaux d'administration
- Institut supérieur des matériaux et de la construction mécanique de Saint-Ouen
- Musée de l'armée
- Musée Gustave-Moreau
- Musée de la marine
- Musée national J.-J.-Henner
- Musée national de la Légion d'honneur
- Musée de la poste
- Muséum national d'histoire naturelle
- Musée Auguste-Rodin
- Observatoire de Paris
- Office de coopération et d'accueil universitaire
- Office français de protection des réfugiés et apatrides
- Office national des anciens combattants
- Office national de la chasse
- Office national d'information sur les enseignements et les professions (ONISEP)
- Office national d'immigration (ONI)
- Institut français de recherche scientifique pour le développement en coopération (ORSTOM)
- Office universitaire et culturel français pour l'Algérie

- Palais de la découverte
- Parcs nationaux
- Réunion des musées nationaux
- Syndicat des transports parisiens
- Thermes nationaux — Aix-les-Bains
- Universités

3. Other National Public Bodies

- Union des groupements d'achats publics (UGAP).

(¹) Postal business only.

IRELAND

1. Main Purchasing Bodies

- Office of Public Works

2. Other Bodies

- President's Establishment
- Houses of the Oireachtas (Parliament)
- Department of the Taoiseach (Prime Minister)
- Office of the Tanaiste (Deputy Prime Minister)
- Central Statistics Office
- Department of Arts, Culture and the Gaeltacht
- National Gallery of Ireland
- Department of Finance
- State Laboratory
- Office of the Comptroller and Auditor General
- Office of the Attorney General
- Office of the Director of Public Prosecutions
- Valuation Office
- Civil Service Commission
- Office of the Ombudsman
- Office of the Revenue Commissioners
- Department of Justice
- Commissioners of Charitable Donations and Bequests for Ireland
- Department of the Environment
- Department of Education
- Department of the Marine
- Department of Agriculture, Food and Forestry
- Department of Enterprise and Employment
- Department of Trade and Tourism
- Department of Defence (¹)
- Department of Foreign Affairs
- Department of Social Welfare
- Department of Health
- Department of Transport, Energy and Communications.

(¹) Non-warfare materials.

ITALY

1. Ministry of the Treasury ⁽¹⁾
2. Ministry of Finance ⁽²⁾
3. Ministry of Justice
4. Ministry of Foreign Affairs
5. Ministry of Education
6. Ministry of the Interior
7. Ministry of Public Works
8. Ministry for Co-ordination (International Relations and EC Agricultural Policies)
9. Ministry of Industry, Trade and Craft Trades
10. Ministry of Employment and Social Security
11. Ministry of Health
12. Ministry of Cultural Affairs and the Environment
13. Ministry of Defence ⁽³⁾
14. Budget and Economic Planning Ministry
15. Ministry of Foreign Trade
16. Ministry of Posts and Telecommunications ⁽⁴⁾
17. Ministry of the Environment
18. Ministry of University and Scientific and Technological Research.

⁽¹⁾ Acting as the central purchasing entity for most of the other Ministries or entities.

⁽²⁾ Not including purchases made by the tobacco and salt monopolies.

⁽³⁾ Non-military materials.

⁽⁴⁾ Postal business only.

LUXEMBOURG

1. Ministère d'État: service central des imprimés et des fournitures de l'État
2. Ministère de l'agriculture: administration des services techniques de l'agriculture
3. Ministère de l'éducation nationale: lycées d'enseignement secondaire et d'enseignement secondaire technique
4. Ministère de la famille et de la solidarité sociale: maisons de retraite
5. Ministère de la force publique: armée ⁽¹⁾ — gendarmerie — police
6. Ministère de la justice: établissements pénitentiaires
7. Ministère de la santé publique: hôpital neuropsychiatrique
8. Ministère des travaux publics: bâtiments publics — ponts et chaussées
9. Ministère des communications: centre informatique de l'État
10. Ministère de l'environnement: commissariat général à la protection des eaux.

⁽¹⁾ Non-warfare materials.

NETHERLANDS

1. Ministry of General Affairs — Ministerie van Algemene Zaken
 - Advisory Council on Government Policy — Bureau van de Wetenschappelijke Raad voor het Regeringsbeleid
 - National Information Office — Rijksvoorlichtingsdienst
2. Ministry of the Interior — Ministerie van Binnenlandse Zaken
 - Government Personnel Information System Service — Dienst Informatievoorziening Overheidspersoneel
 - Redundancy Payment and Benefits Agency — Dienst Uitvoering Ontslaguitkeringsregelingen
 - Public Servants Medical Expenses Agency — Dienst Ziektekostenvoorziening Overheidspersoneel
 - RPD Advisory Service — RPD Advies
 - Central Archives and Interdepartmental Text Processing — CAS/ITW

3. Ministry of Foreign Affairs + Directorate-General for Development Cooperation of the Ministry of Foreign Affairs — Ministerie van Buitenlandse Zaken + Ministerie voor Ontwikkelingssamenwerking
4. Ministry of Defence — Ministerie van Defensie ⁽¹⁾
 - Directorate of material Royal Netherlands Navy — Directie materieel Koninklijke Marine
 - Directorate of material Royal Netherlands Army — Directie materieel Koninklijke Landmacht
 - Directorate of material Royal Netherlands Air Force — Directie materieel Koninklijke Luchtmacht
5. Ministry of Economic Affairs — Ministerie van Economische Zaken
 - Economic Investigation Agency — Economische Controledienst
 - Central Plan Bureau — Centraal Planbureau
 - Netherlands Central Bureau of Statistics — Centraal Bureau voor de Statistiek
 - Senter — Senter
 - Industrial Property Office — Bureau voor de Industriële Eigendom
 - Central Licensing Office for Import and Export — Centrale Dienst voor de In- en Uitvoer
 - State Supervision of Mines — Staatstoezicht op de Mijnen
 - Geological Survey of the Netherlands — Rijks Geologische Dienst
6. Ministry of Finance — Ministerie van Financiën
 - State Property Department — Dienst der Domeinen
 - Directorates of the State Tax Department — Directies der Rijksbelastingen
 - State Tax Department/Fiscal Intelligence and Information Department — Belastingdienst/FIOD
 - State Tax Department/Computer Centre — Belastingdienst/Automatiseringscentrum
 - State Tax Department/Training — Belastingdienst/Opleidingen
7. Ministry of Justice — Ministerie van Justitie
 - Education and Training Organization, Directorate-General for the Protection of Young People and the care of Offenders — Opleidings- en vormingsorganisatie Directoraat-Generaal Jeugdbescherming en Delinquentenzorg
 - Child Care and Protection Board — Raden voor de Kinderbescherming in de provincies
 - State Institutions for Child Care and Protection — Rijksinrichtingen voor de Kinderbescherming in de provincies
 - Prisons — Penitentiaire inrichtingen in de provincie
 - State Institutions for Persons Placed under Hospital Order — Rijksinrichtingen voor TBS-verpleging in de provincies
 - Internal Facilities Service of the Directorate for Young Offenders and Young Peoples Institute — Dienst Facilitaire Zaken van de Directie Delinquentenzorg en Jeugdinrichtingen
 - Legal Aid Department — Dienst Gerechtelijke Ondersteuning in de arrondissementen
 - Central Collection Office for the Courts — Centraal Ontvangstkantoor der Gerechten
 - Central Debt Collection Agency of the Ministry of Justice — Centraal Justitie Incassobureau
 - National Criminal Investigation Department — Rijksrecherche
 - Forensic Laboratory — Gerechtelijk Laboratorium
 - National Police Services Force — Korps Landelijke Politiediensten
 - District offices of the Immigration and Naturalisation Service — Districtskantoren Immigratie- en Naturalisatiedienst
8. Ministry of Agriculture, Nature Management and Fisheries — Ministerie van Landbouw, Natuurbeheer en Visserij
 - National Forest Service — Staatsbosbeheer
 - Agricultural Research Service — Dienst Landbouwkundig Onderzoek
 - Agricultural Extension Service — Dienst Landbouwvoorlichting
 - Land Development Service — Landinrichtingsdienst
 - National Inspection Service for Animals and Animal Protection — Rijksdienst voor de Keuring van Vee en Vlees
 - Plant Protection Service — Plantenziektenkundige Dienst
 - General Inspection Service — Algemene Inspectiedienst
 - National Fisheries Research Institute — Rijksinstituut voor Visserijonderzoek
 - Government Institute for Quality Control of Agricultural Products — Rijkswaardigheids Instituut voor Land- en Tuinbouwproducten
 - National Institute for Nature Management — Instituut voor Bos- en Natuuronderzoek
 - Game Fund — Jachtfonds

9. Ministry of Education and Science — Ministerie van Onderwijs en Wetenschappen
 - Royal Library — Koninklijke Bibliotheek
 - Institute for Netherlands History — Instituut voor Nederlandse Geschiedenis
 - Netherlands State Institute for War Documentation — Rijksinstituut voor Oorlogsdocumentatie
 - Institute for Educational Research — Instituut voor Onderzoek van het Onderwijs
 - National Institute for Curriculum Development — Instituut voor de Leerplan Ontwikkeling
10. Ministry of Social Affairs and Employment — Ministerie van Sociale Zaken en Werkgelegenheid
 - Wages Inspection Service — Loontechnische dienst
 - Inspectorate for Social Affairs and Employment — Inspectie en Informatie Sociale Zaken en Werkgelegenheid
 - National Social Assistance Consultancies Services — Rijksconsulentschappen Sociale Zekerheid
 - Steam Equipment Supervision Service — Dienst voor het Stoomwezen
 - Conscientious Objectors Employment Department — Tewerkstelling erkend gewetensbezwaarden militaire dienst
 - Directorate for Equal Opportunities — Directie Emancipatie
11. Ministry of Transport, Public Works and Water Management — Ministerie van Verkeer en Waterstaat
 - Directorate-General for Transport — Directoraat-Generaal Vervoer
 - Directorate-General for Public Works and Water Management — Directoraat-Generaal Rijkswaterstaat
 - Directorate-General for Civil Aviation — Directoraat-Generaal Rijksluchtvaartdienst
 - Telecommunications and Post Department — Hoofddirectie Telecommunicatie en Post
 - Regional Offices of the Directorates-General and General Management, Inland Waterway Navigation Service — De regionale organisatie van de directoraten-generaal en de hoofddirectie Vaarwegmarkeringsdienst
12. Ministry of Housing, Physical Planning and Environment — Ministerie van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer
 - Directorate-General for Environment Management — Directoraat-Generaal Milieubeheer
 - Directorate-General for Public Housing — Directoraat-Generaal van de Volkshuisvesting
 - Government Buildings Agency — Rijksgebouwendienst
 - National Physical Planning Agency — Rijksplanologische Dienst
13. Ministry of Welfare, Health and Cultural Affairs — Ministerie van Welzijn, Volksgezondheid en Cultuur
 - Social and Cultural Planning Office — Sociaal en Cultureel Planbureau
 - Inspectorate for Child and Youth Care and Protection Services — Inspectie Jeugdhulpverlening en Jeugdbescherming
 - Medical Inspectorate of Health Care — Inspecties van het Staatstoezicht op de Volksgezondheid
 - Cultural Castle Council — Rijksdienst Kastelenbeheer
 - National Archives Department — Rijksarchiefdienst
 - Department for the Conservation of Historic Buildings and Sites — Rijksdienst voor de Monumentenzorg
 - National Institute of Public Health and Environmental Protection — Rijksinstituut voor Milieuhygiëne
 - National Archeological Field Survey Commission — Rijksdienst voor het Oudheidkundig Bodemonderzoek
 - Netherlands Office for Fine Arts — Rijksdienst Beeldende Kunst
14. Cabinet for Netherlands Antillean and Aruban Affairs — Kabinet voor Nederlands-Antilliaanse en Arubaanse zaken
15. Higher Colleges of State — Hogere Colleges van Staat
16. Council of State — Raad van State
17. Netherlands Court of Audit — Algemene Rekenkamer
18. National Ombudsman — Nationale Ombudsman.

(¹) Non-warfare materials.

