

Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (repealed)

DIRECTIVE 2004/18/EC OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL

of 31 March 2004

on the coordination of procedures for the award of public works  
contracts, public supply contracts and public service contracts (repealed)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission<sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(2)</sup>,

Having regard to the opinion of the Committee of the Regions<sup>(3)</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty<sup>(4)</sup>, in the light of the joint text approved by the Conciliation Committee on 9 December 2003,

Whereas:

- (1) On the occasion of new amendments being made to Council Directives 92/50/EEC of 18 June 1992 relating to the coordination of procedures for the award of public service contracts<sup>(5)</sup>, 93/36/EEC of 14 June 1993 coordinating procedures for the award of public supply contracts<sup>(6)</sup> and 93/37/EEC of 14 June 1993 concerning the coordination of procedures for the award of public works contracts<sup>(7)</sup>, which are necessary to meet requests for simplification and modernisation made by contracting authorities and economic operators alike in their responses to the Green Paper adopted by the Commission on 27 November 1996, the Directives should, in the interests of clarity, be recast. This Directive is based on Court of Justice case-law, in particular case-law on award criteria, which clarifies the possibilities for the contracting authorities to meet the needs of the public concerned, including in the environmental and/or social area, provided that such criteria are linked to the subject-matter of the contract, do not confer an unrestricted freedom of choice on the contracting authority, are expressly mentioned and comply with the fundamental principles mentioned in recital 2.
- (2) The award of contracts concluded in the Member States on behalf of the State, regional or local authorities and other bodies governed by public law entities, is subject to the respect of the principles of the Treaty and in particular to the principle of freedom of movement of goods, the principle of freedom of establishment and the principle of freedom to provide services and to the principles deriving therefrom, such as the principle of equal treatment, the principle of non-discrimination, the principle of mutual

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recognition, the principle of proportionality and the principle of transparency. However, for public contracts above a certain value, it is advisable to draw up provisions of Community coordination of national procedures for the award of such contracts which are based on these principles so as to ensure the effects of them and to guarantee the opening-up of public procurement to competition. These coordinating provisions should therefore be interpreted in accordance with both the aforementioned rules and principles and other rules of the Treaty.

- (3) Such coordinating provisions should comply as far as possible with current procedures and practices in each of the Member States.
- (4) Member States should ensure that the participation of a body governed by public law as a tenderer in a procedure for the award of a public contract does not cause any distortion of competition in relation to private tenderers.
- (5) Under Article 6 of the Treaty, environmental protection requirements are to be integrated into the definition and implementation of the Community policies and activities referred to in Article 3 of that Treaty, in particular with a view to promoting sustainable development. This Directive therefore clarifies how the contracting authorities may contribute to the protection of the environment and the promotion of sustainable development, whilst ensuring the possibility of obtaining the best value for money for their contracts.
- (6) Nothing in this Directive should prevent the imposition or enforcement of measures necessary to protect public policy, public morality, public security, health, human and animal life or the preservation of plant life, in particular with a view to sustainable development, provided that these measures are in conformity with the Treaty.
- (7) 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 to 1994)<sup>(8)</sup>, approved in particular the WTO Agreement on Government Procurement, hereinafter referred to as the 'Agreement', the aim of which is to establish a multilateral framework of balanced rights and obligations relating to public contracts 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. This Agreement does not have direct effect. The contracting authorities covered by the Agreement which comply with this Directive and which apply the latter to economic operators of third countries which are signatories to the Agreement should therefore be in conformity with the Agreement. It is also appropriate that those coordinating provisions should guarantee for Community economic operators conditions for participation in public procurement which are just as favourable as those reserved for economic operators of third countries which are signatories to the Agreement.

- (8) Before launching a procedure for the award of a contract, contracting authorities may, using a technical dialogue, seek or accept advice which may be used in the preparation

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of the specifications provided, however, that such advice does not have the effect of precluding competition.

- (9) In view of the diversity of public works contracts, contracting authorities should be able to make provision for contracts for the design and execution of work to be awarded either separately or jointly. It is not the intention of this Directive to prescribe either joint or separate contract awards. The decision to award contracts separately or jointly must be determined by qualitative and economic criteria, which may be defined by national law.
- (10) A contract shall be deemed to be a public works contract only if its subject matter specifically covers the execution of activities listed in Annex I, even if the contract covers the provision of other services necessary for the execution of such activities. Public service contracts, in particular in the sphere of property management services, may, in certain circumstances, include works. However, insofar as such works are incidental to the principal subject-matter of the contract, and are a possible consequence thereof or a complement thereto, the fact that such works are included in the contract does not justify the qualification of the contract as a public works contract.
- (11) A Community definition of framework agreements, together with specific rules on framework agreements concluded for contracts falling within the scope of this Directive, should be provided. Under these rules, when a contracting authority enters into a framework agreement in accordance with the provisions of this Directive relating, in particular, to advertising, time limits and conditions for the submission of tenders, it may enter into contracts based on such a framework agreement during its term of validity either by applying the terms set forth in the framework agreement or, if all terms have not been fixed in advance in the framework agreement, by reopening competition between the parties to the framework agreement in relation to those terms. The reopening of competition should comply with certain rules the aim of which is to guarantee the required flexibility and to guarantee respect for the general principles, in particular the principle of equal treatment. For the same reasons, the term of the framework agreements should not exceed four years, except in cases duly justified by the contracting authorities.
- (12) Certain new electronic purchasing techniques are continually being developed. Such techniques help to increase competition and streamline public purchasing, particularly in terms of the savings in time and money which their use will allow. Contracting authorities may make use of electronic purchasing techniques, providing such use complies with the rules drawn up under this Directive and the principles of equal treatment, non-discrimination and transparency. To that extent, a tender submitted by a tenderer, in particular where competition has been reopened under a framework agreement or where a dynamic purchasing system is being used, may take the form of that tenderer's electronic catalogue if the latter uses the means of communication chosen by the contracting authority in accordance with Article 42.
- (13) In view of the rapid expansion of electronic purchasing systems, appropriate rules should now be introduced to enable contracting authorities to take full advantage of the possibilities afforded by these systems. Against this background, it is necessary

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to define a completely electronic dynamic purchasing system for commonly used purchases, and lay down specific rules for setting up and operating such a system in order to ensure the fair treatment of any economic operator who wishes to take part therein. Any economic operator which submits an indicative tender in accordance with the specification and meets the selection criteria should be allowed to join such a system. This purchasing technique allows the contracting authority, through the establishment of a list of tenderers already selected and the opportunity given to new tenderers to take part, to have a particularly broad range of tenders as a result of the electronic facilities available, and hence to ensure optimum use of public funds through broad competition.

- (14) Since use of the technique of electronic auctions is likely to increase, such auctions should be given a Community definition and governed by specific rules in order to ensure that they operate in full accordance with the principles of equal treatment, non-discrimination and transparency. To that end, provision should be made for such electronic auctions to deal only with contracts for works, supplies or services for which the specifications can be determined with precision. Such may in particular be the case for recurring supplies, works and service contracts. With the same objective, it must also be possible to establish the respective ranking of the tenderers at any stage of the electronic auction. Recourse to electronic auctions enables contracting authorities to ask tenderers to submit new prices, revised downwards, and when the contract is awarded to the most economically advantageous tender, also to improve elements of the tenders other than prices. In order to guarantee compliance with the principle of transparency, only the elements suitable for automatic evaluation by electronic means, without any intervention and/or appreciation by the contracting authority, may be the object of electronic auctions, that is, only the elements which are quantifiable so that they can be expressed in figures or percentages. On the other hand, those aspects of the tenders which imply an appreciation of non-quantifiable elements should not be the object of electronic auctions. Consequently, certain works contracts and certain service contracts having as their subject-matter intellectual performances, such as the design of works, should not be the object of electronic auctions.
- (15) Certain centralised purchasing techniques have been developed in Member States. Several contracting authorities are responsible for making acquisitions or awarding public contracts/framework agreements for other contracting authorities. In view of the large volumes purchased, those techniques help increase competition and streamline public purchasing. Provision should therefore be made for a Community definition of central purchasing bodies dedicated to contracting authorities. A definition should also be given of the conditions under which, in accordance with the principles of non-discrimination and equal treatment, contracting authorities purchasing works, supplies and/or services through a central purchasing body may be deemed to have complied with this Directive.
- (16) In order to take account of the different circumstances obtaining in Member States, Member States should be allowed to choose whether contracting authorities may use framework agreements, central purchasing bodies, dynamic purchasing systems, electronic auctions or the competitive dialogue procedure, as defined and regulated by this Directive.