AUSTRIA

1. Bundeskanzleramt — Amtswirtschaftsstelle
2. Bundesministerium für auswärtige Angelegenheiten
3. Bundesministerium für Gesundheit und Konsumentenschutz

4. Bundesministerium für Finanzen
 - a) Amtswirtschaftsstelle
 - b) Abteilung VI/5 (EDV-Beschaffung des Bundesministeriums für Finanzen und des Bundesrechenamtes)
 - c) Abteilung III/1 (Beschaffung von technischen Geräten, Einrichtungen und Sachgütern für die Zollwache)
5. Bundesministerium für Jugend und Familie — Amtswirtschaftsstelle
6. Bundesministerium für wirtschaftliche Angelegenheiten
7. Bundesministerium für Inneres
 - a) Abteilung I/5 (Amtswirtschaftsstelle)
 - b) EDV-Zentrum (Beschaffung von elektronischen Datenverarbeitungssystemen (Hardware))
 - c) Abteilung II/3 (Beschaffung von technischen Geräten und Einrichtungen für die Bundespolizei)
 - d) Abteilung I/6 (Beschaffung von Sachgütern (mit Ausnahme der von der Abteilung II/3 zu beschaffenden Sachgüter) für die Bundespolizei)
 - e) Abteilung IV/8 (Beschaffung von Fluggeräten)
8. Bundesministerium für Justiz — Amtswirtschaftsstelle
9. Bundesministerium für Landesverteidigung ⁽¹⁾
10. Bundesministerium für Land- und Forstwirtschaft
11. Bundesministerium für Arbeit und Soziales — Amtswirtschaftsstelle
12. Bundesministerium für Unterricht und kulturelle Angelegenheiten
13. Bundesministerium für öffentliche Wirtschaft und Verkehr
14. Bundesministerium für Wissenschaft, Forschung und Kunst
15. Österreichisches Statistisches Zentralamt
16. Österreichische Staatsdruckerei
17. Bundesamt für Eich- und Vermessungswesen
18. Bundesversuchs- und Forschungsanstalt-Arsenal (BVFA)
19. Bundesstaatliche Prothesenwerkstätten
20. Austro Control GmbH — Österreichische Gesellschaft für Zivilluftfahrt mit beschränkter Haftung
21. Bundesprüfanstalt für Kraftfahrzeuge
22. Generaldirektion für die Post- und Telegraphenverwaltung (nur Postwesen)
23. Bundesministerium für Umwelt — Amtswirtschaftsstelle.

⁽¹⁾ Non-warfare materials.

PORTUGAL

Prime Minister's Office

Legal Centre

Centre for Studies and Training (Local Government)

Government Computer Network Management Centre

National Council for Civil Defence Planning

Permanent Council for Industrial Conciliation

Department for Vocational and Advanced Training

Ministerial Department with special responsibility for Macao

Ministerial Department responsible for Community Service by Conscientious Objectors

Institute for Youth

National Administration Institute

Secretariat General, Prime Minister's Office

Secretariat for Administrative Modernization

Social Services, Prime Minister's Office

Ministry of Home Affairs

Directorate-General for Roads

Ministerial Department responsible for Studies and Planning

Civilian administrations
Customs Police
Republican National Guard
Police
Secretariat General
Technical Secretariat for Electoral Matters
Customs and Immigration Department
Intelligence and Security Department
National Fire Service
Ministry of Agriculture
Control Agency for Community Aid to Olive Oil Production
Regional Directorate for Agriculture (Beira Interior)
Regional Directorate for Agriculture (Beira Litoral)
Regional Directorate for Agriculture (Entre Douro e Minho)
Regional Directorate for Agriculture (Trás-os-Montes)
Regional Directorate for Agriculture (Alentejo)
Regional Directorate for Agriculture (Algarve)
Regional Directorate for Agriculture (Ribatejo e Oeste)
General Inspectorate and Audit Office (Management Audits)
Viticulture Institute
National Agricultural Research Institute
Institute for the Regulation and Guidance of Agricultural Markets
Institute for Agricultural Structures and Rural Development
Institute for Protection of Agri-Food Production
Institute for Forests
Institute for Agricultural Markets and Agri-Foods Industry
Secretariat General
IFADAP (Financial Institute for the Development of Agriculture and Fishing) ⁽¹⁾
INGA (National Agricultural Intervention and Guarantee Institute) ⁽²⁾
Ministry of the Environment and Natural Resources
Directorate-General for Environment
Institute for Environmental Promotion
Institute for the Consumer
Institute for Meteorology
Secretariat General
Institute for Natural Conservancy
Ministerial Department for the Improvement of the Estoril Coast
Regional Directorates for Environment and Natural Resources
Water Institute
Ministry of Trade and Tourism
Commission responsible for the Application of Economic Penalties
Directorate-General for Competition and Prices
Directorate-General for Inspection (Economic Affairs)
Directorate-General for Tourism
Directorate-General for Trade
Tourism Fund
Ministerial Department responsible for Community Affairs
ICEP (Portuguese Foreign Trade Institute)
General Inspectorate for Gambling
National Institute for Training in Tourism
Regional Tourist Boards

Secretariat General
ENATUR (National Tourism Enterprise) — Public enterprise (1)
Ministry of Defence (2)
National Security Authority
National Council for Emergency Civil Planning
Directorate-General for Armaments and Defence Equipment
Directorate-General for Infrastructure
Directorate-General for Personnel
Directorate-General for National Defence Policy
Secretariat General
Office of the Chief of Staff of the Armed Forces (2)
Administrative Council of the Office of the Chief of Staff of the Armed Forces
Commission of Maintenance of NATO Infrastructure
Executive Commission of NATO Infrastructure
Social Works of the Armed Forces
Office of the Chief of Staff, Air Force (2)
Air Force Logistics and Administrative Commando
General Workshop for Aeronautical Equipment
Office of the Chief of Staff, Army (2)
Logistics Department
Directorate for Army Engineering
Directorate for Army Communications
Service Directorate for Fortifications and Army Works
Service Directorate for the Army Physical Education
Service Directorate Responsible for the Army Computer
Service Directorate for Intendancy
Service Directorate for Equipment
Service Directorate for Health
Directorate for Transport
Main Army Hospital
General Workshop of Uniforms and Equipment
General Workshop of Engineering Equipment
Bakery
Army Laboratory for Chemical and Pharmaceutical Products
Office of the Chief of Staff, Navy (2)
Directorate for Naval Facilities
Directorate-General for Naval Equipment
Directorate for Instruction and Training
Directorate of the Service of Naval Health
The Navy Hospital
Directorate for Supplies
Directorate for Transport
Directorate of the Service of Maintenance
Armed Computer Service
Continent Naval Commando
Azores Naval Commando
Madeira Naval Commando
Commando of Lisbon Naval Station
Army Centre for Physical Education
Administrative Council of Central Navy Administration
Naval War Height Institute

Directorate-General for the Navy
Directorate-General for Lighthouses and School for Lighthouse Keepers
The Hydrographic Institute
Vasco da Gama Aquarium
The Alfeite Arsenal
Ministry of Education
Secretariat General
Department for Planning and Financial Management
Department for Higher Education
Department for Secondary Education
Department for Basic Education
Department for Educational Resources Management
General Inspectorate of Education
Bureau for the Launching and Coordination of the School Year
Regional Directorate for Education (North)
Regional Directorate for Education (Centre)
Regional Directorate for Education (Lisbon)
Regional Directorate for Education (Alentejo)
Regional Directorate for Education (Algarve)
Camões Institute
Institute for Innovation in Education António Aurélio da Costa Ferreira
Institute for Sports
Department of European Affairs
Ministry of Education Press
Ministry of Employment and Social Security
National Insurance and Occupational Health Fund
Institute for Development and Inspection of Labour Conditions
Social Welfare Funds
Casa Pia de Lisboa (³)
National Centre for Pensions
Regional Social Security Centres
Commission on Equal Opportunity and Rights for Women
Statistics Department
Studies and Planning Department
Department of International Relations and Social Security Agreements
European Social Fund Department
Department of European Affairs and External Relations
Directorate-General for Social Works
Directorate-General for the Family
Directorate-General for Technical Support to Management
Directorate-General for Employment and Vocational Training
Directorate-General for Social Security Schemes
Social Security Financial Stabilization Fund
General Inspectorate for Social Security
Social Security Financial Management Institute
Employment and Vocational Training Institute
National Institute for Workers' Leisure Time
Secretariat General
National Secretariat for Rehabilitation
Social Services
Santa Casa da Misericórdia de Lisboa (³)

Ministry of Finance

ADSE (Directorate-General for the Protection of Civil Servants)

Legal Affairs Office

Directorate-General for Public Administration

Directorate-General for Public Accounts and General Budget Supervision

Directorate-General for the State Loans Board

Directorate-General for the Customs Service

Directorate-General for Taxation

Directorate-General for State Assets

Directorate-General for the Treasury

Ministerial Department responsible for Economic Studies

Ministerial Department responsible for European Affairs

GAFEEP (Ministerial Department responsible for Studies on the Funding of the State and Public Enterprises)

General Inspectorate for Finance

Institute for Information Technology

State Loans Board

Secretariat General

SOFE (Social Services of the Ministry of Finance)

Ministry of Industry and Energy

Regional Delegation for Industry and Energy (Lisbon and Tagus Valley)

Regional Delegation for Industry and Energy (Alentejo)

Regional Delegation for Industry and Energy (Algarve)

Regional Delegation for Industry and Energy (Centre)

Regional Delegation for Industry and Energy (North)

Directorate-General for Industry

Directorate-General for Energy

Geological and Mining Institute

Ministerial Department responsible for Studies and Planning

Ministerial Department responsible for Oil Exploration and Production

Ministerial Department responsible for Community Affairs

National Industrial Property Institute

Portuguese Institute for Quality

INETI (National Institute for Industrial Engineering and Technology)

Secretariat General

PEDIP Manager's Department

Legal Affairs Office

Commission for Emergency Industrial Planning

Commission for Emergency Energy Planning

IAPMEI (Institute for Support of Small and Medium-sized Enterprises and Investments)

Ministry of Justice

Centre for Legal Studies

Social Action and Observation Centres

The High Council of the Judiciary (Conselho Superior de Magistratura)

Central Registry

Directorate-General for Registers and Other Official Documents

Directorate-General for Computerized Services

Directorate-General for Legal Services

Directorate-General for the Prison Service

Directorate-General for the Protection and Care of Minors Prison Establishments

Ministerial Department responsible for European Law

Ministerial Department responsible for Documentation and Comparative Law

Ministerial Department responsible for Studies and Planning
Ministerial Department responsible for Financial Management
Ministerial Department responsible for Planning and Coordinating Drug Control
São João de Deus Prison Hospital
Corpus Christi Institute
Guarda Institute
Institute for the Rehabilitation of Offenders
São Domingos de Benfica Institute
National Police and Forensic Science Institute
Navarro Paiva Institute
Padre António Oliveira Institute
São Fiel Institute
São José Institute
Vila Fernando Institute
Criminology Institutes
Forensic Medicine Institutes
Criminal Investigation Department
Secretariat General
Social Services
Ministry of Public Works, Transport and Communications
Council for Public and Private Works Markets
Directorate-General for Civil Aviation
Directorate-General for National Buildings and Monuments
Directorate-General for Road and Rail Transport
Ministerial Department responsible for River Crossings (Tagus)
Ministerial Department for Investment Coordination
Ministerial Department responsible for the Lisbon Railway Junction
Ministerial Department responsible for the Oporto Railway Junction
Ministerial Department responsible for Navigation on the Douro
Ministerial Department responsible for the European Communities
General Inspectorate for Public Works, Transport and Communications
Independent Executive for Roads
National Civil Engineering Laboratory
Social Works Department of the Ministry of Public Works, Transport and Communications
Secretariat General
Institute for Management and Sales of State Housing
CTT — Post and Telecommunications of Portugal SA (*)
Ministry of Foreign Affairs
Directorate-General for Consular Affairs and for Financial Administration
Directorate-General for the European Communities
Directorate-General for Cooperation
Institute for Portuguese Emigrants and Portuguese Communities Abroad
Institute for Economic Cooperation
Secretariat General
Ministry of Territorial Planning and Management
Academy of Science
Legal Affairs Office
National Centre for Geographical Data
Regional Coordination Committee (Centre)
Regional Coordination Committee (Lisbon and Tagus Valley)
Regional Coordination Committee (Alentejo)

Regional Coordination Committee (Algarve)
Regional Coordination Committee (North)
Central Planning Department
Ministerial Department for European Issues and External Relations
Directorate-General for Local Government
Directorate-General for Regional Development
Directorate-General for Town and Country Planning
Ministerial Department responsible for Coordination of the Alqueva Project
General Inspectorate for Territorial Administration
National Statistical Institute
António Sérgio Cooperative Institute
Institute for Scientific and Tropical Research
Geographical and Land Register Institute
National Scientific and Technological Research Board
Secretariat General
Ministry of the Sea
Directorate-General for Fishing
Directorate-General for Ports, Navigation and Maritime Transport
Portuguese Institute for Maritime Exploration
Maritime Administration for North, Centre and South
National Institute for Port Pilotage
Institute for Port Labour
Port Administration of Douro and Leixões
Port Administration of Lisbon
Port Administration of Setúbal and Sesimbra
Port Administration of Sines
Independent Executive for Ports
Infante D. Henrique Nautical School
Portuguese Fishing School and School of Sailing and Marine Craft
Secretariat General
Ministry of Health
Regional Health Administrations
Health Centres
Mental Health Centres
Histocompatibility Centres
Regional Alcoholism Centres
Department for Studies and Health Planning
Health Human Resource Department
Directorate-General for Health
Directorate-General for Health Installations and Equipment
National Institute for Chemistry and Medicaments
Supporting Centres for Drug Addicts
Institute for Computer and Financial Management of Health Services
Infirmery Technical Schools
Health Service Technical Colleges
Central Hospitals
District Hospitals
General Inspectorate of Health
National Institute of Emergency Care
Dr Ricardo Jorge National Health Institute
Dr Jacinto de Magalhães Institute of Genetic Medicine

Dr Gama Pinto Institute of Ophthalmology
 Portuguese Blood Institute
 General Practitioners Institutes
 Secretariat General
 Service for Prevention and Treatment of Drug Dependence
 Social Services, Ministry of Health

(¹) Authority under joint Ministry of Trade and Tourism and Ministry of Finance control.

(²) Non-warefare materials.

(³) Authority under joint control of the Ministry of Employment and Social Security and Ministry of Health.

(⁴) Postal business only.

FINLAND

Oikeuskanslerinvirasto	Office of the Chancellor of Justice
Kauppa- ja teollisuusministeriö	Ministry of Trade and Industry
Kuluttajavirasto	National Consumer Administration
Elintarvikeviras	National Food Administration
Kilpailuvirast	Office of Free Competition
Kilpailuneuvosto	Council of Free Competition
Asiamiehen toimis	Office of the Consumer Ombudsman
Kuluttajavalituslautakun	Consumer Complaint Board
Patentti- ja rekisterihallitu	National Board of Patents and Registration
Liikenneministeriö	Ministry of Transport and Communications
Telehallintokesku	Telecommunications Administration Centre
Maa- ja metsätalousministeriö	Ministry of Agriculture and Forestry
Maanmittauslaitos	National Land Survey of Finland
Oikeusministeriö	Ministry of Justice
Tietosuojavaltuutetun toimisto	The Office of the Data Protection Ombudsman
Tuomioistuinelaitos	Courts of Law
— Korkein oikeus	
— Korkein hallinto- oikeus	
— Hovioikeudet	
— Käräjäoikeudet	
— Lääninoikeudet	
— Markkinatuomioistuini	
— Työtuomioistuini	
— Vakuutusoikey	
— Vesioikeudet	
Vankeinhoitolaitos	Prison Administration
Opetusministeriö	Ministry of Education
Opetushallitus	National Board of Education
Valtion elokuvatarkastamo	National Office of Film Censorship
Puolustusministeriö	Ministry of Defence
Puolustusvoimat (¹)	Defence Forces
Sisäasiainministeriö	Ministry of the Interior
Väestörekisterikeskus	Population Register Centre
Keskusrikospoliisi	Central Criminal Police
Liikkuva poliisi	Mobile Police
Rajavartiolaitos (¹)	Frontier Guard

Sosiaali- ja terveysministeriö	Ministry of Social Affairs and Health
Työttömyysturvalautakunta	Unemployment Appeal Board
Tarkastuslautakunta	Appeal Tribunal
Lääkelaitos	National Agency for Medicines
Terveydenhuollon oikeusturvakeskus	National Board of Medicolegal Affairs
Tapaturmavirasto	State Accident Office
Säteilyturvakeskus	Finnish Centre for Radiation and Nuclear Safety
Valtion turvapaikan hakijoiden vastaanotto keskuks	Reception Centres for Asylum Seekers
Työministeriö	Ministry of Labour
Valtakunnansovittelijain toimisto	National Conciliators' Office
Työneuvosto	Labour Council
Ulkoasiainministeriö	Ministry for Foreign Affairs
Valtiovarainministeriö	Ministry of Finance
Valtionalouden tarkastusvirasto	State Economy Controller's Office
Valtiokonttori	State Treasury Office
Valtion työmarkkinalaitos	
Verohallinto	
Tullihallinto	
Valtion vakuusrahasto	
Ympäristöministeriö	Ministry of Environment
Vesi- ja ympäristöhallitus	National Board of Waters and Environment

(¹) Non-warfare materials.

SWEDEN

A	
Akademien för de fria konsterna	Royal Academy of Fine Arts
Allmänna advokatbyråerna (28)	Public Law-Service Offices (28)
Allmänna reklamationsnämnden	National Board for Consumer Complaints
Arbetskyddsstyrelsen	National Board of Occupational Safety and Health
Arbetsdomstolen	Labour Court
Arbetsgivarverk, statens	National Agency for Government Employers
Arbetslivscentrum	Centre for Working Life
Arbetslivsfonden	Working Lives Fund
Arbetsmarknadsstyrelsen	National Labour Market Board
Arbetsmiljöfonden	Work Environment Fund
Arbetsmiljöinstitutet	National Institute of Occupational Health
Arbetsmiljönämnd, statens	Board of Occupational Safety and Health for Government Employees
Arkitekturmuseet	Museum of Architecture
Arkivet för ljud och bild	National Archive of Recorded Sound and Moving Images
Arrendenämnder (12)	Regional Tenancies Tribunals (12)
B	
Barnmiljörådet	National Child Environment Council
Beredning för utvärdering av medicinsk metodik, statens	Swedish Council on Technology Assessment in Health Care
Beredningen för internationell tekniskt-ekonomiskt samarbete	Agency for International Technical and Economic Co-operation

Besvärnämnden för rättshjälp	Legal Aid Appeals Commission
Biblioteket, Kungl.	Royal Library
Biografbyrå, statens	National Board of Film Censors
Biografiskt lexikon, svenskt	Dictionary of Swedish Biography
Bokföringsnämnden	Swedish Accounting Standards Board
Bostadsdomstolen	Housing Appeal Court
Bostadskreditnämnd, statens (BKN)	National Housing Credit Guarantee Board
Boverket	National Housing Board
Brottsförebyggande rådet	National Council for Crime Prevention
Brottskadenämnden	Criminal Injuries Compensation Board
C	
Centrala försöksdjursnämnden	Central Committee for Laboratory Animals
Centrala studiestödsnämnden	National Board of Student Aid
Centralnämnden för fastighetsdata	Central Board for Real-Estate Data
D	
Datainspektionen	Data Inspection Board
Departementen	Ministries (Government Departments)
Domstolsverket	National Courts Administration
E	
Elsäkerhetsverket	National Electrical Safety Board
Expertgruppen för forskning om regional utveckling	Expert Group on Regional Studies
Exportkreditnämnden	Export Credits Guarantee Board
F	
Fideikommissnämnden	Entailed Estates Council
Finansinspektionen	Financial Supervisory Authority
Fiskeriverket	National Board of Fisheries
Flygtekniska försöksanstalten	Aeronautical Research Institute
Folkhälsoinstitutet	National Institute of Public Health
Forskningsrådsnämnden	Council for Planning and Co-ordination of Research
Fortifikationsförvaltningen ⁽¹⁾	Fortifications Administration
Frivårdens behandlingscentral	Probation Treatment Centre
Förlikningsmannaexpedition statens	National Conciliators' Office
Försvarets civilförvaltning ⁽¹⁾	Civil Administration of the Defence Forces
Försvarets datacenter ⁽¹⁾	Defence Data-Processing Centre
Försvarets forskningsanstalt ⁽¹⁾	National Defence Research Establishment
Försvarets förvaltningsskola ⁽¹⁾	Defence Forces' Administration School
Försvarets materielverk ⁽¹⁾	Defence Material Administration
Försvarets radioanstalt ⁽¹⁾	National Defence Radio Institute
Försvarets sjukvårdsstyrelse ⁽¹⁾	Medical Board of the Defence Forces
Försvarshistoriska museer, statens ⁽¹⁾	Swedish Museums of Military History
Försvarshögskolan ⁽¹⁾	National Defence College
Försäkringskassorna	Social Insurance Offices
Försäkringsdomstolarna	Social Insurance Courts
Försäkringsöverdomstolen	Supreme Social Insurance Court
G	
Geologiska undersökning, Sveriges	Geological Survey of Sweden
Geotekniska institut, statens	Geotechnical Institute
Glesbygdsmyndigheten	National Rural Area Development Authority

Grafiska institutet och institutet för högre kommunikations- och reklamutbildning

Graphic Institute and the Graduate School of Communications

H

Handelsflottans kultur- och fritidsråd

Swedish Government Seamen's Service

Handelsflottans pensionsanstalt

Merchant Pensions Institute

Handikappråd, statens

National Council for the Disabled

Haverikommission, statens

Board of Accident Investigation

Hovrätterna (6)

Courts of Appeal (6)

Humanistisk-samhällsvetenskapliga forskningsrådet

Council for Research in the Humanities and Social Sciences

Hyresnämnder (12)

Regional Rent Tribunals (12)

Häktena (30)

Remand Prisons (30)

Hälso-och sjukvårdens ansvarsnämnd

Committee on Medical Responsibility

Högsta domstolen

Supreme Court

I

Inskrivningsmyndigheten för företagsinteckningar

Register Authority for Floating Charges

Institut för byggnadsforskning, statens

Council for Building Research

Institut för psykosocial miljömedicin, statens

National Institute for Psycho-Social Factors and Health

Institutet för rymdfysik

Swedish Institute of Space Physics

Invandrarverk, statens

Swedish Immigration Board

J

Jordbruksverk, statens

Swedish Board of Agriculture

Justitiekanslern

Office of the Chancellor of Justice

Jämställdhetsombudsmannen och jämställdhetsdelegationen

Office of the Equal Opportunities Ombudsman and the Equal Opportunities Commission

K

Kabelnämnden/Närradionämnden

Swedish Cable Authority / Swedish Community Radio Authority

Kammarkollegiet

National Judicial Board of Public Lands and Funds

Kammarrätterna (4)

Administrative Courts of Appeal (4)

Kemikalieinspektionen

National Chemicals Inspectorate

Kommerskollegium

National Board of Trade

Koncessionsnämnden för miljö-skydd

National Franchise Board for Environment Protection

Konjunkturinstitutet

National Institute of Economic Research

Konkurrensverket

Swedish Competition Authority

Konstfackskolan

College of Arts, Crafts and Design

Konsthögskolan

College of Fine Arts

Konstmuseer, statens

National Art Museums

Konstnärsnämnden

Arts Grants Committee

Konstråd, statens

National Art Council

Konsumentverket

National Board for Consumer Policies

Krigsarkivet ⁽¹⁾

Armed Forces Archives

Kriminaltekniska laboratorium, statens

National Laboratory of Forensic Science

Kriminalvårdens regionkanslier (7)

Correctional Region Offices (7)

Kriminalvårdsanstalterna (78)

National / Local Institutions (78)

Kriminalvårdsnämnden

National Paroles Board

Kriminalvårdsstyrelsen

National Prison and Probation Administration

Kronofogdemyndigheterna (24)

Enforcement Services (24)

Kulturråd, statens

National Council for Cultural Affairs

Kustbevakningen ⁽¹⁾

Swedish Coast Guard

Kärnkraftinspektion, statens

Nuclear Power Inspectorate

L

Lantmäteriverk, statens	Central Office of the National Land Survey
Livruskammaren/Skoklosters slott/Hallwylska museet	Royal Armoury
Livsmedelsverk, statens	National Food Administration
Lotterinämnden	Gaming Board
Läkemedelsverket	Medical Products Agency
Läns- och distriktsåklagarmyndigheterna	County Public Prosecution Authority and District Prosecution Authority
Länsarbetsnämnderna (24)	County Labour Boards (24)
Länsrätterna (25)	County Administrative Courts (25)
Länsstyrelserna (24)	County Administrative Boards (24)
Löne- och pensionsverk, statens	National Government Employee Salaries and Pensions Board