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- (17) Multiplying the number of thresholds for applying the coordinating provisions complicates matters for contracting authorities. Furthermore, in the context of monetary union such thresholds should be established in euro. Accordingly, thresholds should be set, in euro, in such a way as to simplify the application of such provisions, while at the same time ensuring compliance with the thresholds provided for by the Agreement which are expressed in special drawing rights. In this context, provision should also be made for periodic reviews of the thresholds expressed in euro so as to adjust them, where necessary, in line with possible variations in the value of the euro in relation to the special drawing right.
- (18) 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, II A and II B, according to the regime to which they are subject. As regards services in Annex II B, the relevant provisions of this Directive should be without prejudice to the application of Community rules specific to the services in question.
- (19) As regards public service contracts, full application of this Directive should be limited, for a transitional period, to contracts where its provisions will permit 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. In this respect, the mechanism for such monitoring needs to be defined. This mechanism should, at the same time, enable interested parties to have access to the relevant information.
- (20) Public contracts which are awarded by the contracting authorities operating in the water, energy, transport and postal services sectors and which fall within the scope of those activities are covered by Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors<sup>(9)</sup>. However, contracts awarded by the contracting authorities in the context of their service activities for maritime, coastal or river transport must fall within the scope of this Directive.
- (21) In view of the situation of effective market competition in the telecommunications sector following the implementation of the Community rules aimed at liberalising that sector, public contracts in that area should be excluded from the scope of this Directive insofar as they are intended primarily to allow the contracting authorities to exercise certain activities in the telecommunications sector. Those activities are defined in accordance with the definitions used in Articles 1, 2 and 8 of Council Directive 93/38/EEC of 14 June 1993 coordinating the procurement procedures of entities operating in the water, energy, transport and telecommunications sector<sup>(10)</sup>, such that this Directive does not apply to contracts which have been excluded from the scope of Directive 93/38/EEC pursuant to Article 8 thereof.
- (22) Provision should be made for cases in which it is possible to refrain from applying the measures for coordinating procedures on grounds relating to State security or secrecy, or because specific rules on the awarding of contracts which derive from international

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agreements, relating to the stationing of troops, or which are specific to international organisations are applicable.

- (23) Pursuant to Article 163 of the Treaty, the encouragement of research and technological development is a means of strengthening the scientific and technological basis of Community industry, and the opening-up of public service contracts contributes to this end. This Directive should not cover the cofinancing of research and development programmes: research and development 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.
- (24) In the context of services, contracts for the acquisition or rental of immovable property or rights to such property have particular characteristics which make the application of public procurement rules inappropriate.
- (25) The awarding of public contracts for certain audiovisual services in the field of broadcasting should allow aspects of cultural or social significance to be taken into account which render application of procurement rules inappropriate. For these reasons, an exception must therefore be made for public service contracts for the purchase, development, production or co-production of off-the-shelf programmes and other preparatory services, such as those relating to scripts or artistic performances necessary for the production of the programme and contracts concerning broadcasting times. However, this exclusion should not apply to the supply of technical equipment necessary for the production, co-production and broadcasting of such programmes. A broadcast should be defined as transmission and distribution using any form of electronic network.
- (26) Arbitration and conciliation services are usually provided by bodies or individuals designated or selected in a manner which cannot be governed by procurement rules.
- (27) In accordance with the Agreement, the financial services covered by this Directive do not include instruments of monetary policy, exchange rates, public debt, reserve management or other policies involving transactions in securities or other financial instruments, in particular transactions by the contracting authorities to raise money or capital. Accordingly, contracts relating to the issue, purchase, sale or transfer of securities or other financial instruments are not covered. Central bank services are also excluded.
- (28) Employment and occupation are key elements in guaranteeing equal opportunities for all and contribute to integration in society. In this context, sheltered workshops and sheltered employment programmes contribute efficiently towards the integration or reintegration of people with disabilities in the labour market. However, such workshops might not be able to obtain contracts under normal conditions of competition. Consequently, it is appropriate to provide that Member States may reserve the right to participate in award procedures for public contracts to such workshops or reserve performance of contracts to the context of sheltered employment programmes.

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- (29) 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 tenders 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, tenders based on equivalent arrangements must be considered by contracting authorities. To demonstrate equivalence, tenderers should be permitted to use any form of evidence. Contracting authorities must be able to provide a reason for any decision that equivalence does not exist in a given case. Contracting authorities that wish to define environmental requirements for the technical specifications of a given contract may lay down the environmental characteristics, such as a given production method, and/or specific environmental effects of product groups or services. They can use, but are not obliged to use appropriate specifications that are defined in eco-labels, such as the European Eco-label, (multi-)national eco-labels or any other eco-label providing the requirements for the label are drawn up and adopted on the basis of scientific information using a procedure in which stakeholders, such as government bodies, consumers, manufacturers, distributors and environmental organisations can participate, and providing the label is accessible and available to all interested parties. Contracting authorities should, whenever possible, lay down technical specifications so as to take into account accessibility criteria for people with disabilities or design for all users. The technical specifications should be clearly indicated, so that all tenderers know what the requirements established by the contracting authority cover.
- (30) Additional information concerning contracts must, as is customary in Member States, be given in the contract documents for each contract or else in an equivalent document.
- (31) Contracting authorities which carry out particularly complex projects may, without this being due to any fault on their part, find it objectively impossible to define the means of satisfying their needs or of assessing what the market can offer in the way of technical solutions and/or financial/legal solutions. This situation may arise in particular with the implementation of important integrated transport infrastructure projects, large computer networks or projects involving complex and structured financing the financial and legal make-up of which cannot be defined in advance. To the extent that use of open or restricted procedures does not allow the award of such contracts, a flexible procedure should be provided which preserves not only competition between economic operators but also the need for the contracting authorities to discuss all aspects of the contract with each candidate. However, this procedure must not be used in such a way as to restrict or distort competition, particularly by altering any fundamental aspects of the offers, or by imposing substantial new requirements on the successful tenderer, or by involving any tenderer other than the one selected as the most economically advantageous.
- (32) In order to encourage the involvement of small and medium-sized undertakings in the public contracts procurement market, it is advisable to include provisions on subcontracting.

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- (33) Contract performance conditions are compatible with this Directive provided that they are not directly or indirectly discriminatory and are indicated in the contract notice or in the contract documents. They may, in particular, be intended to favour on-site vocational training, the employment of people experiencing particular difficulty in achieving integration, the fight against unemployment or the protection of the environment. For instance, mention may be made, amongst other things, of the requirements — applicable during performance of the contract — to recruit long-term job-seekers or to implement training measures for the unemployed or young persons, to comply in substance with the provisions of the basic International Labour Organisation (ILO) Conventions, assuming that such provisions have not been implemented in national law, and to recruit more handicapped persons than are required under national legislation.
- (34) The laws, regulations and collective agreements, at both national and Community level, which are in force in the areas of employment conditions and safety at work apply during performance of a public contract, providing that such rules, and their application, comply with Community law. In cross-border situations, where workers from one Member State provide services in another Member State for the purpose of performing a public contract, Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services<sup>(11)</sup> lays down the minimum conditions which must be observed by the host country in respect of such posted workers. If national law contains provisions to this effect, non-compliance with those obligations may be considered to be grave misconduct or an offence concerning the professional conduct of the economic operator concerned, liable to lead to the exclusion of that economic operator from the procedure for the award of a public contract.
- (35) In view of new developments in information and communications technology, and the simplifications these can bring in terms of publicising contracts and the efficiency and transparency of procurement processes, electronic means should be put on a par with traditional means of communication and information exchange. As far as possible, the means and technology chosen should be compatible with the technologies used in other Member States.
- (36) 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 these notices must enable economic operators in the Community to determine whether the proposed contracts are of interest to them. For this purpose, it is appropriate to give them adequate information on the object of the contract and the conditions attached thereto. Improved visibility should therefore be ensured for public notices by means of appropriate instruments, such as standard contract notice forms and the Common Procurement Vocabulary (CPV) provided for in Regulation (EC) No 2195/2002 of the European Parliament and of the Council<sup>(12)</sup> as the reference nomenclature for public contracts. In restricted procedures, advertisement is, more particularly, intended to enable contractors of Member States to express their interest in contracts by seeking from the contracting authorities invitations to tender under the required conditions.



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- (37) Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures<sup>(13)</sup> and Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the internal market ('Directive on electronic commerce')<sup>(14)</sup> should, in the context of this Directive, apply to the transmission of information by electronic means. The public procurement procedures and the rules applicable to service contests require a level of security and confidentiality higher than that required by these Directives. Accordingly, the devices for the electronic receipt of offers, requests to participate and plans and projects should comply with specific additional requirements. To this end, use of electronic signatures, in particular advanced electronic signatures, should, as far as possible, be encouraged. Moreover, the existence of voluntary accreditation schemes could constitute a favourable framework for enhancing the level of certification service provision for these devices.
- (38) The use of electronic means leads to savings in time. As a result, provision should be made for reducing the minimum periods where electronic means are used, subject, however, to the condition that they are compatible with the specific mode of transmission envisaged at Community level.
- (39) Verification of the suitability of tenderers, in open procedures, and of candidates, in restricted and negotiated procedures with publication of a contract notice and in the competitive dialogue, and the selection thereof, should be carried out in transparent conditions. For this purpose, non-discriminatory criteria should be indicated which the contracting authorities may use when selecting competitors and the means which economic operators may use to prove they have satisfied those criteria. In the same spirit of transparency, the contracting authority should be required, as soon as a contract is put out to competition, to indicate the selection criteria it will use and the level of specific competence it may or may not demand of the economic operators before admitting them to the procurement procedure.
- (40) A contracting authority may limit the number of candidates in the restricted and negotiated procedures with publication of a contract notice, and in the competitive dialogue. Such a reduction of candidates should be performed on the basis of objective criteria indicated in the contract notice. These objective criteria do not necessarily imply weightings. For criteria relating to the personal situation of economic operators, a general reference in the contract notice to the situations set out in Article 45 may suffice.
- (41) In the competitive dialogue and negotiated procedures with publication of a contract notice, in view of the flexibility which may be required and the high level of costs associated with such methods of procurement, contracting authorities should be entitled to make provision for the procedure to be conducted in successive stages in order gradually to reduce, on the basis of previously indicated contract award criteria, the number of tenders which they will go on to discuss or negotiate. This reduction should, insofar as the number of appropriate solutions or candidates allows, ensure that there is genuine competition.