M

Marknadsdomstolen	Market Court
Maskinprovningar, statens	National Machinery Testing Institute
Medicinska forskningsrådet	Medical Research Council
Meteorologiska och hydrologiska institut, Sveriges	Swedish Meteorological and Hydrological Institute
Militärhögskolan (!)	Armed Forces Staff and War College
Musiksamlingar, statens	Swedish National Collections of Music

N

Naturhistoriska riksmuseet	Museum of Natural History
Naturvetenskapliga forskningsrådet	Natural Science Research Council
Naturvårdsverk, statens	National Environmental Protection Agency
Nordiska Afrikainstitutet	Scandinavian Institute of African Studies
Nordiska hälsovårdshögskolan	Nordic School of Public Health
Nordiska institutet för samhällsplanering	Nordic Institute for Studies in Urban and Regional Planning
Nordiska museet, stiftelsen	Nordic Museum
Nordiska rådets svenska delegation	Swedish Delegation of the Nordic Council
Notarienämnden	Recorders Committee
Nämnden för internationella adoptionsfrågor	National Board for Intra-Country Adoptions
Nämnden för offentlig upphandling	National Board for Public Procurement
Nämnden för statens gruvegendom	State Mining Property Commission
Nämnden för statliga förnyelsefonder	National Fund for Administrative Development and Training for Government Employees
Nämnden för utställning av nutida svensk konst i utlandet	Swedish National Committee for Contemporary Art Exhibitions Abroad
Närings- och teknikutvecklingsverket	National Board for Industrial and Technical Development

O

Ombudsmannen mot etnisk diskriminering och nämnden mot etnisk diskriminering	Office of the Ethnic Discrimination Ombudsman Advisory Committee on Questions Concerning Ethnic Discrimination
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P

Patentbesvärshöjningen	Court of Patent Appeals
Patent- och registreringsverket	Patents and Registration Office
Person- och adressregisternämnd, statens	Co-ordinated Population and Address Register
Polarforskningssekreteriatet	Swedish Polar Research Secretariat
Presstödsnämnden	Press Subsidies Council
Psykologisk-pedagogiska bibliotek, statens	National Library for Psychology and Education

R

Radionämnden	Broadcasting Commission
Regeringskansliets förvaltningskontor	Central Services Office for the Ministries

Regeringsrätten	Supreme Administrative Court
Riksantikvarieämbetet och statens historiska museer	Central Board of National Antiquities and National Historical Museums
Riksarkivet	National Archives
Riksbanken	Bank of Sweden
Riksdagens förvaltningskontor	Administration Department of the Swedish Parliament
Riksdagens ombudsmän, JO	The Parliamentary Ombudsmen
Riksdagens revisorer	The Parliamentary Auditors
Riksförsäkringsverket	National Social Insurance Board
Riksgäldskontoret	National Debt Office
Rikspolisstyrelsen	National Police Board
Riksrevisionsverket	National Audit Bureau
Riksskatteverket	National Tax Board
Riksutställningar, Stiftelsen	Travelling Exhibitions Service
Riksåklagaren	Office of the Prosecutor-General
Rymdstyrelsen	National Space Board
Råd för byggnadsforskning, statens	Council for Building Research
Rådet för grundläggande högskoleutbildning	Council for Renewal of Undergraduate Education
Räddningsverk, statens	National Rescue Services Board
Rättshjälpsnämnden	Regional Legal-aid Commission
Rättsmedicinalverket	National Board of Forensic Medicine
S	
Sameskolstyrelsen och sameskolor	Sami (Lapp) School Board and Sami (Lapp) Schools
Sjöfartsverket	National Maritime Administration
Sjöhistoriska museer, statens	National Maritime Museums
Skattemyndigheterna (24)	Local Tax Offices (24)
Skogs- och jordbrukets forskningsråd	Swedish Council for Forestry and Agricultural Research
Skogsstyrelsen	National Board of Forestry
Skolverk, statens	National Agency for Education
Smittskyddsinstitutet	Swedish Institute for Infectious Disease Control
Socialstyrelsen	National Board of Health and Welfare
Socialvetenskapliga forskningsrådet	Swedish Council for Social Research
Sprängämnesinspektionen	National Inspectorate of Explosives and Flammables
Statistiska centralbyrån	Statistics Sweden
Statskontoret	Agency for Administrative Development
Stiftelsen WHO	Collaborating Centre on International Drug Monitoring
Strålskyddsinstitut, statens	National Institute of Radiation Protection
Styrelsen för internationell utveckling, SIDA	Swedish International Development Authority
Styrelsen för Internationellt Näringslivsbistånd, SWEDECORP	Swedish International Enterprise Development
Styrelsen för psykologiskt försvar (1)	National Board of Psychological Defence
Styrelsen för Sverige bilden	Image Sweden
Styrelsen för teknisk ackreditering	Swedish Board for Technical Accreditation
Styrelsen för u-landsforskning, SAREC	Swedish Agency for Research Cooperation with Developing Countries
Svenska institutet, stiftelsen	Swedish Institute
T	
Talboks- och punktskriftsbiblioteket	Library of Talking Books and Braille Publications
Teknikvetenskapliga forskningsrådet	Swedish Research Council for Engineering Sciences
Tekniska museet, stiftelsen	National Museum of Science and Technology
Tingsrätterna (97)	District and City Courts (97)
Tjänsteförslagsnämnden för domstolsväsendet	Judges Nomination Proposal Committee
Transportforskningsberedningen	Transport Research Board
Transportrådet	Board of Transport
Tullverket	Swedish Board of Customs

U

Ungdomsråd, statens	State Youth Council
Universitet och högskolor	Universities and University Colleges
Utlänningsnämnden	Aliens Appeals Board
Utsädeskontroll, statens	National Seed Testing and Certification Institute

V

Vatten- och avloppsnämnd, statens	National Water Supply and Sewage Tribunal
Vattenöverdomstolen	Water Rights Court of Appeal
Verket för högskoleservice (VHS)	National Agency for Higher Education
Veterinärmedicinska anstalt, statens	National Veterinary Institute
Väg- och trafikinstitut, statens	Road and Traffic Research Institute
Värnpliktsverket ⁽¹⁾	Armed Forces' Enrolment Board
Växsortsnämnd, statens	National Plant Variety Board

Y

Yrkesinspektionen	Labour Inspectorate
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Å

Åklagarmyndigheterna	Public Prosecution Authorities
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Ö

Överbefälhavaren	Supreme Commander of the Armed Forces
Överstyrelsen för civil beredskap	National Board of Civil Emergency Preparedness

⁽¹⁾ Non-warfare materials.

UNITED KINGDOM

Cabinet Office

Cheslington Computer Centre
 Civil Service College
 Recruitment and Assessment Service
 Civil Service Occupational Health Service
 Office of Public Services and Science
 Parliamentary Counsel Office
 The Government Centre on Information Systems (CCTA)

Central Office of Information

Charity Commission

Crown Prosecution Service

Crown Estate Commissioners (Vote Expenditure only)

Customs and Excise Department

Department for National Savings

Department for Education

Higher Education Funding Council for England

Department of Employment

Employment Appeals Tribunal

Industrial Tribunals

Office of Manpower Economics

Department of Health

Central Council for Education and Training in Social Work
Dental Practice Board
English National Board for Nursing, Midwifery and Health Visitors
National Health Service Authorities and Trusts
Prescriptions Pricing Authority
Public Health Laboratory Service Board
United Kingdom Central Council for Nursing, Midwifery and Health Visiting

Department of National Heritage

British Library
British Museum
Historic Buildings and Monuments Commission for England (English Heritage)
Imperial War Museum
Museums and Galleries Commission
National Gallery
National Maritime Museum
National Portrait Gallery
Natural History Museum
Royal Commission on Historical Manuscripts
Royal Commission on Historical Monuments of England
Royal Fine Art Commission (England)
Science Museum
Tate Gallery
Victoria and Albert Museum
Wallace Collection

Department of Social Security

Medical Boards and Examining Medical Officers (War Pensions)
Regional Medical Service
Independent Tribunal Service
Disability Living Allowance Advisory Board
Social Security Advisory Co
Social Security Advisory Committee

Department of the Environment

Building Research Establishment Agency
Commons Commissioners
Countryside Commission
Valuation Tribunal
Rent Assessment Panels
Royal Commission on Environmental Pollution
The Buying Agency

Department of the Procurator General and Treasury Solicitor

Legal Secretariat to the Law Officers

Department of Trade and Industry

Laboratory of the Government Chemist
National Engineering Laboratory
National Physical Laboratory
National Weights and Measures Laboratory
Domestic Coal Consumers' Council
Electricity Committees
Gas Consumers' Council
Central Transport Consultative Committees

Monopolies and Mergers Commission
Patent Office
Department of Transport
Coastguard Services
Transport Research Laboratory
Export Credits Guarantee Department
Foreign and Commonwealth Office
Wilton Park Conference Centre
Government Actuary's Department
Government Communications Headquarters
Home Office
Boundary Commission for England
Gaming Board for Great Britain
Inspectors of Constabulary
Parole Board and Local Review Committees
House of Commons
House of Lords
Inland Revenue, Board of
Intervention Board for Agricultural Produce
Lord Chancellor's Department
Combined Tax Tribunal
Council on Tribunals
Immigration Appellate Authorities
Immigration Adjudicators
Immigration Appeals Tribunal
Lands Tribunal
Law Commission
Legal Aid Fund (England and Wales)
Pensions Appeals Tribunals
Public Trustee Office
Office of the Social Security Commissioners
Supreme Court Group (England and Wales)
Court of Appeal — Criminal
Circuit Offices and Crown, County and Combined Courts (England and Wales)
Transport Tribunal
Ministry of Agriculture, Fisheries and Food
Agricultural Development and Advisory Service
Agricultural Dwelling House Advisory Committees
Agricultural Land Tribunals
Agricultural Wages Board and Committees
Cattle Breeding Centre
Plant Variety Rights Office
Royal Botanic Gardens, Kew
Ministry of Defence ⁽¹⁾
Meteorological Office
Procurement Executive
National Audit Office
National Investment Loans Office
Northern Ireland Court Service
Coroners Courts
County Courts

Court of Appeal and High Court of Justice in Northern Ireland
Crown Courts
Enforcement of Judgements Office
Legal Aid Fund
Magistrates Court
Pensions Appeals Tribunals
Northern Ireland, Department of Agriculture
Northern Ireland, Department for Economic Development
Northern Ireland, Department of Education
Northern Ireland, Department of the Environment
Northern Ireland, Department of Finance and Personnel
Northern Ireland, Department of Health and Social Services
Northern Ireland Office
Crown Solicitor's Office
Department of the Director of Public Prosecutions for Northern Ireland
Northern Ireland Forensic Science Laboratory
Office of Chief Electoral Officer for Northern Ireland
Police Authority for Northern Ireland
Probation Board for Northern Ireland
State Pathologist Service
Office of Fair Trading
Office of Population Censuses and Surveys
National Health Service Central Register
Office of the Parliamentary Commissioner for Administration and Health
Service Commissioners
Ordnance Survey
Overseas Development Administration
Natural Resources Institute
Paymaster General's Office
Postal Business of the Post Office
Privy Council Office
Public Record Office
Registry of Friendly Societies
Royal Commission on Historical Manuscripts
Royal Hospital, Chelsea
Royal Mint
Scotland, Crown Office and Procurator
Fiscal Service
Scotland, Department of the Registers of Scotland
Scotland, General Register Office
Scotland, Lord Advocate's Department
Scotland, Queen's and Lord Treasurer's Remembrancer
Scottish Courts Administration
Accountant of Court's Office
Court of Justiciary
Court of Session
Lands Tribunal for Scotland
Pensions Appeal Tribunals
Scottish Land Court
Scottish Law Commission
Sheriff Courts

Social Security Commissioners' Office

The Scottish Office

- Central Services
- Agriculture and Fisheries Department
- Crofters Commission
- Red Deer Commission
- Royal Botanic Garden, Edinburgh
- Industry Department
- Education Department
- National Galleries of Scotland
- National Library of Scotland
- National Museums of Scotland
- Scottish Higher Education Funding Council
- Environment Department
- Rent Assessment Panel and Committees
- Royal Commission on the Ancient and Historical Monuments of Scotland
- Royal Fine Art Commission for Scotland
- Home and Health Departments
- HM Inspectorate of Constabulary
- Local Health Councils
- National Board for Nursing, Midwifery and Health Visiting for Scotland
- Parole Board for Scotland and Local Review Committees
- Scottish Council for Postgraduate Medical Education
- Scottish Crime Squad
- Scottish Criminal Record Office
- Scottish Fire Service Training School
- Scottish Health Service Authorities and Trusts
- Scottish Police College

Scottish Record Office

HM Stationery Office (HMSO)

HM Treasury

- Forward

Welsh Office

- Royal Commission of Ancient and Historical Monuments in Wales
- Welsh National Board for Nursing, Midwifery and Health Visiting
- Local Government Boundary Commission for Wales
- Valuation Tribunals (Wales)
- Welsh Higher Education Funding Council
- Welsh National Health Service Authorities and Trusts
- Welsh Rent Assessment Panels.

ANNEX V

LIST OF PRODUCTS REFERRED TO IN ARTICLE 8 CONCERNING THE AWARD OF CONTRACTS BY CONTRACTING AUTHORITIES IN THE FIELD OF DEFENCE ⁽¹⁾

- Chapter 25: Salt, sulphur, earths and stone, plastering materials, lime and cement
- Chapter 26: Metallic ores, slag and ash
- Chapter 27: Mineral fuels, mineral oils and products of their distillation, bituminous substances, mineral waxes
except:
ex 27.10: special engine fuels (not for Austria)
heating oils and fuels (only Austria)
- Chapter 28: Inorganic chemicals, organic and inorganic compounds of precious metals, of rare-earth metals, of radioactive elements and of isotopes
except:
ex 28.09: explosives
ex 28.13: explosives
ex 28.14: tear gas
ex 28.28: explosives
ex 28.32: explosives
ex 28.39: explosives
ex 28.50: toxic products
ex 28.51: toxic products
ex 28.54: explosives
- Chapter 29: Organic chemicals
except:
ex 29.03: explosives
ex 29.04: explosives
ex 29.07: explosives
ex 29.08: explosives
ex 29.11: explosives
ex 29.12: explosives
ex 29.13: toxic products
ex 29.14: toxic products
ex 29.15: toxic products
ex 29.21: toxic products
ex 29.22: toxic products
ex 29.23: toxic products
ex 29.26: explosives
ex 29.27: toxic products
ex 29.29: explosives

⁽¹⁾ This list is taken from Annex 1, point 3, of the agreement on public contracts concluded at the multilateral negotiations of the Uruguay round (1986-1994)

- Chapter 30: Pharmaceutical products
- Chapter 31: Fertilisers
- Chapter 32: Tanning and dyeing extracts, tannings and their derivatives, dyes, colours, paints and varnishes, putty, fillers and stoppings, inks
- Chapter 33: Essential oils and resinoids, perfumery, cosmetic or toilet preparations
- Chapter 34: Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and 'dental waxes'
- Chapter 35: Albuminoidal substances, glues, enzymes
- Chapter 36: Explosives, pyrotechnic products, matches, pyrophoric alloys, certain combustible preparations (only Austria and Sweden)
except (only Austria):
ex 36.01: propellant powders
ex 36.02: prepared explosives
ex 36.04: detonators
ex 36.08: explosives
- Chapter 37: Photographic and cinematographic goods
- Chapter 38: Miscellaneous chemical products
except:
ex 38.19: toxic products (not for Sweden)
- Chapter 39: Artificial resins and plastic materials, cellulose esters and ethers, articles thereof
except:
ex 39.03: explosives (not for Sweden)
- Chapter 40: Rubber, synthetic rubber, factice, and articles thereof
except:
ex 40.11: automobile tyres (not for Sweden)
- Chapter 41: Raw hides and skins (other than fur skins) and leather (not for Austria)
- Chapter 42: Articles of leather, saddlery and harness, travel goods, handbags and similar containers, articles of animal gut (other than silk-worm gut) (not for Austria)
- Chapter 43: Fur skins and artificial fur, manufactures thereof
- Chapter 44: Wood and articles of wood, wood charcoal (not for Austria)
- Chapter 45: Cork and articles of cork
- Chapter 46: Manufactures of straw of esparto and of other plaiting materials, basketware and wickerwork
- Chapter 47: Paper-making material
- Chapter 48: Paper and paperboard, articles of paper pulp, of paper or of paperboard (not for Austria)
- Chapter 49: Printed books, newspapers, pictures and other products of the printing industry, manuscripts, typescripts and plans (not for Austria)

- Chapter 65: Headgear and parts thereof
except (only Austria):
ex 65.05: military headgear
- Chapter 66: Umbrellas, sunshades, walking-sticks, whips, riding-crops and parts thereof
- Chapter 67: Prepared feathers and down and articles made of feathers or of down, artificial flowers, articles of human hair
- Chapter 68: Articles of stone, of plaster, of cement, of asbestos, of mica and of similar materials
- Chapter 69: Ceramic products
- Chapter 70: Glass and glassware
- Chapter 71: Pearls, precious and semi-precious stones, precious metals, rolled precious metals, and articles thereof; imitation jewellery
- Chapter 72: Coins (only Austria and Sweden)
- Chapter 73: Iron and steel and articles thereof
- Chapter 74: Copper and articles thereof
- Chapter 75: Nickel and articles thereof
- Chapter 76: Aluminium and articles thereof
- Chapter 77: Magnesium and beryllium and articles thereof
- Chapter 78: Lead and articles thereof
- Chapter 79: Zinc and articles thereof
- Chapter 80: Tin and articles thereof
- Chapter 81: Other base metals employed in metallurgy and articles thereof
- Chapter 82: Tools, implements, cutlery, spoons and forks, of base metal, parts thereof
except:
ex 82.05: tools (not for Austria)
ex 82.07: tools, parts
ex 82.08: hand tools (only Austria)
- Chapter 83: Miscellaneous articles of base metal
- Chapter 84: Boilers, machinery and mechanical appliances, parts thereof
except:
ex 84.06: engines
ex 84.08: other engines
ex 84.45: machinery
ex 84.53: automatic data-processing machines (not for Austria)
ex 84.55: parts of machines under heading No 84.53 (not for Austria and Sweden)
ex 84.59: nuclear reactors (not for Austria and Sweden)

- Chapter 85: Electrical machinery and equipment, parts thereof
except:
ex 85.03: electric cells and batteries (only Austria)
ex 85.13: telecommunication equipment
ex 85.15: transmission apparatus
- Chapter 86: Railway and tramway locomotives, rolling-stock and parts thereof, railway and tramway tracks fixtures and fittings, traffic signalling equipment of all kinds (not electrically powered)
except:
ex 86.02: armoured locomotives, electric
ex 86.03: other armoured locomotives
ex 86.05: armoured wagons
ex 86.06: repair wagons
ex 86.07: wagons
- Chapter 87: Vehicles, other than railway or tramway rolling-stock, and parts thereof
except:
ex 87.08: tanks and other armoured vehicles
ex 87.01: tractors
ex 87.02: military vehicles
ex 87.03: breakdown lorries
ex 87.09: motorcycles
ex 87.14: trailers
- Chapter 88: Aircraft and parts thereof (only Austria)
- Chapter 89: Ships, boats and floating structures
except:
ex 89.01: warships (only Austria)
ex 89.01A: warships (not for Austria)
ex 89.03: floating structures (only Austria)
- Chapter 90: Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus, parts thereof
except:
ex 90.05: binoculars
ex 90.13: miscellaneous instruments, lasers
ex 90.14: telemeters
ex 90.28: electrical and electronic measuring instruments
ex 90.11: microscopes (not for Austria and Sweden)
ex 90.17: medical instruments (not for Austria and Sweden)
ex 90.18: mechano-therapy appliances (not for Austria and Sweden)
ex 90.19: orthopaedic appliances (not for Austria and Sweden)
ex 90.20: X-ray apparatus (not for Austria and Sweden)

Chapter 91:	Manufacture of watches and clocks
Chapter 92:	Musical instruments, sound recorders or reproducers, television image and sound recorders or reproducers, parts and accessories of such articles
Chapter 94:	Furniture and parts thereof, bedding, mattresses, mattress supports, cushions and similar stuffed furnishings <i>except:</i> ex 94.01A: aircraft seats (not for Austria)
Chapter 95:	Articles and manufactures of carving or moulding material
Chapter 96:	Brooms, brushes, powder-puffs and sieves
Chapter 97:	Toys, games and sport requisites, parts thereof (only Austria and Sweden)
Chapter 98:	Miscellaneous manufactured articles

ANNEX VI

DEFINITION OF CERTAIN TECHNICAL SPECIFICATIONS

For the purposes of this Directive:

- (a) 'technical specification', in the case of public service or supply contracts, means a specification in a document defining the required characteristics of a product, such as quality levels, use of the product, safety or dimensions, including requirements relevant to the product as regards the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking and labelling and conformity assessment procedures;

(b) 'technical specification', in the case of public works contracts, means the totality of the technical prescriptions contained in particular in the tender documents, defining the characteristics required of a material, product or supply, which permits a material, a product or a supply to be described in a manner such that it fulfils the use for which it is intended by the contracting authority. These characteristics shall include levels of conformity assessment, performance, safety or dimensions, including the procedures concerning quality assurance, terminology, symbols, testing and test methods, packaging, marking and labelling. They shall also include rules relating to design and costing, the test, inspection and acceptance conditions for works and methods or techniques of construction and all other technical conditions which the contracting authority is in a position to prescribe, under general or specific regulations, in relation to the finished works and to the materials or parts which they involve;
 - 'standard' means a technical specification approved by a recognised standardising body for repeated or continuous application, compliance with which is not compulsory and which falls into one of the following categories:

 - international standard: a standard adopted by an international standards organisation and made available to the general public,
 - European standard: a standard adopted by a European standards organisation and made available to the general public,
 - national standard: a standard adopted by a national standards organisation and made available to the general public;
 - 'European technical approval' means a favourable technical assessment of the fitness for use of a product for a particular purpose, based on fulfilment of the essential requirements for building works, by means of the inherent characteristics of the product and the defined conditions of application and use. European technical approval is issued by an approval body designated for this purpose by the Member State;
 - 'Common technical specification' means a technical specification laid down in accordance with a procedure recognised by the Member States which has been published in the *Official Journal of the European Communities*;
 - 'technical reference' means any product produced by European standardisation bodies, other than official standards, according to procedures adopted for the development of market needs.
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ANNEX VII A

Information to be included in public contract notices**Prior information notice**

1. The name, address, telefax number, electronic address of the contracting authority, and if different, of the service from which additional information may be obtained.
2. The nature and quantity or value of the products to be supplied, reference number of the nomenclature,

or the total envisaged amount of the purchases in each of the service categories in Annex I A,

or the nature and extent of the works, site; if the work is to be subdivided into several lots, the essential characteristic of these lots by reference to the work; if available, an estimate of the cost range of the proposed works.
3. Estimated date for initiating the award procedures in respect of the contract or contracts, in the case of public service contracts by category.
4. Where appropriate, indicate whether a framework agreement.
5. Where appropriate, other information.
6. Date of dispatch of the notice.
7. Indicate whether the contract is covered by the Agreement (GPA).

Contract notices

1. Name, address, telefax number, electronic address of the contracting authority.
2. (a) The award procedure chosen.

(b) Where appropriate, reasons for use of the accelerated procedure (in restricted and negotiated procedures).