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- (42) 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 a procurement procedure or a design contest.
- (43) The award of public contracts to economic operators who have participated in a criminal organisation or who have been found guilty of corruption or of fraud to the detriment of the financial interests of the European Communities or of money laundering should be avoided. Where appropriate, the contracting authorities should ask candidates or tenderers to supply relevant documents and, where they have doubts concerning the personal situation of a candidate or tenderer, they may seek the cooperation of the competent authorities of the Member State concerned. The exclusion of such economic operators should take place as soon as the contracting authority has knowledge of a judgment concerning such offences rendered in accordance with national law that has the force of *res judicata*. If national law contains provisions to this effect, non-compliance with environmental legislation or legislation on unlawful agreements in public contracts which has been the subject of a final judgment or a decision having equivalent effect may be considered an offence concerning the professional conduct of the economic operator concerned or grave misconduct.
- Non-observance of national provisions implementing the Council Directives 2000/78/EC<sup>(15)</sup> and 76/207/EEC<sup>(16)</sup> concerning equal treatment of workers, which has been the subject of a final judgment or a decision having equivalent effect may be considered an offence concerning the professional conduct of the economic operator concerned or grave misconduct.
- (44) In appropriate cases, in which the nature of the works and/or services justifies applying environmental management measures or schemes during the performance of a public contract, the application of such measures or schemes may be required. Environmental management schemes, whether or not they are registered under Community instruments such as Regulation (EC) No 761/2001<sup>(17)</sup> (EMAS), can demonstrate that the economic operator has the technical capability to perform the contract. Moreover, a description of the measures implemented by the economic operator to ensure the same level of environmental protection should be accepted as an alternative to environmental management registration schemes as a form of evidence.
- (45) This Directive allows Member States to establish official lists of contractors, suppliers or service providers or a system of certification by public or private bodies, and makes provision for the effects of such registration or such certification in a contract award procedure in another Member State. As regards official lists of approved economic operators, it is important to take into account Court of Justice case-law in cases where an economic operator belonging to a group claims the economic, financial or technical capabilities of other companies in the group in support of its application for registration. In this case, it is for the economic operator to prove that those resources will actually be available to it throughout the period of validity of the registration. For the purposes of that registration, a Member State may therefore determine the level of requirements to be met and in particular, for example where the operator lays claim to the financial

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standing of another company in the group, it may require that that company be held liable, if necessary jointly and severally.

- (46) Contracts should be awarded on the basis of objective criteria which ensure compliance with the principles of transparency, non-discrimination and equal treatment and which guarantee that tenders are assessed in conditions of effective competition. As a result, it is appropriate to allow the application of two award criteria only: ‘the lowest price’ and ‘the most economically advantageous tender’.

To ensure compliance with the principle of equal treatment in the award of contracts, it is appropriate to lay down an obligation — established by case-law — to ensure the necessary transparency to enable all tenderers to be reasonably informed of the criteria and arrangements which will be applied to identify the most economically advantageous tender. It is therefore the responsibility of contracting authorities to indicate the criteria for the award of the contract and the relative weighting given to each of those criteria in sufficient time for tenderers to be aware of them when preparing their tenders. Contracting authorities may derogate from indicating the weighting of the criteria for the award in duly justified cases for which they must be able to give reasons, where the weighting cannot be established in advance, in particular on account of the complexity of the contract. In such cases, they must indicate the descending order of importance of the criteria.

Where the contracting authorities choose to award a contract to the most economically advantageous tender, they shall assess the tenders in order to determine which one offers the best value for money. In order to do this, they shall determine the economic and quality criteria which, taken as a whole, must make it possible to determine the most economically advantageous tender for the contracting authority. The determination of these criteria depends on the object of the contract since they must allow the level of performance offered by each tender to be assessed in the light of the object of the contract, as defined in the technical specifications, and the value for money of each tender to be measured.

In order to guarantee equal treatment, the criteria for the award of the contract should enable tenders to be compared and assessed objectively. If these conditions are fulfilled, economic and qualitative criteria for the award of the contract, such as meeting environmental requirements, may enable the contracting authority to meet the needs of the public concerned, as expressed in the specifications of the contract. Under the same conditions, a contracting authority may use criteria aiming to meet social requirements, in response in particular to the needs — defined in the specifications of the contract — of particularly disadvantaged groups of people to which those receiving/using the works, supplies or services which are the object of the contract belong.

- (47) In the case of public service contracts, the award criteria must not affect the application of national provisions on the remuneration of certain services, such as, for example, the services performed by architects, engineers or lawyers and, where public supply contracts are concerned, the application of national provisions setting out fixed prices for school books.

- (48) Certain technical conditions, and in particular those concerning notices and statistical reports, as well as the nomenclature used and the conditions of reference to that

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nomenclature, will need to be adopted and amended in the light of changing technical requirements. The lists of contracting authorities in the Annexes will also need to be updated. It is therefore appropriate to put in place a flexible and rapid adoption procedure for this purpose.

- (49) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>(18)</sup>.
- (50) It is appropriate that Council Regulation (EEC, Euratom) No 1182/71 of 3 June 1971 determining the rules applicable to periods, dates and time limits<sup>(19)</sup> should apply to the calculation of the time limits contained in this Directive.
- (51) This Directive should not prejudice the time limits set out in Annex XI, within which Member States are required to transpose and apply Directives 92/50/EEC, 93/36/EEC and 93/37/EEC,

HAVE ADOPTED THIS DIRECTIVE:

## TITLE I

### DEFINITIONS AND GENERAL PRINCIPLES

#### *Article 1*

#### **Definitions**

1 For the purposes of this Directive, the definitions set out in paragraphs 2 to 15 shall apply.

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- a 'Public contracts' are contracts for pecuniary interest concluded in writing between one or more economic operators and one or more contracting authorities and having as their object the execution of works, the supply of products or the provision of services within the meaning of this Directive.
- b 'Public works contracts' are public contracts having as their object either the execution, or both the design and execution, of works related to one of the activities within the meaning of Annex I or 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 which is sufficient of itself to fulfil an economic or technical function.
- c 'Public supply contracts' are public contracts other than those referred to in (b) having as their object the purchase, lease, rental or hire purchase, with or without option to buy, of products.

A public contract having as its object the supply of products and which also covers, as an incidental matter, siting and installation operations shall be considered to be a 'public supply contract'.

- d 'Public service contracts' are public contracts other than public works or supply contracts having as their object the provision of services referred to in Annex II.

A public contract having as its object both products and services within the meaning of Annex II shall be considered to be a ‘public service contract’ if the value of the services in question exceeds that of the products covered by the contract.

A public contract having as its object services within the meaning of Annex II and including activities within the meaning of Annex I that are only incidental to the principal object of the contract shall be considered to be a public service contract.

3 ‘Public works concession’ is a contract of the same type as a public works contract except for the fact that the consideration for the works to be carried out consists either solely in the right to exploit the work or in this right together with payment.

4 ‘Service concession’ is a contract of the same type as a public service contract except for the fact that the consideration for the provision of services consists either solely in the right to exploit the service or in this right together with payment.

5 A ‘framework agreement’ is an agreement between one or more contracting authorities and one or more economic operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged.

6 A ‘dynamic purchasing system’ is a completely electronic process for making commonly used purchases, the characteristics of which, as generally available on the market, meet the requirements of the contracting authority, which is limited in duration and open throughout its validity to any economic operator which satisfies the selection criteria and has submitted an indicative tender that complies with the specification.

7 An ‘electronic auction’ is a repetitive process involving an electronic device for the presentation of new prices, revised downwards, and/or new values concerning certain elements of tenders, which occurs after an initial full evaluation of the tenders, enabling them to be ranked using automatic evaluation methods.

Consequently, certain service contracts and certain works contracts having as their subject-matter intellectual performances, such as the design of works, may not be the object of electronic auctions.

8 The terms ‘contractor’, ‘supplier’ and ‘service provider’ mean any natural or legal person or public entity or group of such persons and/or bodies which offers on the market, respectively, the execution of works and/or a work, products or services.

The term ‘economic operator’ shall cover equally the concepts of contractor, supplier and service provider. It is used merely in the interest of simplification.

An economic operator who has submitted a tender shall be designated a ‘tenderer’. One which has sought an invitation to take part in a restricted or negotiated procedure or a competitive dialogue shall be designated a ‘candidate’.

9 ‘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;
- b having legal personality; and

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- c financed, for the most part, by the State, 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.

Non-exhaustive lists of bodies and categories of bodies governed by public law which fulfil the criteria referred to in (a), (b) and (c) of the second subparagraph are set out in Annex III. Member States shall periodically notify the Commission of any changes to their lists of bodies and categories of bodies.

- 10 A 'central purchasing body' is a contracting authority which:
- acquires supplies and/or services intended for contracting authorities, or
  - awards public contracts or concludes framework agreements for works, supplies or services intended for contracting authorities.

11

- a 'Open procedures' means those procedures whereby any interested economic operator may submit a tender.
- b 'Restricted procedures' means those procedures in which any economic operator may request to participate and whereby only those economic operators invited by the contracting authority may submit a tender.
- c 'Competitive dialogue' is a procedure in which any economic operator may request to participate and whereby the contracting authority conducts a dialogue with the candidates admitted to that procedure, with the aim of developing one or more suitable alternatives capable of meeting its requirements, and on the basis of which the candidates chosen are invited to tender.