(c) Where appropriate, indicate whether a framework agreement.
3. Form of the contract.
4. (a) Place for delivery of products, provision of services or execution/performance of the works.
5. (a) Public supply contracts:
 - nature of the products to be supplied indicating in particular whether tenders are requested with a view to purchase, lease rental, hire or hire purchase or a combination of these, nomenclature reference number. Quantity of product to be supplied indicating in particular options concerning supplementary purchases and, if known, the provisional timetable for recourse to these options. In the case of regular or renewable contracts during the course of a given period, indicate also, if known, the time frame for subsequent contracts for purchase of intended supplies.
- (b) Public service contracts: category and description of service. Nomenclature reference number. Quantity of services to be provided. Indicate in particular options concerning supplementary purchases and, if known, the provisional timetable for recourse to these options. In the case of renewable contracts over a given period, an estimate of the time frame, if known, for subsequent public contracts for purchase of intended services.
 - Indication of whether the execution of the service is reserved by law, regulation or administrative provision to a particular profession;
 - Reference to the law, regulation or administrative provision;

- Indication of whether legal persons should indicate the names and professional qualifications of the staff to be responsible for the execution of the service.
- (c) Public works contracts:
- Nature and extent of the works and general nature of the work. Indication in particular of options concerning supplementary works, and, if known, the provisional timetable for exercise of these options. If the work or the contract is subdivided into several lots, the size of the different lots.
 - Information concerning the purpose of the work or the contract where the latter also involves the drawing up of projects.
6. If the contracts are subdivided into lots indication of the possibility of tendering for one, for several or for all the lots.
 7. Any time-limit for completion of supplies/services/works or duration of the supply/services/works contract; where possible, any time-limit by which delivery of supplies or services will begin or be completed, or where possible, time-limit by which works will begin.
 8. For framework agreements: the envisaged number of economic operators taking part, the duration of the agreement specifying, where appropriate, the reasons for use of a framework agreement exceeding three years, the total value of supplies/services/works estimated for the duration of the framework agreement and the value and frequency of contracts to be awarded.
 9. Where applicable, prohibition of variants.
 10. Where applicable, particular conditions to which the performance of the contract is subject.
 11. In the case of open procedures:
 - (a) Name and address of the service from which contract documents and additional documents can be requested;
 - (b) Where appropriate, time-limit for presentation of such requests;
 - (c) Where appropriate, cost and payment conditions to obtain these documents.
 12.
 - (a) time-limit for receipt of tenders (open procedures);
 - (b) time-limit for receipt of request to participate (restricted and negotiated procedures);
 - (c) address where these have to be transmitted;
 - (d) the language or languages in which they must be drawn up.
 13. In the case of open procedures:
 - (a) persons authorised to be present at the opening of tenders;
 - (b) date, time and place for such opening.
 14. Where appropriate, any deposit and guarantees required.
 15. Main terms concerning financing and payment and/or references to the provisions in which these are contained.
 16. Where applicable, the legal form to be taken by the grouping of economic operators to whom the contract is to be awarded.
 17. Information concerning the economic operators' personal situation, information and any necessary formalities for assessment of the minimum economic and technical standards required of the economic operator. Specific level(s) of standards possibly required.
 18. Minimum number and, where appropriate, maximum number of candidates that the contracting authority intends to invite to submit tenders (restricted and negotiated procedures).
 19. Time frame during which the tenderer must maintain its tender (open procedures).
 20. Where appropriate, names and addresses of economic operators already selected by the contracting authority (negotiated procedures).

21. Criteria to be used for award of the contract. Criteria representing the most economically advantageous tender as well as their weighting in restricted and negotiated procedures. In the case of open procedures these criteria and their weighting shall be mentioned where they do not appear in the contract documents.
22. Date(s) of publication of the pre-information notice in accordance with the technical specifications of publication indicated in Annex VIII or statement that no such publication made.
23. Date of dispatch of the notice.
24. Indicate whether the contract is covered by the Agreement (GPA).

Contract award notices

1. Name and address of the contracting authority.
2. Award procedures chosen. In the case of negotiated procedure without prior publication of a contract notice, justification (Article 28).
3. Public supply contracts: nature and quantity of products supplied, where appropriate, by the supplier; nomenclature reference number.

Public service contracts: category and description of the service; nomenclature reference number; quantity of services bought.

Public works contracts: nature and extent of provision, general characteristics of the work.
4. Date of contract award.
5. Contract award criteria.
6. Number of tenders received.
7. Name and address of the successful economic operators.
8. Price or range of prices (minimum/maximum) paid.
9. Value of the tender (tenders) retained or the highest tender and lowest tender taken into consideration for the contract award.
10. Where appropriate, value and proportion of contract likely to be subcontracted to third parties.
11. Date of publication of the tender notice in accordance with the technical specifications for publication in Annex VIII.
12. Date of dispatch of this notice.

ANNEX VII B

Information to be included in service design contest notices

Design contest notice

1. Name, address, fax number and electronic address of the contracting authority and, if different, of the service from which additional information may be obtained.
2. Project description.
3. Nature of the contest: open or restricted.
4. In the case of open contests: final date for receipt of projects.
5. In the case of restricted contests:
 - (a) the number of participants envisaged;
 - (b) where applicable, names of participants already selected;

- (c) criteria for the selection of participants;
 - (d) final date for receipt of requests to participate.
6. Where applicable, indication of whether participation is reserved to a particular profession.
 7. Criteria to be applied in the evaluation of projects.
 8. Where applicable, names of the selected members of the jury.
 9. Indication of whether the decision of the jury is binding on the contracting authority.
 10. Where applicable, number and value of prizes.
 11. Where applicable, details of payments to all participants.
 12. Indication of whether the prize-winners are permitted any follow-up contracts.
 13. Date of dispatch of the notice.

Notice for results of design contest

1. Name, address, fax number and electronic address of the contracting authority.
2. Project description.
3. Total number of participants.
4. Number of foreign participants.
5. Winner(s) of the contest.
6. Where applicable, the prize(s).
7. Reference of the design contest notice.
8. Date of dispatch of the notice.

*ANNEX VII C***Information to be included in public works concession notices**

1. Name, address, fax number and electronic address of the contracting authority.
2. (a) Site;
 - (b) Subject of the concession, nature and extent of the services to be provided.
3. (a) Final date for receipt of candidatures;
 - (b) Address to which candidatures must be sent;
 - (c) Language or languages in which candidatures must be drawn up.
4. Personal, technical and financial conditions to be fulfilled by the candidates.
5. Criteria for award of contract.
6. Where applicable, the minimum percentage of the works contracts awarded to third parties.
7. Date of dispatch of the notice.

ANNEX VII D

Information to be included in the notice of works contracts awarded by the concessionaire

1. (a) Site;
(b) Nature and extent of the services to be provided and the general nature of the work.
2. Any time-limit for the completion of the works.
3. Name and address of the service from which the contract documents and additional documents may be requested.
4. (a) Final date for receipt of requests to participate and/or for receipt of tenders;
(b) Address to which requests must be sent;
(c) Language or languages in which requests must be drawn up.
5. Any deposit and guarantees required.
6. Economic and technical standards required of the contractor.
7. Criteria for the award of the contract.
8. Date of dispatch of the notice.

ANNEX VIII

TECHNICAL SPECIFICATIONS FOR PUBLICATION

1. Publication of notices
 - (a) Where this Directive requires contracting authorities to publish certain items of information, they are to send this information in the required format to the Office for Official Publications of the European Communities either in electronic form, in accordance with point 3, or by other means.
 - (b) In the case of the accelerated procedures referred to in Article 37(9), the notices shall be sent by fax, or by the electronic means specified in point 3.
 - (c) Notices referred to in Articles 34, 59, 66 and 72 are published through the Office for Official Publications of the European Communities.

In addition, contracting authorities may publish this information on the Internet on a 'buyer profile' as specified in point 2(b).
 - (d) The Office for Official Publications of the European Communities will confirm to the contracting authority that the information submitted has been published, indicating the date of publication. This confirmation constitutes proof of actual publication.
2. Publication of complementary or additional information
 - (a) Contracting authorities are encouraged to publish the specifications in their entirety on the Internet. Contracting authorities who make the contract documents available in this way shall specify the Internet address where this documentation may be accessed in the text of the contract notices referred to in Articles 34(2), 59(1), 66 and 72.
 - (b) Contracting authorities are encouraged to publish their 'buyer profile' on the Internet. The profile may include information on ongoing invitations to tender, scheduled purchases, contracts concluded, procedures cancelled and any useful general information, such as a contact point, a telephone and a fax number, a postal address and an e-mail address.
3. Sending information electronically

The arrangements for sending information electronically must comply with those set out at the Internet address 'http://simap.eu.int'.

ANNEX IX

PROFESSIONAL AND TRADE REGISTERS

ANNEX IX A

Public supply contracts

The relevant professional or trade registers and the corresponding declarations and certificates are:

- in Belgium: 'Registre du commerce' — 'Handelsregister';
- in Denmark: 'Aktieselskabsregistret', 'Foreningsregistret' and 'Handelsregistret';
- in Germany: 'Handelsregister' and 'Handwerksrolle';
- in Greece: 'εχνικό ή Βιομηχανικό ή Εμπορικό Επιμελητήριο';
- in Spain: 'Registro Mercantil' or, in the case of non-registered individuals, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question;
- in France: 'Registre du commerce' and 'Répertoire des métiers';
- in Italy: 'Registro della Camera di commercio, industria, agricoltura e artigianato' and 'Registro delle Commissioni provinciali per l'artigianato';
- in Luxembourg: 'Registre aux firmes' and 'Rôle de la Chambre des métiers';
- in the Netherlands: 'Handelsregister';
- in Austria, the 'Firmenbuch', the 'Gewerberegister' the 'Mitgliederverzeichnisse der Landeskammern';
- in Portugal: 'Registro Nacional das Pessoas Colectivas';
- in Finland, the 'Kaupparekisteri' and 'Handelsregistret';
- in Sweden, the 'aktiebolags-, handels- eller föreningsregistren';
- in the United Kingdom and Ireland, the supplier may be requested to provide a certificate from the Registrar of Companies or the Registrar of Friendly Societies, that he is certified as incorporated or registered or, if he is not so certified, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question in the country in which he is established in a specific place under a given business name and under a specific trading name.

ANNEX IX B

Public service contracts

The relevant professional and trade registers or declarations or certificates are:

- in Belgium, the 'Registre du commerce — Handelsregister' and the 'Ordres professionnels — Beroepsorden';
- in Denmark, the 'Erhvervs- og Selskabsstyrelsen';
- in Germany, the 'Handelsregister', the 'Handwerksrolle' and the 'Vereinsregister';
- in Greece, the service provider may be asked to provide a declaration on the exercise of the profession concerned made on oath before a notary; in the cases provided for by existing national legislation, for the provision of research services as mentioned in Annex I A, the professional register 'Μητρώο Μελετητών' and 'Μητρώο Γραφείων Μελετών';
- in Spain, the 'Registro Central de Empresas Consultoras y de Servicios del Ministerio de Economía y Hacienda';
- in France, the 'registre du commerce' and the 'répertoire des métiers';
- in Italy, the 'Registro della Camera di commercio, industria, agricoltura e artigianato', the 'Registro delle commissioni provinciali per l'artigianato' or the 'Consiglio nazionale degli ordini professionali';
- in Luxembourg, the 'registre aux firmes' and the 'Rôle de la Chambre des métiers';
- in the Netherlands, the 'Handelsregister';
- in Austria, the 'Firmenbuch', the 'Gewerberegister' and the 'Mitgliederverzeichnisse der Landeskammern';
- in Portugal, the 'Registro nacional das Pessoas Colectivas';
- in Finland, the 'Kaupparekisteri' and 'Handelsregistret';
- in Sweden, 'aktiebolags-, handels- eller föreningsregistren';

- in the United Kingdom and Ireland, the service provider may be requested to provide a certificate from the Registrar of Companies or the Registrar of Friendly Societies or, if he is not so certified, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question in the country in which he is established in a specific place under a given business name.

ANNEX IX C

Public works contracts

The professional registers and corresponding declarations and certificates for each Member State are:

- in Belgium, the 'Registre du Commerce' — 'Handelsregister';
- in Denmark, the 'Handelsregistret' 'Aktieselskabsregistret' and 'Erhvervsregistret';
- in Germany, the 'Handelsregister' and the 'Handwerksrolle';
- in Greece, the 'Register of contractors' enterprises ('Μητρώο Εργοληπτικών Επιχειρήσεων' ΜΕΕΠ) of the Ministry for Environment, Town and Country Planning and Public Works (ΥΠΕΧΩΔΕ);
- in Spain, the 'Registro oficial de Contratistas del Ministerio de Industria, Comercio y Turismo';
- in France, the 'Registre du commerce' and the 'Répertoire des métiers';
- in Italy, the 'Registro della Camera di commercio, industria, agricoltura e artigianato';
- in Luxembourg, the 'Registre aux firmes' and the 'Rrôle de la Chambre des métiers';
- in the Netherlands, the 'Handelsregister';
- in Austria, the 'Firmenbuch', the 'Gewerberegister' and the 'Mitgliederverzeichnisse der Landeskammern';
- in Portugal, the 'Comissão de Alvarás de Empresas de Obras Públicas e Particulares (CAEOPP);
- in Finland, the 'Kaupparekisteri' and 'Handelsregistret';
- in Sweden, the 'aktiebolags-, handels- eller föreningsregistren';
- in the United Kingdom and Ireland, the contractor may be requested to provide a certificate from the Registrar of Companies or the Registrar of Friendly Societies or, if this is not the case, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question in the country in which he is established, in a specific place and under a given business name.

ANNEX X

DEADLINES FOR APPLICATION OF TRANSPOSITION MEASURES

(Article 80)

Directive	Deadlines for transposition
92/50/EEC (OJ L 209, 24.7.1992) Austria, Finland, Sweden ⁽¹⁾	1 July 1993 1 January 1995
93/36/EEC (OJ L 199, 9.8.1993) Austria, Finland, Sweden ⁽¹⁾	13 June 1994 1 January 1995
93/37/EEC (OJ L 199, 9.8.1993) consolidation of directives: — 71/305/EEC (OJ L 185, 16.8.1971) — EC-6 — DK, IRL, UK — Greece — Spain, Portugal — Austria, Finland, Sweden ⁽¹⁾ — 89/440/EEC (OJ L 210, 21.7.1989) — EC-9 — Greece, Spain, Portugal — Austria, Finland, Sweden ⁽¹⁾	 30 July 1972 1 January 1973 1 January 1981 1 January 1986 1 January 1995 19 July 1990 1 March 1992 1 January 1995
97/52/EC (OJ L 328, 28.11.1997)	13 October 1998
⁽¹⁾ EEA: 1 January 1994.	

ANNEX XI

CORRELATION TABLE ⁽¹⁾

This Directive	Directive 92/50/EEC	Directive 93/36/EEC	Directive 93/37/EEC	Other acts	
Art. 1, par. 1	Art. 1, first line, adapted	Art. 1, first line, adapted	Art. 1, first line, adapted		
Art. 1, par. 2, first subparagraph	—	Art. 1, point (a)	—		Amended
Art. 1, par. 2, second subparagraph	Art. 1, point (a)	—			Amended
Art. 1, par. 2	—	—	Art. 1, point (a) and point (c)		Amended
Art. 1, par. 3, first subparagraph	—	Art. 1, point (a), last sentence adapted	—		
Art. 1, par. 3, second subparagraph	Art. 2	—			
Art. 1, par. 3, third subparagraph, point (c)	16 th recital, adapted	—	—		
Art. 1, par. 4, first subparagraph	Art. 1, point (c), 1st sentence adapted	—	—		
Art. 1, par. 4, second subparagraph	—	—	—		New
Art. 1, par. 4, third subparagraph	Art. 1, point (c), second sentence	Art. 1, point (c)	Art. 1, point (h)		Amended
Art. 1, par. 5	Art. 1, point (b), adapted	Art. 1, point (b), adapted	Art. 1, point (b), adapted		
Art. 1, par. 6	Art. 1, points (d), (e) and (f) adapted	Art. 1, points (d), (e) and (f)	Art. 1, points (e), (f) and (g), adapted		
Art. 1, par. 7	—	—	—		New
Art. 1, par. 8	—	—	—		New
Art. 1, par. 9	Art. 1, point (g)	—	—		
Art. 1, par. 10	—	—	Art. 1, point (d)		
Art. 1, par. 11	—	—	—		New
Art. 1, par. 12	—	—	—		New

(1) 'Adapted' means that the wording of the text was changed, while the meaning of the repealed directives was preserved. Changes to the meaning of the provisions of the repealed directives are indicated by the term 'amended'. This term appears in the last column when the amendment concerns the provisions of the three repealed directives. When the amendment only affects one or two of these directives, the term 'amended' is included in the column of the directives concerned.

This Directive	Directive 92/50/EEC	Directive 93/36/EEC	Directive 93/37/EEC	Other acts	
Art. 1, par. 13	—	—	—		New
Art. 1, par. 14	—	—	—		New
Art. 2	Art. 3, par. 2	Art. 5, par. 7	Art. 6, par. 6		Amended
Art. 3, par. 1	Art. 26, par. 1, amended	Art. 18, adapted	Art. 21, amended		
Art. 3, par. 2	Art. 26, par. 2 and 3	—	—		
Art. 4	Art. 38a, adapted	Art. 28, amended	Art. 33a, adapted		
Art. 5	—	Art. 15, par. 2, adapted	—		
Art. 6			—		New
Art. 7	Art. 4, par. 1, adapted	Art. 3, adapted	—		
Art. 8, points (a) and (b)	Art. 7, par. 1, point (a)	Art. 5, par. 1, point (a)	—		Amended
Art. 8, point (c)	—	—	Art. 6, par. 1, point (a)		Amended
Art. 9	Art. 3, par. 3 and Art. 7, par. 1, point (a)	—	Art. 2 and Art. 6, par. 1, point (b)		Amended
Art. 10	—	—	—		New
Art. 11, par. 1	—	Art. 5, par. 1, point (b)	—		
Art. 11, par. 2	—	Art. 5, par. 6	—		
Art. 11, par. 3	—	Art. 5, par. 2	—		
Art. 11, par. 4	—	Art. 5, par. 3	—		
Art. 11, par. 5	—	Art. 5, par. 4	—		
Art. 11, par. 6, point (f)	—	Art. 5, par. 5	—		
Art. 12, par. 1	Art. 7, par. 2	—	—		
Art. 12, par. 2	Art. 7, par. 7	—	—		
Art. 12, par. 3	Art. 7, par. 4, 1st subparagraph	—	—		
Art. 12, par. 4	Art. 7, par. 4, 2nd subparagraph	—	—		
Art. 12, par. 5	Art. 7, par. 4, 3rd subparagraph	—	—		

This Directive	Directive 92/50/EEC	Directive 93/36/EEC	Directive 93/37/EEC	Other acts	
Art. 12, par. 6	Art. 7, par. 5	—	—		
Art. 12, par. 7	Art. 7, par. 6	—	—		
Art. 12, par. 8	Art. 7, par. 3	—	—		
Art. 13, par. 1	—	—	Art. 6, par. 5		
Art. 13, par. 2	—	—	Art. 6, par. 4		
Art. 13, par. 3	—	—	Art. 6, par. 3, adapted		
Art. 14	Art. 1, point (a) (ii)	Art. 2, point (a)	Art. 4, point (a)		Amended
Art. 15	—	—	—		New
Art. 16	Art. 4, par. 2	Art. 2, par. 1, point (b)	Art. 4, point (b)		
Art. 17, point (a)	Art. 5, point (a), adapted	Art. 4, point (a), adapted	Art. 5, point (a), adapted		
Art. 17, points (b) and (c)	Art. 5, points (b) and (c)	Art. 4, points (b) and (c)	Art. 5, points (b) and (c)		
Art. 18	Art. 1, point (a) (ii)(i) to (ix)	—	—		
Art. 19	Art. 6	—	—		
Art. 20	Art. 8	—	—		
Art. 21	Art. 9				
Art. 22	Art. 10	—	—		
Art. 23	—	—	—		New
Art. 24	Art. 14	Art. 8	Art. 10		Amended
Art. 25, par. 1	Art. 24, par. 1, 1st subparagraph, first sentence	Art. 16, par. 1, 1st subparagraph	Art. 19, 1st subparagraph		Amended
Art. 25, par. 2	Art. 24, par. 1, 1st subparagraph, 2nd sentence	Art. 16, par. 1, 2nd subparagraph	Art. 19, 2nd subparagraph		
Art. 25, par. 3	Art. 24, par. 1, 2nd subparagraph	Art. 16, par. 1, 3rd subparagraph	Art. 19, 3rd subparagraph		Amended
Art. 25, par. 4, 1st subparagraph	—	Art. 16, par. 2	—		
Art. 25, par. 4, 2nd subparagraph	Art. 24, par. 2	—	—		
Art. 26	Art. 25, adapted	Art. 17, adapted	Art. 20, adapted		Amended
Art. 27	Art. 28, adapted	—	Art. 23, adapted		

This Directive	Directive 92/50/EEC	Directive 93/36/EEC	Directive 93/37/EEC	Other acts	
Art. 28, par. 1	Art. 11, par. 1, adapted	Art. 6, par. 1, adapted	Art. 7, par. 1, adapted		
Art. 28, par. 2	Art. 11, par. 4, adapted	Art. 6, par. 4, adapted	Art. 7, par. 4, adapted		
Art. 28, par. 3	—	—	—		
Art. 29, point 1, point (a)	Art. 11, par. 2, point (a)	Art. 6, par. 2	Art. 7, par. 2, point (a)		
Art. 29, point 1, point (b)	—	—	—		New
Art. 29, point 2	Art. 11, par. 2, point (b)	—	Art. 7, par. 2, point (c)		
Art. 29, point 3	Art. 11, par. 2, point (c)	—	—		
Art. 29, point 4	—	—	Art. 7, par. 2, point (b)		
Art. 30	—	—	—		New
Art. 31, point 1, point (a)	Art. 11, par. 3, point (a)	Art. 6, par. 3, point (a)	Art. 7, par. 3, point (a)		
Art. 31, point 1, point (b)	Art. 11, par. 3, point (b)	Art. 6, par. 3, point (c)	Art. 7, par. 3, point (b)		
Art. 31, point 1, point (c)	Art. 11, par. 3, point (d)	Art. 6, par. 3, point (d)	Art. 7, par. 3, point (c)		
Art. 31, point 2, point (a)	—	Art. 6, par. 3, point (b)	—		
Art. 31, point 2, point (b)	—	Art. 6, par. 3, point (e)	—		
Art. 31, point 3	Art. 11, par. 3, point (c)	—	—		
Art. 31, point 4, point (a)	Art. 11, par. 3, point (e)	—	Art. 7, par. 3, point (d)		
Art. 31, point 4, point (b)	Art. 11, par. 3, point (f)	—	Art. 7, par. 3, point (e)		
Art. 32	—	—	—		New
Art. 33	—	—	Art. 9		
Art. 34, par. 1, 1st subparagraph, point (a), first subparagraph	—	Art. 9, par. 1, 1st subparagraph	—		
Art. 34, par. 1, 1st subparagraph, point (a), second subparagraph	—	Art. 9, par. 1, 2nd subparagraph, first sentence	—		Amended

This Directive	Directive 92/50/EEC	Directive 93/36/EEC	Directive 93/37/EEC	Other acts	
Art. 34, par. 1, 1st subparagraph, point (b)	Art. 15, par. 1	—	—		
Art. 34, par. 1, 1st subparagraph, point (c)	—	—	Art. 11, par. 1		
Art. 34, par. 1, 2nd subparagraph	Art. 17, par. 2, 2nd subparagraph	Art. 9, par. 5, 2nd subparagraph	—		
Art. 34, par. 1, 3rd subparagraph	—	—	Art. 11, par. 7, 2nd subparagraph		
Art. 34, par. 1, fourth subparagraph	—	Art. 9, par. 1, 2nd subparagraph, second sentence			
Art. 34, par. 2	Art. 15, par. 2	Art. 9, par. 2	Art. 11, par. 2		
Art. 34, par. 3, first subparagraph	Art. 16, par. 1	Art. 9, par. 3, 1st sentence	Art. 11, par. 5, 1st sentence		Amended
Art. 34, par. 3, second subparagraph	—	—	—		New
Art. 34, par. 3, third subparagraph	Art. 16, par. 3	—	—		
Art. 34, par. 3, fourth subparagraph	Art. 16, par. 5	Art. 9, par. 3, 2nd sentence	Art. 11, par. 5, 2nd sentence		
Art. 35, par. 1	Art. 17, par. 1	Art. 9, par. 4	Art. 11, par. 6		
Art. 35, par. 2, 3 and 4	—	—	—		New
Art. 35, par. 5	Art. 17, par. 4	Art. 9, par. 6	Art. 11, par. 8		Amended
Art. 35, par. 6	—	—	—		New
Art. 35, par. 7	Art. 17, par. 6	Art. 9, par. 9	Art. 11, par. 11		Amended
Art. 35, par. 8	Art. 17, par. 8	Art. 9, par. 11	Art. 11, par. 13		Amended
Art. 35, par. 9	Art. 17, par. 7	Art. 9, par. 10	Art. 11, par. 12		
Art. 36	Art. 21	Art. 13	Art. 17		Amended
Art. 37, par. 1 to 8	Art. 18, par. 1, 2 and 5 and Art. 19, par. 1, 3 and 7	Art. 10, par. 1 and 1a, Art. 11, par. 1, 3 and 3a	Art. 12, par. 1 and 2		Amended
Art. 37, par. 9	Art. 20, par. 1	Art. 12, par. 1 and 3	Art. 14, par. 1		Amended
Art. 38	Art. 18, par. 3 and 4, Art. 19, par. 6 and Art. 20, par. 2, adapted	Art. 10, par. 2 and 3, Art. 11, par. 5 and Art. 12, par. 2, adapted	Art. 12, par. 3 and 4, Art. 13, par. 6 and Art. 14, par. 2, adapted		