For the purpose of recourse to the procedure mentioned in the first subparagraph, a public contract is considered to be 'particularly complex' where the contracting authorities:

- are not objectively able to define the technical means in accordance with Article 23(3)(b), (c) or (d), capable of satisfying their needs or objectives, and/or
- are not objectively able to specify the legal and/or financial make-up of a project.
- d 'Negotiated procedures' means those procedures whereby the contracting authorities consult the economic operators of their choice and negotiate the terms of contract with one or more of these.
- e 'Design contests' means those procedures which enable the contracting authority to acquire, mainly in the fields of town and country 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.

12 'Written' or 'in 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 'Electronic means' means using electronic equipment for the processing (including digital compression) and storage of data which is transmitted, conveyed and received by wire, by radio, by optical means or by other electromagnetic means.

14 The ‘Common Procurement Vocabulary (CPV)’ shall designate the reference nomenclature applicable to public contracts as adopted by Regulation (EC) No 2195/2002, while ensuring equivalence with the other existing nomenclatures.

In the event of varying interpretations of the scope of this Directive, owing to possible differences between the CPV and NACE nomenclatures listed in Annex I, or between the CPV and CPC (provisional version) nomenclatures listed in Annex II, the NACE or the CPC nomenclature respectively shall take precedence.

15 For the purposes of Article 13, Article 57(a) and Article 68(b), 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, in particular, to 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, with the exception of broadcasting and television.

#### *Article 2*

### **Principles of awarding contracts**

Contracting authorities shall treat economic operators equally and non-discriminatorily and shall act in a transparent way.

#### *Article 3*

### **Granting of special or exclusive rights: non-discrimination clause**

Where a contracting authority grants special or exclusive rights to carry out a public service activity to an entity other than such a contracting authority, the act by which that right is granted shall provide that, in respect of the supply contracts which it awards to third parties as part of its activities, the entity concerned must comply with the principle of non-discrimination on the basis of nationality.

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## TITLE II

### RULES ON PUBLIC CONTRACTS

#### CHAPTER I

##### General provisions

###### *Article 4*

##### Economic operators

1 Candidates or tenderers who, under the law of the Member State in which they are established, are entitled to provide the relevant service, shall not be rejected solely on the ground that, under the law of the Member State in which the contract is awarded, they would be required to be either natural or legal persons.

However, in the case of public service and public works contracts as well as public supply contracts covering in addition services and/or siting and installation operations, legal persons may be required to indicate in the tender or the request to participate, the names and relevant professional qualifications of the staff to be responsible for the performance of the contract in question.

2 Groups of economic operators may submit tenders or put themselves forward as candidates. In order to submit a tender or a request to participate, these groups may not be required by the contracting authorities to assume a specific legal form; 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.

###### *Article 5*

##### Conditions relating to 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 referred to as 'the Agreement'), concluded in the framework of the Uruguay Round multilateral negotiations. Member States shall, to this end, consult one another within the Advisory Committee for Public Contracts referred to in Article 77 on the measures to be taken pursuant to the Agreement.

###### *Article 6*

##### Confidentiality

Without prejudice to the provisions of this Directive, in particular those concerning the obligations relating to the advertising of awarded contracts and to the information to candidates and tenderers set out in Articles 35(4) and 41, and in accordance with the national law to which the contracting authority is subject, the contracting authority shall not disclose information forwarded to it by economic operators which they have



designated as confidential; such information includes, in particular, technical or trade secrets and the confidential aspects of tenders.

## CHAPTER II

### Scope

#### Section 1

### Thresholds

#### Article 7

#### **Threshold amounts for public contracts**

This Directive shall apply to public contracts which are not excluded in accordance with the exceptions provided for in Articles 10 and 11 and Articles 12 to 18 and which have a value exclusive of value-added tax (VAT) estimated to be equal to or greater than the following thresholds:

- (a) [F<sup>1</sup>EUR 130 000] for public supply and service contracts others than those covered by point (b), third indent, 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) [F<sup>1</sup>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,
  - for public service contracts awarded by any contracting authority in respect of the services listed in Category 8 of Annex IIA, Category 5 telecommunications services the positions of which in the CPV are equivalent to CPC reference Nos 7524, 7525 and 7526 and/or the services listed in Annex II B;
- (c) [F<sup>1</sup>EUR 5 000 000] for public works contracts.

#### **Textual Amendments**

- F1** Substituted by [Commission Regulation \(EU\) No 1251/2011 of 30 November 2011 amending Directives 2004/17/EC, 2004/18/EC and 2009/81/EC of the European Parliament and of the Council in respect of their application thresholds for the procedures for the awards of contract \(Text with EEA relevance\).](#)

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## Article 8

### Contracts subsidised by more than 50 % by contracting authorities

This Directive shall apply to the awarding of:

- (a) contracts which are subsidised directly by contracting authorities by more than 50 % and the estimated value of which, net of VAT, is equal to or greater than [F1EUR 5 000 000],
  - where those contracts involve civil engineering activities within the meaning of Annex I,
  - where those contracts involve building work for hospitals, facilities intended for sports, recreation and leisure, school and university buildings and buildings used for administrative purposes;
- (b) service contracts which are subsidised directly by contracting authorities by more than 50 % and the estimated value of which, net of VAT, is equal to or greater than [F1EUR 200 000] and which are connected with a works contract within the meaning of point (a).

Member States shall take the necessary measures to ensure that the contracting authorities awarding such subsidies 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 other entities.

#### Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 1251/2011 of 30 November 2011 amending Directives 2004/17/EC, 2004/18/EC and 2009/81/EC of the European Parliament and of the Council in respect of their application thresholds for the procedures for the awards of contract \(Text with EEA relevance\).](#)

## Article 9

### Methods for calculating the estimated value of public contracts, framework agreements and dynamic purchasing systems

1 The calculation of the estimated value of a public contract shall be based on the total amount payable, net of VAT, as estimated by the contracting authority. This calculation shall take account of the estimated total amount, including any form of option and any renewals of the contract.

Where the contracting authority provides for prizes or payments to candidates or tenderers it shall take them into account when calculating the estimated value of the contract.

2 This estimate must be valid at the moment at which the contract notice is sent, as provided for in Article 35(2), or, in cases where such notice is not required, at the moment at which the contracting authority commences the contract awarding procedure.

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3 No works project or proposed purchase of a certain quantity of supplies and/or services may be subdivided to prevent its coming within the scope of this Directive.

4 With regard to public works contracts, calculation of the estimated value shall take account of both the cost of the works and the total estimated value of the supplies necessary for executing the works and placed at the contractor's disposal by the contracting authorities.

5

- a Where a proposed work or purchase of services may result in contracts being awarded at the same time in the form of separate lots, account shall be taken of the total estimated value of all such lots.

Where the aggregate value of the lots is equal to or exceeds the threshold laid down in Article 7, this Directive shall apply to the awarding of each lot.

However, the contracting authorities may waive such application in respect of lots the estimated value of which net of VAT is less than EUR 80 000 for services or EUR 1 million for works, provided that the aggregate value of those lots does not exceed 20 % of the aggregate value of the lots as a whole.

- b Where a proposal for the acquisition of similar supplies may result in contracts being awarded at the same time in the form of separate lots, account shall be taken of the total estimated value of all such lots when applying Article 7(a) and (b).

Where the aggregate value of the lots is equal to or exceeds the threshold laid down in Article 7, this Directive shall apply to the awarding of each lot.

However, the contracting authorities may waive such application in respect of lots, the estimated value of which, net of VAT, is less than EUR 80 000, provided that the aggregate cost of those lots does not exceed 20 % of the aggregate value of the lots as a whole.

6 With regard to public supply contracts relating to the leasing, hire, rental or hire purchase of products, the value to be taken as a basis for calculating the estimated contract value shall be as follows:

- a in the case of fixed-term public contracts, if that term is less than or equal to 12 months, the total estimated value for the term of the contract or, if the term of the contract is greater than 12 months, the total value including the estimated residual value;
- b in the case of public contracts without a fixed term or the term of which cannot be defined, the monthly value multiplied by 48.

7 In the case of public supply or service contracts which are regular in nature or which are intended to be renewed within a given period, the calculation of the estimated contract value shall be based on the following:

- a either the total actual value of the successive contracts of the same type awarded during the preceding 12 months or financial year adjusted, if possible, to take account of the changes in quantity or value which would occur in the course of the 12 months following the initial contract;
- b or the total estimated value of the successive contracts awarded during the 12 months following the first delivery, or during the financial year if that is longer than 12 months.

The choice of method used to calculate the estimated value of a public contract may not be made with the intention of excluding it from the scope of this Directive.

8 With regard to public service contracts, the value to be taken as a basis for calculating the estimated contract value shall, where appropriate, be the following:

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- a for the following types of services:
  - (i) insurance services: the premium payable and other forms of remuneration;
  - (ii) banking and other financial services: the fees, commissions, interest and other forms of remuneration;
  - (iii) design contracts: fees, commission payable and other forms of remuneration;
- b for service contracts which do not indicate a total price:
  - (i) in the case of fixed-term contracts, if that term is less than or equal to 48 months: the total value for their full term;
  - (ii) in the case of contracts without a fixed term or with a term greater than 48 months: the monthly value multiplied by 48.

9 With regard to framework agreements and dynamic purchasing systems, the value to be taken into consideration shall be the maximum estimated value net of VAT of all the contracts envisaged for the total term of the framework agreement or the dynamic purchasing system.

## Section 2

### Specific situations

#### *[F<sup>2</sup> Article 10*

#### **Contracts in the fields of defence and security**

Subject to Article 296 of the Treaty, this Directive shall apply to public contracts awarded in the fields of defence and security, with the exception of contracts to which Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security<sup>(20)</sup> applies.

This Directive shall not apply to contracts to which Directive 2009/81/EC does not apply pursuant to Articles 8, 12 and 13 thereof.]

#### **Textual Amendments**

- F2** Substituted by [Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC \(Text with EEA relevance\)](#).

#### *Article 11*

#### **Public contracts and framework agreements awarded by central purchasing bodies**

1 Member States may stipulate that contracting authorities may purchase works, supplies and/or services from or through a central purchasing body.

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2 Contracting authorities which purchase works, supplies and/or services from or through a central purchasing body in the cases set out in Article 1(10) shall be deemed to have complied with this Directive insofar as the central purchasing body has complied with it.

### Section 3

#### **Excluded contracts**

##### *Article 12*

#### **Contracts in the water, energy, transport and postal services sectors**

This Directive shall not apply to public contracts which, under Directive 2004/17/EC, are awarded by contracting authorities exercising one or more of the activities referred to in Articles 3 to 7 of that Directive and are awarded for the pursuit of those activities, or to public contracts excluded from the scope of that Directive under Article 5(2) and Articles 19, 26 and 30 thereof.

However, this Directive shall continue to apply to public contracts awarded by contracting authorities carrying out one or more of the activities referred to in Article 6 of Directive 2004/17/EC and awarded for those activities, insofar as the Member State concerned takes advantage of the option referred to in the second subparagraph of Article 71 thereof to defer its application.

##### *Article 13*

#### **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 to the public one or more telecommunications services.

##### *Article 14*

#### **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 performance 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 essential interests of that Member State so requires.

##### *Article 15*

#### **Contracts awarded pursuant to international rules**

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

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- (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 referred to in Article 77;
- (b) pursuant to a concluded international agreement relating to the stationing of troops and concerning the undertakings of a Member State or a third country;
- (c) pursuant to the particular procedure of an international organisation.

#### *Article 16*

#### **Specific exclusions**

This Directive shall not apply to public service contracts for:

- (a) the acquisition or rental, by whatever financial 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 programme material intended for broadcasting 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, in particular transactions by the contracting authorities to raise money or capital, 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 17*

#### **Service concessions**

Without prejudice to the application of Article 3, this Directive shall not apply to service concessions as defined in Article 1(4).

#### *Article 18*

#### **Service contracts awarded on the basis of an exclusive right**

This Directive shall not apply to public service contracts awarded by a contracting authority to another contracting authority or to an association of contracting authorities on the basis of an exclusive right which they enjoy pursuant to a published law, regulation or administrative provision which is compatible with the Treaty.

## Section 4

### **Special arrangement**

#### *Article 19*

#### **Reserved contracts**

Member States may reserve the right to participate in public contract award procedures to sheltered workshops or provide for such contracts to be performed in the context of sheltered employment programmes where most of the employees concerned are handicapped persons who, by reason of the nature or the seriousness of their disabilities, cannot carry on occupations under normal conditions.

The contract notice shall make reference to this provision.

## CHAPTER III

### **Arrangements for public service contracts**

#### *Article 20*

#### **Service contracts listed in Annex II A**

Contracts which have as their object services listed in Annex II A shall be awarded in accordance with Articles 23 to 55.

#### *Article 21*

#### **Service contracts listed in Annex II B**

Contracts which have as their object services listed in Annex II B shall be subject solely to Article 23 and Article 35(4).

#### *Article 22*

#### **Mixed contracts including services listed in Annex II A and services listed in Annex II B**

Contracts which have as their object services listed both in Annex II A and in Annex II B shall be awarded in accordance with Articles 23 to 55 where the value of the services listed in Annex II A is greater than the value of the services listed in Annex II B. In other cases, contracts shall be awarded in accordance with Article 23 and Article 35(4).

## CHAPTER IV

### Specific rules governing specifications and contract documents

#### Article 23

#### 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. Whenever possible these technical specifications should be defined so as to take into account accessibility criteria for people with disabilities or design for all users.

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

3 Without prejudice to mandatory national technical rules, to the extent that they are compatible with Community law, the technical specifications shall be formulated:

- a either by reference to technical specifications defined in Annex VI and, in order of preference, to national standards transposing European standards, European technical approvals, common technical specifications, international standards, other technical reference systems established by the European standardisation bodies or — when these do not exist — to national standards, national technical approvals or national technical specifications relating to the design, calculation and execution of the works and use of the products. Each reference shall be accompanied by the words ‘or equivalent’;
- b or in terms of performance or functional requirements; the latter may include environmental characteristics. However, such parameters must be sufficiently precise to allow tenderers to determine the subject-matter of the contract and to allow contracting authorities to award the contract;
- c or in terms of performance or functional requirements as mentioned in subparagraph (b), with reference to the specifications mentioned in subparagraph (a) as a means of presuming conformity with such performance or functional requirements;
- d or by referring to the specifications mentioned in subparagraph (a) for certain characteristics, and by referring to the performance or functional requirements mentioned in subparagraph (b) for other characteristics.

4 Where a contracting authority makes use of the option of referring to the specifications mentioned in paragraph 3(a), it cannot reject a tender on the grounds that the products and services tendered for do not comply with the specifications to which it has referred, once the tenderer proves in his tender to the satisfaction of the contracting authority, by whatever appropriate means, that the solutions which he proposes satisfy in an equivalent manner the requirements defined by the technical specifications.

An appropriate means might be constituted by a technical dossier of the manufacturer or a test report from a recognised body.

5 Where a contracting authority uses the option laid down in paragraph 3 to prescribe in terms of performance or functional requirements, it may not reject a tender for works, products or services which comply with a national standard transposing a European standard, with a European technical approval, a common technical specification, an international standard or a technical reference system established by a European standardisation body, if these specifications address the performance or functional requirements which it has laid down.



In his tender, the tenderer must prove to the satisfaction of the contracting authority and by any appropriate means that the work, product or service in compliance with the standard meets the performance or functional requirements of the contracting authority.

An appropriate means might be constituted by a technical dossier of the manufacturer or a test report from a recognised body.

6 Where contracting authorities lay down environmental characteristics in terms of performance or functional requirements as referred to in paragraph 3(b) they may use the detailed specifications, or, if necessary, parts thereof, as defined by European or (multi-) national eco-labels, or by and any other eco-label, provided that:

- those specifications are appropriate to define the characteristics of the supplies or services that are the object of the contract,
- the requirements for the label are drawn up on the basis of scientific information,
- the eco-labels are adopted using a procedure in which all stakeholders, such as government bodies, consumers, manufacturers, distributors and environmental organisations can participate, and
- they are accessible to all interested parties.

Contracting authorities may indicate that the products and services bearing the eco-label are presumed to comply with the technical specifications laid down in the contract documents; they must accept any other appropriate means of proof, such as a technical dossier of the manufacturer or a test report from a recognised body.

7 ‘Recognised bodies’, within the meaning of this Article, are test and calibration laboratories and certification and inspection bodies which comply with applicable European standards.

Contracting authorities shall accept certificates from recognised bodies established in other Member States.

8 Unless justified by the subject-matter of the contract, 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 with the effect of favouring or eliminating certain undertakings or certain products. 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 24*

#### **Variants**

1 Where the criterion for award is that of the most economically advantageous tender, contracting authorities may authorise tenderers to submit variants.

2 Contracting authorities shall indicate in the contract notice whether or not they authorise variants: variants shall not be authorised without this indication.

3 Contracting authorities authorising variants shall state in the contract documents the minimum requirements to be met by the variants and any specific requirements for their presentation.

4 Only variants meeting the minimum requirements laid down by these contracting authorities shall be taken into consideration.

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In procedures for awarding public supply or service contracts, contracting authorities which have authorised variants may not reject a variant on the sole ground that it would, if successful, lead to either a service contract rather than a public supply contract or a supply contract rather than a public service contract.

#### *Article 25*

### **Subcontracting**

In the contract documents, the contracting authority may ask or may be required by a Member State to ask the tenderer to indicate in his tender any share of the contract he may intend to subcontract to third parties and any proposed subcontractors.

This indication shall be without prejudice to the question of the principal economic operator's liability.

#### *Article 26*

### **Conditions for performance of contracts**

Contracting authorities may lay down special conditions relating to the performance of a contract, provided that these are compatible with Community law and are indicated in the contract notice or in the specifications. The conditions governing the performance of a contract may, in particular, concern social and environmental considerations.

#### *Article 27*

### **Obligations relating to taxes, environmental protection, employment protection provisions and working conditions**

1 A contracting authority may state in the contract documents, or be obliged by a Member State so to state, the body or bodies from which a candidate or tenderer may obtain the appropriate information on the obligations relating to taxes, to environmental protection, to the employment protection provisions and to the working conditions which are in force in the Member State, region or locality in which the works are to be carried out or services are to be provided and which shall be applicable to the works carried out on site or to the services provided during the performance of the contract.

2 A contracting authority which supplies the information referred to in paragraph 1 shall request the tenderers or candidates 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 works are to be carried out or the service is to be provided.