This Directive	Directive 92/50/EEC	Directive 93/36/EEC	Directive 93/37/EEC	Other acts	
Art. 39	Art. 19, par. 5 and Art. 20, par. 3	Art. 11, par. 4 and Art. 12, par. 3	Art. 13, par. 5 and Art. 14, par. 3		Amended
Art. 40	Art. 19, par. 2 and Art. 20, par. 3	Art. 11, par. 2 and Art. 12, par. 3	Art. 13, par. 2 and Art. 14, par. 3		Amended
Art. 41, par. 1	Art. 12, par. 1, adapted	Art. 7, par. 1, adapted	Art. 8, par. 1, adapted		
Art. 41, par. 2	Art. 12, par. 2	Art. 7, par. 2, adapted	Art. 8, par. 2, adapted		
	Art. 12, par. 2 last sentence	Art. 7, par. 2, last sentence	Art. 8, par. 2, last sentence		Deleted
Art. 42	Art. 23, par. 2	Art. 15, par. 3	Art. 18, par. 2		Amended
Art. 43	Art. 12, par. 3	Art. 7, par. 3	Art. 8, par. 3		Amended
Art. 44, par. 1	Art. 23, par. 1, adapted	Art. 15, par. 1, adapted	Art. 18, par. 1, adapted		
Art. 44, par. 2 to 5	—	—	—		New
Art. 44, par. 6	Art. 32, par. 4	Art. 23, par. 3	—		Amended
Art. 45, par. 1	Art. 27, par. 1, adapted	Art. 19, par. 1, adapted	Art. 22, par. 1, adapted		
Art. 45, par. 2	Art. 27, par. 2, 1st subparagraph and par. 3	Art. 19, par. 2, 1st subparagraph and par. 3	Art. 22, par. 2, 1st subparagraph and par. 3		Amended
	Art. 27, par. 2, 2nd subparagraph and par. 4	Art. 19, par. 2, 2nd subparagraph and par. 4	Art. 22, par. 2, 2nd subparagraph and par. 4		Deleted
Art. 46, par. 1					New
Art. 46, par. 2, points (a) and (b)	Art. 29, first subparagraph, points (a) and (b), adapted	Art. 20, par. 1, points (a) and (b)	Art. 24, first subparagraph, points (a) and (b), adapted		
Art. 46, par. 2, point (c)	Art. 29, first subparagraph, point (c)	Art. 20, par. 1, point (c)	Art. 24, first subparagraph, point (c)		Amended
Art. 46, par. 2, points (d), (e) and (g)	Art. 29, first subparagraph, points (d), (e) and (g)	Art. 20, par. 1, point (c)	Art. 24, first subparagraph, points (d), (e) and (g)		
Art. 46, par. 2, point (f)	Art. 29, 1st subparagraph, point (f) amended	—	—		
Art. 46, par. 2, point (h)					New
Art. 46, par. 3, 4 and 5	Art. 29, second, third and fourth subparagraphs, adapted	Art. 20, par. 2, 3 and 4, adapted	Art. 24, second and fourth subparagraphs		

This Directive	Directive 92/50/EEC	Directive 93/36/EEC	Directive 93/37/EEC	Other acts	
Art. 47, 1st subparagraph	Art. 30, par. 1 and 3, 1st sentence, adapted	Art. 21, par. 1 and par. 2, 1st sentence, adapted	Art. 25, 1st sentence, amended		
Art. 47, 2nd subparagraph	Art. 30, par. 2	—	—		
Art. 48	Art. 31, adapted	Art. 22, adapted	Art. 26, adapted		
Art. 48, par. 1, point (c)	Art. 31, par. 1, point (c)	Art. 22, par. 1, point (c)	Art. 26, par. 1, point (c)		Amended
Art. 49, par. 1	—		—		New
Art. 49, par. 2	—	Art. 23, par. 1	—		
Art. 49, par. 3	Art. 32, par. 1 and 2	—	—		
Art. 49, par. 4	—	—	Art. 27, par. 1		
Art. 49, par. 5	Art. 32, par. 3	Art. 32, par. 2	Art. 27, par. 1		
Art. 50	Art. 33	—	—		Amended
Art. 51	Art. 34	Art. 24	Art. 28		
Art. 52, par. 1	Art. 35, par. 1, adapted	Art. 25, par. 1, adapted	Art. 29, par. 1, adapted		
Art. 52, par. 2	Art. 35, par. 2, adapted	Art. 25, par. 2, adapted	Art. 29, par. 2, adapted		
Art. 52, par. 3, first subparagraph		Art. 25, par. 3, first subparagraph, adapted	—		
Art. 52, par. 3, second subparagraph	Art. 35, par. 3, first subparagraph, adapted	—			
Art. 52, par. 3, third subparagraph			Art. 29, par. 3, first subparagraph, adapted		
Art. 52, par. 4	Art. 35, par. 3, second and third subparagraphs, adapted	Art. 25, par. 3, second and third subparagraphs, adapted	Art. 29, par. 3, second and third subparagraphs, adapted		
Art. 52, par. 5	Art. 35, par. 4, adapted	Art. 25, par. 4, amended	Art. 29, par. 4, amended		
Art. 52, par. 6	Art. 35, par. 5	Art. 25, par. 5, adapted	Art. 29, par. 5, adapted		
Art. 53, par. 1	Art. 36, par. 1, adapted	Art. 26, par. 1, adapted	Art. 30, par. 1, adapted		
Art. 53, par. 2	Art. 36, par. 2	Art. 26, par. 2	Art. 30, par. 2		Amended
	—	—	Art. 30, par. 3		Deleted

This Directive	Directive 92/50/EEC	Directive 93/36/EEC	Directive 93/37/EEC	Other acts	
Art. 54	Art. 37, 1st and 2nd subparagraphs	Art. 27, 1st and 2nd subparagraphs	Art. 30, par. 4, 1st and 2nd subparagraphs		Amended
	Art. 37, 3rd subparagraph	Art. 27, 3rd subparagraph	Art. 30, par. 4, 3rd subparagraph		Deleted
	—	—	Art. 30, par. 4, 4th subparagraph		Deleted
	—	—	Art. 31		Deleted
	—	—	Art. 32		Deleted
Art. 55	—	Art. 2, par. 2	—		Amended
Art. 56	Art. 13, par. 3 and 4	—	—		
Art. 57, par. 1	Art. 13, par. 1, 1st subparagraph and par. 2, 1st subparagraph	—	—		
Art. 57, par. 2	Art. 13, par. 1, indents 1 to 3 and par. 2, indents 1 to 3				Amended
Art. 58	—	—	—		New
Art. 59, par. 1	Art. 15, par. 3	—	—		
Art. 59, par. 2, 1st subparagraph	Art. 16, par. 2, 2nd indent	—	—		Amended
Art. 59, par. 2, 2nd subparagraph and par. 3	—	—	—		New
Art. 60	Art. 17, par. 1, par. 2, 1st and 3rd subparagraphs, par. 3 to 6 and par. 8	—	—		Amended
Art. 61	—	—	—		New
Art. 62	Art. 13, par. 5	—	—		
Art. 63	Art. 13, par. 6	—	—		
Art. 64	—	—	Art. 3, par. 1		Amended
Art. 65	—	—	—		New
Art. 66, par. 1 to 8	—	—	Art. 11, par. 3, par. 6 to 11 and par. 13		Amended
Art. 66, par. 9	—	—	—		New

This Directive	Directive 92/50/EEC	Directive 93/36/EEC	Directive 93/37/EEC	Other acts	
Art. 67	—	—	Art. 15		
Art. 68	—	—	Art. 3, par. 2		
Art. 69	—	—	Art. 3, par. 3		
Art. 70	—	—			
Art. 71, par. 1	—	—	Art. 3, par. 4, 1st subparagraph		Amended
Art. 71, par. 2	—	—	Art. 3, par. 4, 2nd, 3rd and 4th subparagraphs		
Art. 72, par. 1 to 3	—	—	Art. 3, par. 4, 1st subparagraph, 1st sentence, and Art. 11, par. 4 and par. 6, 1st subparagraph		Amended
Art. 72, par. 4	—	—	—		New
Art. 73	—	—	Art. 16		
	Art. 38	Art. 30	Art. 33		Deleted
Art. 74	Art. 39, par. 1, adapted	Art. 31, par. 1, adapted	Art. 34, par. 1, adapted		
Art. 75	Art. 39, par. 2, points (a), (b), (c) and (d), first subparagraph	Art. 31, par. 2	Art. 34, par. 2		
	Art. 39, par. 2, point (d), second subparagraph				Deleted
Art. 76, par. 1	Art. 40, par. 1	Art. 32, par. 1	—		
Art. 76, par. 2	Art. 40, par. 3	Art. 32, par. 2	Art. 35, par. 3		Amended
	Art. 40, par. 2	—	—		Deleted
Art. 76, par. 3	Art. 40, par. 4, amended	Art. 32, par. 3	—		
Art. 77, par. 1 and 2	—	—	—		New
Art. 77, par. 3	Art. 7, par. 1, point (b), first subparagraph	Art. 5, par. 1, point (c), first subparagraph	Art. 6, par. 2, point (a), first subparagraph		Amended
Art. 77, par. 4	Art. 7, par. 1, point (c)	Art. 5, par. 1, point (d)	Art. 6, par. 2, point (a), 2nd subparagraph		Amended
Art. 78, par. 1, point (a)	Art. 7, par. 1, point (b), second subparagraph, adapted	Art. 5, par. 1, point (c), second subparagraph, adapted	Art. 6, par. 1, point (b), adapted		
Art. 78, par. 1, point (b)	Art. 16, par. 4	—	Art. 35, par. 2		Amended

This Directive	Directive 92/50/EEC	Directive 93/36/EEC	Directive 93/37/EEC	Other acts	
Art. 78, par. 1, point (c)	—	—	—		New
Art. 78, par. 1, point (d)	—	—	Art. 35, par. 1		
Art. 78, par. 1, point (e)	—	Art. 29, par. 3, adapted			
Art. 78, par. 1, point (f)	—	—	—		New
Art. 78, par. 1, point (g)	—	—	Art. 35, par. 2, adapted		
Art. 78, par. 1, point (h)	—	—	—		New
Art. 78, par. 2	Art. 43, adapted	—	—		
Art. 79					
Art. 80					
Art. 81					
Art. 82					
Annex IA and IB	Annexes IA and IB	—	—		Amended
Annexes II	—	—	Annex II		Amended
Annex III	—	—	Annex I	Acts on the accession of Austria, Finland and Sweden	
Annex IV	—	Annex I	—	Acts on the accession of Austria, Finland and Sweden	
Annex V	—	Annex II	—		Amended
Annex VI	Annex II	Annex III	Annex III		Amended
Annex VII A, B, C and D	Annexes III and IV	Annex IV	Annexes IV, V and VI		Amended
Annex VIII	—	—	—		New
Annex IX A	—	Art. 21, par. 2	—	Acts on the accession of Austria, Finland and Sweden	
Annex IX B	Art. 30, par. 3	—	—	Acts on the accession of Austria, Finland and Sweden	

This Directive	Directive 92/50/EEC	Directive 93/36/EEC	Directive 93/37/EEC	Other acts	
Annex IX C			Art. 25, adapted	Acts on the accession of Austria, Finland and Sweden	
Annex X					New
Annex XI					New