The first subparagraph shall be without prejudice to the application of the provisions of Article 55 concerning the examination of abnormally low tenders.

## CHAPTER V

### Procedures

#### *Article 28*

#### **Use of open, restricted and negotiated procedures and of competitive dialogue**

In awarding their public contracts, contracting authorities shall apply the national procedures adjusted for the purposes of this Directive.

They shall award these public contracts by applying the open or restricted procedure. In the specific circumstances expressly provided for in Article 29, contracting authorities may award their public contracts by means of the competitive dialogue. In the specific cases and circumstances referred to expressly in Articles 30 and 31, they may apply a negotiated procedure, with or without publication of the contract notice.

#### *Article 29*

#### **Competitive dialogue**

1 In the case of particularly complex contracts, Member States may provide that where contracting authorities consider that the use of the open or restricted procedure will not allow the award of the contract, the latter may make use of the competitive dialogue in accordance with this Article.

A public contract shall be awarded on the sole basis of the award criterion for the most economically advantageous tender.

2 Contracting authorities shall publish a contract notice setting out their needs and requirements, which they shall define in that notice and/or in a descriptive document.

3 Contracting authorities shall open, with the candidates selected in accordance with the relevant provisions of Articles 44 to 52, a dialogue the aim of which shall be to identify and define the means best suited to satisfying their needs. They may discuss all aspects of the contract with the chosen candidates during this dialogue.

During the dialogue, contracting authorities shall ensure equality of treatment among all tenderers. In particular, they shall not provide information in a discriminatory manner which may give some tenderers an advantage over others.

Contracting authorities may not reveal to the other participants solutions proposed or other confidential information communicated by a candidate participating in the dialogue without his/her agreement.

4 Contracting authorities may provide for the procedure to take place in successive stages in order to reduce the number of solutions to be discussed during the dialogue stage by applying the award criteria in the contract notice or the descriptive document. The contract notice or the descriptive document shall indicate that recourse may be had to this option.

5 The contracting authority shall continue such dialogue until it can identify the solution or solutions, if necessary after comparing them, which are capable of meeting its needs.

6 Having declared that the dialogue is concluded and having so informed the participants, contracting authorities shall ask them to submit their final tenders on the basis of

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the solution or solutions presented and specified during the dialogue. These tenders shall contain all the elements required and necessary for the performance of the project.

These tenders may be clarified, specified and fine-tuned at the request of the contracting authority. However, such clarification, specification, fine-tuning or additional information may not involve changes to the basic features of the tender or the call for tender, variations in which are likely to distort competition or have a discriminatory effect.

7 Contracting authorities shall assess the tenders received on the basis of the award criteria laid down in the contract notice or the descriptive document and shall choose the most economically advantageous tender in accordance with Article 53.

At the request of the contracting authority, the tenderer identified as having submitted the most economically advantageous tender may be asked to clarify aspects of the tender or confirm commitments contained in the tender provided this does not have the effect of modifying substantial aspects of the tender or of the call for tender and does not risk distorting competition or causing discrimination.

8 The contracting authorities may specify prices or payments to the participants in the dialogue.

#### *Article 30*

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

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

- a in the event of irregular tenders or the submission of tenders which are unacceptable under national provisions compatible with Articles 4, 24, 25, 27 and Chapter VII, in response to an open or restricted procedure or a competitive dialogue insofar as the original terms of the contract are not substantially altered.

Contracting authorities need not publish a contract notice where they include in the negotiated procedure all of, and only, the tenderers which satisfy the criteria of Articles 45 to 52 and which, during the prior open or restricted procedure or competitive dialogue, have submitted tenders in accordance with the formal requirements of the tendering procedure;

- b in exceptional cases, when the nature of the works, supplies, or services or the risks attaching thereto do not permit prior overall pricing;
- c in the case of services, *inter alia* services within category 6 of Annex II A, and intellectual services such as services involving the design of works, insofar as the nature of the services to be provided is such that contract specifications cannot be established with sufficient precision to permit the award of the contract by selection of the best tender according to the rules governing open or restricted procedures;
- d 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.

2 In the cases referred to in paragraph 1, contracting authorities shall negotiate with tenderers the tenders submitted by them in order to adapt them to the requirements which they have set in the contract notice, the specifications and additional documents, if any, and to seek out the best tender in accordance with Article 53(1).

3 During the negotiations, contracting authorities shall ensure the equal treatment of all tenderers. In particular, they shall not provide information in a discriminatory manner which may give some tenderers an advantage over others.

4 Contracting authorities may provide for the negotiated procedure to take place in successive stages in order to reduce the number of tenders to be negotiated by applying the award criteria in the contract notice or the specifications. The contract notice or the specifications shall indicate whether recourse has been had to this option.

### *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) for public works contracts, public supply contracts and public service contracts:
  - (a) when no tenders or no suitable tenders or no applications have been submitted in response to an open procedure or a 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) insofar 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 as referred to in Article 30 cannot be complied with. The circumstances invoked to justify extreme urgency must not in any event be attributable to the contracting authority;
- (2) for public supply contracts:
  - (a) when the products involved are manufactured purely for the purpose of research, experimentation, 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 not, as a general rule, exceed three years;
  - (c) for supplies quoted and purchased on a commodity market;
  - (d) for the purchase of supplies on particularly advantageous terms, from either a supplier which is definitively winding up its business activities, or the receivers or liquidators of a bankruptcy, an arrangement with creditors, or a similar procedure under national laws or regulations;

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- (3) for public service contracts, when the contract concerned follows a design contest and must, under the applicable rules, be awarded to the successful candidate or to one of the successful candidates, in the latter case, all successful candidates must be invited to participate in the negotiations;
- (4) for public works contracts and public service contracts:
- (a) for additional works or services not included in the project initially considered or in the original contract but which have, through unforeseen circumstances, become necessary for the performance of the works or services described therein, on condition that the award is made to the economic operator performing such works or services:
- when such additional works or services cannot be technically or economically separated from the original contract without major inconvenience to the contracting authorities,
  - or
  - when such works or services, although separable from the performance of the original contract, are strictly necessary for its completion.

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

- (b) for new works or services consisting in the repetition of similar works or services entrusted to the economic operator to whom the same contracting authorities awarded an original contract, provided that such works or services are in conformity with a basic project for which the original contract was awarded according to the open or restricted procedure.

As soon as the first project is put up for tender, the possible use of this procedure shall be disclosed and the total estimated cost of subsequent works or services shall be taken into consideration by the contracting authorities when they apply the provisions of Article 7.

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

### *Article 32*

#### **Framework agreements**

1 Member States may provide that contracting authorities may conclude framework agreements.

2 For the purpose of concluding a framework agreement, contracting authorities shall follow the rules of procedure referred to in this Directive for all phases up to the award of contracts based on that framework agreement. The parties to the framework agreement shall be chosen by applying the award criteria set in accordance with Article 53.

Contracts based on a framework agreement shall be awarded in accordance with the procedures laid down in paragraphs 3 and 4. Those procedures may be applied only between the contracting authorities and the economic operators originally party to the framework agreement.

When awarding contracts based on a framework agreement, the parties may under no circumstances make substantial amendments to the terms laid down in that framework agreement, in particular in the case referred to in paragraph 3.

The term of a framework agreement may not exceed four years, save in exceptional cases duly justified, in particular by the subject of the framework agreement.

Contracting authorities may not use framework agreements improperly or in such a way as to prevent, restrict or distort competition.

3 Where a framework agreement is concluded with a single economic operator, contracts based on that agreement shall be awarded within the limits of the terms laid down in the framework agreement.

For the award of those contracts, contracting authorities may consult the operator party to the framework agreement in writing, requesting it to supplement its tender as necessary.

4 Where a framework agreement is concluded with several economic operators, the latter must be at least three in number, insofar as there is a sufficient number of economic operators to satisfy the selection criteria and/or of admissible tenders which meet the award criteria.

Contracts based on framework agreements concluded with several economic operators may be awarded either:

- by application of the terms laid down in the framework agreement without reopening competition, or
- where not all the terms are laid down in the framework agreement, when the parties are again in competition on the basis of the same and, if necessary, more precisely formulated terms, and, where appropriate, other terms referred to in the specifications of the framework agreement, in accordance with the following procedure:
  - (a) for every contract to be awarded, contracting authorities shall consult in writing the economic operators capable of performing the contract;
  - (b) 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-matter 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 stipulated 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 set out in the specifications of the framework agreement.

### *Article 33*

#### **Dynamic purchasing systems**

1 Member States may provide that contracting authorities may use dynamic purchasing systems.

2 In order to set up a dynamic purchasing system, contracting authorities shall follow the rules of the open procedure in all its phases up to the award of the contracts to be concluded

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under this system. All the tenderers satisfying the selection criteria and having submitted an indicative tender which complies with the specification and any possible additional documents shall be admitted to the system; indicative tenders may be improved at any time provided that they continue to comply with the specification. With a view to setting up the system and to the award of contracts under that system, contracting authorities shall use solely electronic means in accordance with Article 42(2) to (5).

3 For the purposes of setting up the dynamic purchasing system, contracting authorities shall:

- a publish a contract notice making it clear that a dynamic purchasing system is involved;
- b indicate in the specification, amongst other matters, the nature of the purchases envisaged under that system, as well as all the necessary information concerning the purchasing system, the electronic equipment used and the technical connection arrangements and specifications;
- c offer by electronic means, on publication of the notice and up to the expiry of the system, unrestricted, direct and full access to the specification and to any additional documents and shall indicate in the notice the internet address at which such documents may be consulted.

4 Contracting authorities shall give any economic operator, throughout the entire period of the dynamic purchasing system, the possibility of submitting an indicative tender and of being admitted to the system under the conditions referred to in paragraph 2. They shall complete evaluation within a maximum of 15 days from the date of submission of the indicative tender. However, they may extend the evaluation period provided that no invitation to tender is issued in the meantime.

The contracting authority shall inform the tenderer referred to in the first subparagraph at the earliest possible opportunity of its admittance to the dynamic purchasing system or of the rejection of its indicative tender.

5 Each specific contract must be the subject of an invitation to tender. Before issuing the invitation to tender, contracting authorities shall publish a simplified contract notice inviting all interested economic operators to submit an indicative tender, in accordance with paragraph 4, within a time limit that may not be less than 15 days from the date on which the simplified notice was sent. Contracting authorities may not proceed with tendering until they have completed evaluation of all the indicative tenders received by that deadline.

6 Contracting authorities shall invite all tenderers admitted to the system to submit a tender for each specific contract to be awarded under the system. To that end they shall set a time limit for the submission of tenders.

They shall award the contract to the tenderer which submitted the best tender on the basis of the award criteria set out in the contract notice for the establishment of the dynamic purchasing system. Those criteria may, if appropriate, be formulated more precisely in the invitation referred to in the first subparagraph.

7 A dynamic purchasing system may not last for more than four years, except in duly justified exceptional cases.

Contracting authorities may not resort to this system to prevent, restrict or distort competition.

No charges may be billed to the interested economic operators or to parties to the system.



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## Article 34

### **Public works contracts: particular rules on subsidised housing schemes**

In the case of public contracts relating to the design and construction of a subsidised housing scheme the size and complexity of which, 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 qualitative selection criteria referred to in Articles 45 to 52, set out in such a contract notice the personal, technical, economic and financial conditions to be fulfilled by candidates.

Where such a procedure is adopted, contracting authorities shall apply Articles 2, 35, 36, 38, 39, 41, 42, 43 and 45 to 52.

## CHAPTER VI

### **Rules on advertising and transparency**

#### Section 1

#### **Publication of notices**

#### Article 35

#### **Notices**

1 Contracting authorities shall make known, by means of a prior information notice published by the Commission or by themselves on their ‘buyer profile’, as described in point 2(b) of Annex VIII:

- a where supplies are concerned, the estimated total value of the contracts or the framework agreements by product area which they intend to award over the following 12 months, where the total estimated value, taking into account Articles 7 and 9, 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 where services are concerned, the estimated total value of the contracts or the framework agreements in each of the categories of services listed in Annex II A which they intend to award over the following 12 months, where such estimated total value, taking into account the provisions of Articles 7 and 9, is equal to or greater than EUR 750 000;

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- c where works are concerned, the essential characteristics of the contracts or the framework agreements which they intend to award, the estimated value of which is equal to or greater than the threshold specified in Article 7, taking into account Article 9.

The notices referred to in subparagraphs (a) and (b) shall be sent to the Commission or published on the buyer profile as soon as possible after the beginning of the budgetary year.

The notice referred to in subparagraph (c) shall be sent to the Commission or published on the buyer profile as soon as possible after the decision approving the planning of the works contracts or the framework agreements that the contracting authorities intend to award.

Contracting authorities who publish a prior information notice on their buyer profiles shall send the Commission, electronically, a notice of the publication of the prior information notice on a buyer profile, in accordance with the format and detailed procedures for sending notices indicated in point 3 of Annex VIII.

Publication of the notices referred to in subparagraphs (a), (b) and (c) shall be compulsory only where the contracting authorities take the option of shortening the time limits for the receipt of tenders as laid down in Article 38(4).

This paragraph shall not apply to negotiated procedures without the prior publication of a contract notice.

2 Contracting authorities which wish to award a public contract or a framework agreement by open, restricted or, under the conditions laid down in Article 30, negotiated procedure with the publication of a contract notice or, under the conditions laid down in Article 29, a competitive dialogue, shall make known their intention by means of a contract notice.

3 Contracting authorities which wish to set up a dynamic purchasing system shall make known their intention by means of a contract notice.

Contracting authorities which wish to award a contract based on a dynamic purchasing system shall make known their intention by means of a simplified contract notice.

4 Contracting authorities which have awarded a public contract or concluded a framework agreement shall send a notice of the results of the award procedure no later than 48 days after the award of the contract or the conclusion of the framework agreement.

In the case of framework agreements concluded in accordance with Article 32 the contracting authorities are not bound to send a notice of the results of the award procedure for each contract based on that agreement.

Contracting authorities shall send a notice of the result of the award of contracts based on a dynamic purchasing system within 48 days of the award of each contract. They may, however, group such notices on a quarterly basis. In that case, they shall send the grouped notices within 48 days of the end of each quarter.

In the case of public contracts for services listed in Annex II B, the contracting authorities shall indicate in the notice whether they agree to its publication. For such services contracts 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 77(2).

Certain information on the contract award or the conclusion of the framework agreement may be withheld from publication where release of such information would impede law

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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 36*

#### **Form and manner of publication of notices**

1 Notices shall include the information mentioned in Annex VII A and, where appropriate, any other information deemed useful by the contracting authority in the format of standard forms adopted by the Commission in accordance with the procedure referred to in Article 77(2).

2 Notices sent by contracting authorities to the Commission shall be sent either by electronic means in accordance with the format and procedures for transmission indicated in Annex VIII, paragraph 3, or by other means. In the event of recourse to the accelerated procedure set out in Article 38(8), notices must be sent either by telefax or by electronic means, in accordance with the format and procedures for transmission indicated in point 3 of Annex VIII.

Notices shall be published in accordance with the technical characteristics for publication set out in point 1(a) and (b) of Annex VIII.

3 Notices drawn up and transmitted by electronic means in accordance with the format and procedures for transmission indicated in point 3 of Annex VIII, shall be published no later than five days after they are sent.

Notices which are not transmitted by electronic means in accordance with the format and procedures for transmission indicated in point 3 of Annex VIII, shall be published not later than 12 days after they are sent, or in the case of accelerated procedure referred to in Article 38(8), not later than five days after they are sent.

4 Contract notices shall be published in full in an official language of the Community as chosen by the contracting authority, this original language version constituting the sole authentic text. A summary of the important elements of each notice shall be published in the other official languages.

The costs of publication of such notices by the Commission shall be borne by the Community.

5 Notices and their contents may not be published at national level before the date on which they are sent to the Commission.

Notices published at national level shall not contain information other than that contained in the notices dispatched to the Commission or published on a buyer profile in accordance with the first subparagraph of Article 35(1), but shall mention the date of dispatch of the notice to the Commission or its publication on the buyer profile.

Prior information notices may not be published on a buyer profile before the dispatch to the Commission of the notice of their publication in that form; they shall mention the date of that dispatch.

6 The content of notices not sent by electronic means in accordance with the format and procedures for transmission indicated in point 3 of Annex VIII, shall be limited to approximately 650 words.

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7 Contracting authorities must be able to supply proof of the dates on which notices are dispatched.

8 The Commission shall give the contracting authority confirmation of the publication of the information sent, mentioning the date of that publication. Such confirmation shall constitute proof of publication.

#### *Article 37*

### **Non-mandatory publication**

Contracting authorities may publish in accordance with Article 36 notices of public contracts which are not subject to the publication requirement laid down in this Directive.

#### Section 2

### **Time limits**

#### *Article 38*

### **Time limits for receipt of requests to participate and for receipt of tenders**

1 When fixing the time limits for the receipt of tenders and requests to participate, contracting authorities shall take account in particular of the complexity of the contract and the time required for drawing up tenders, without prejudice to the minimum time limits set by this Article.

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

3 In the case of restricted procedures, negotiated procedures with publication of a contract notice referred to in Article 30 and the competitive dialogue:

- a the minimum time limit for receipt of requests to participate shall be 37 days from the date on which the contract notice is sent;
- b in the case of restricted procedures, the minimum time limit for the receipt of tenders shall be 40 days from the date on which the invitation is sent.

4 When contracting authorities have published a prior information notice, the minimum time limit for the receipt of tenders under paragraphs 2 and 3(b) may, as a general rule, be shortened to 36 days, but under no circumstances to less than 22 days.

The time limit 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.

The shortened time limits referred to in the first subparagraph shall be permitted, provided that the prior information notice has included all the information required for the contract notice in Annex VII A, insofar as that information is available at the time the notice is published and that the prior information notice was sent for publication between 52 days and 12 months before the date on which the contract notice was sent.

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

6 The time limits for receipt of tenders referred to in paragraphs 2 and 3(b) may be reduced by five days where the contracting authority offers unrestricted and full direct access by electronic means to the contract documents and any supplementary documents from the date of publication of the notice in accordance with Annex VIII, specifying in the text of the notice the internet address at which this documentation is accessible.

This reduction may be added to that referred to in paragraph 5.

7 If, for whatever reason, the specifications and the supporting documents or additional information, although requested in good time, are not supplied within the time limits set in Articles 39 and 40, 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 all economic operators concerned may be aware of all the information needed to produce tenders.

8 In the case of restricted procedures and negotiated procedures with publication of a contract notice referred to in Article 30, where urgency renders impracticable the time limits laid down in this Article, 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 the format and procedure for sending notices indicated in point 3 of Annex VIII;
- b and, in the case of restricted procedures, a time limit for the receipt of tenders which shall be not less than 10 days from the date of the invitation to tender.

#### *Article 39*

##### **Open procedures: Specifications, additional documents and information**

1 In open procedures, where contracting authorities do not offer unrestricted and full direct access by electronic means in accordance with Article 38(6) to the specifications and any supporting documents, the specifications and supplementary 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 the submission of tenders.

2 Provided that it has been requested in good time, additional information relating to the specifications and any supporting documents shall be supplied by the contracting authorities or competent departments not later than six days before the deadline fixed for the receipt of tenders.

### Section 3

#### **Information content and means of transmission**

##### *Article 40*

#### **Invitations to submit a tender, participate in the dialogue or negotiate**

1 In restricted procedures, competitive dialogue procedures and negotiated procedures with publication of a contract notice within the meaning of Article 30, contracting authorities shall simultaneously and in writing invite the selected candidates to submit their tenders or to negotiate or, in the case of a competitive dialogue, to take part in the dialogue.

2 The invitation to the candidates shall include either:

- a copy of the specifications or of the descriptive document and any supporting documents, or
- a reference to accessing the specifications and the other documents indicated in the first indent, when they are made directly available by electronic means in accordance with Article 38(6).

3 Where an entity other than the contracting authority responsible for the award procedure has the specifications, the descriptive document and/or any supporting documents, the invitation shall state the address from which those specifications, that descriptive document and those documents may be requested and, if appropriate, the deadline for requesting such documents, and the sum payable for obtaining them and any payment procedures. The competent department shall send that documentation to the economic operator without delay upon receipt of a request.

4 The additional information on the specifications, the descriptive document or the supporting documents shall be sent by the contracting authority or the competent department not less than six days before the deadline fixed for the receipt of tenders, provided that it is requested in good time. In the event of a restricted or an accelerated procedure, that period shall be four days.

5 In addition, the invitation to submit a tender, to participate in the dialogue or to negotiate must contain at least:

- a a reference to the contract notice published;
- b the deadline 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;
- c in the case of competitive dialogue the date and the address set for the start of consultation and the language or languages used;
- d a reference to any possible adjoining documents to be submitted, either in support of verifiable declarations by the tenderer in accordance with Article 44, or to supplement the information referred to in that Article, and under the conditions laid down in Articles 47 and 48;
- e the relative weighting of criteria for the award of the contract or, where appropriate, the descending order of importance for such criteria, if they are not given in the contract notice, the specifications or the descriptive document.

However, in the case of contracts awarded in accordance with the rules laid down in Article 29, the information referred to in (b) above shall not appear in the invitation to participate in the dialogue but it shall appear in the invitation to submit a tender.

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## Article 41

### Informing candidates and tenderers

1 Contracting authorities shall as soon as possible inform candidates and tenderers of decisions reached concerning the conclusion of a framework agreement, the award of the contract or admittance to a dynamic purchasing system, including the grounds for any decision not to conclude a framework agreement or award a contract for which there has been a call for competition or to recommence the procedure or implement a dynamic purchasing system; that information shall be given in writing upon request to the contracting authorities.

2 On request from the party concerned, the contracting authority shall as quickly as possible inform:

- any unsuccessful candidate of the reasons for the rejection of his application,
- any unsuccessful tenderer of the reasons for the rejection of his tender, including, for the cases referred to in Article 23, paragraphs 4 and 5, the reasons for its decision of non-equivalence or its decision that the works, supplies or services do not meet the performance or functional requirements,
- 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 or the parties to the framework agreement.

The time taken may in no circumstances exceed 15 days from receipt of the written request.

3 However, contracting authorities may decide to withhold certain information referred to in paragraph 1, regarding the contract award, the conclusion of framework agreements or admittance to a dynamic purchasing system where the release of such information would impede law enforcement, would otherwise be contrary to the public interest, would prejudice the legitimate commercial interests of economic operators, whether public or private, or might prejudice fair competition between them.

## Section 4

### Communication

## Article 42

### Rules applicable to communication

1 All communication and information exchange referred to in this Title may be by post, by fax, by electronic means in accordance with paragraphs 4 and 5, by telephone in the cases and circumstances referred to in paragraph 6, or by a combination of those means, according to the choice of the contracting authority.

2 The means of communication chosen must be generally available and thus not restrict economic operators' access to the tendering procedure.

3 Communication and the exchange and storage of information shall be carried out in such a way as to ensure that the integrity of data and the confidentiality of tenders and requests

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to participate are preserved, and that the contracting authorities examine the content of tenders and requests to participate only after the time limit set for submitting them has expired.

4 The tools to be used for communicating by electronic means, as well as their technical characteristics, must be non-discriminatory, generally available and interoperable with the information and communication technology products in general use.

5 The following rules are applicable to devices for the electronic transmission and receipt of tenders and to devices for the electronic receipt of requests to participate:

- a information regarding the specifications necessary for the electronic submission of tenders and requests to participate, including encryption, shall be available to interested parties. Moreover, the devices for the electronic receipt of tenders and requests to participate shall conform to the requirements of Annex X;
- b Member States may, in compliance with Article 5 of Directive 1999/93/EC, require that electronic tenders be accompanied by an advanced electronic signature in conformity with paragraph 1 thereof;
- c Member States may introduce or maintain voluntary accreditation schemes aiming at enhanced levels of certification service provision for these devices;
- d tenderers or candidates shall undertake to submit, before expiry of the time limit laid down for submission of tenders or requests to participate, the documents, certificates and declarations referred to in Articles 45 to 50 and Article 52 if they do not exist in electronic format.

6 The following rules shall apply to the transmission of requests to participate:

- a requests to participate in procedures for the award of public contracts may be made in writing or by telephone;
- b where requests to participate are made by telephone, a written confirmation must be sent before expiry of the time limit set for their receipt;
- c contracting authorities may require that requests for participation made by fax must be confirmed by post or by electronic means, where this is necessary for the purposes of legal proof. Any such requirement, together with the time limit for sending confirmation by post or electronic means, must be stated by the contracting authority in the contract notice.

## Section 5

### Reports

#### Article 43

#### Content of reports

For every contract, framework agreement, and every establishment of a dynamic purchasing system, 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-matter and value of the contract, framework agreement or dynamic purchasing system;
- (b) the names of the successful candidates or tenderers and the reasons for their selection;
- (c) the names of the candidates or tenderers rejected and the reasons for their rejection;



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- (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 or framework agreement which the successful tenderer intends to subcontract to third parties;
- (f) for negotiated procedures, the circumstances referred to in Articles 30 and 31 which justify the use of these procedures;
- (g) as far as the competitive dialogue is concerned, the circumstances as laid down in Article 29 justifying the use of this procedure;
- (h) if necessary, the reasons why the contracting authority has decided not to award a contract or framework agreement or to establish a dynamic purchasing system.

The contracting authorities shall take appropriate steps to document the progress of award procedures conducted by electronic means.

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*

#### **Verification of the suitability and choice of participants and award of contracts**

1 Contracts shall be awarded on the basis of the criteria laid down in Articles 53 and 55, taking into account Article 24, after the suitability of the economic operators not excluded under Articles 45 and 46 has been checked by contracting authorities in accordance with the criteria of economic and financial standing, of professional and technical knowledge or ability referred to in Articles 47 to 52, and, where appropriate, with the non-discriminatory rules and criteria referred to in paragraph 3.

2 The contracting authorities may require candidates and tenderers to meet minimum capacity levels in accordance with Articles 47 and 48.

The extent of the information referred to in Articles 47 and 48 and the minimum levels of ability required for a specific contract must be related and proportionate to the subject-matter of the contract.

These minimum levels shall be indicated in the contract notice.

3 In restricted procedures, negotiated procedures with publication of a contract notice and in the competitive dialogue procedure, contracting authorities may limit the number of suitable candidates they will invite to tender, to negotiate or to conduct a dialogue with, provided a sufficient number of suitable candidates is available. The contracting authorities shall indicate in the contract notice the objective and non-discriminatory criteria or rules they intend to apply,

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the minimum number of candidates they intend to invite and, where appropriate, the maximum number.

In the restricted procedure the minimum shall be five. In the negotiated procedure with publication of a contract notice and the competitive dialogue procedure the minimum shall be three. In any event the number of candidates invited shall be sufficient to ensure genuine competition.

The contracting authorities shall invite a number of candidates at least equal to the minimum number set in advance. Where the number of candidates meeting the selection criteria and the minimum levels of ability is below the minimum number, the contracting authority may continue the procedure by inviting the candidate(s) with the required capabilities. In the context of this same procedure, the contracting authority may not include other economic operators who did not request to participate, or candidates who do not have the required capabilities.

4 Where the contracting authorities exercise the option of reducing the number of solutions to be discussed or of tenders to be negotiated, as provided for in Articles 29(4) and 30(4), they shall do so by applying the award criteria stated in the contract notice, in the specifications or in the descriptive document. In the final stage, the number arrived at shall make for genuine competition insofar as there are enough solutions or suitable candidates.

## Section 2

### Criteria for qualitative selection

#### Article 45

#### Personal situation of the candidate or tenderer

1 Any candidate or tenderer who has been the subject of a conviction by final judgment of which the contracting authority is aware for one or more of the reasons listed below shall be excluded from participation in a public contract:

- a participation in a criminal organisation, as defined in Article 2(1) of Council Joint Action 98/733/JHA<sup>(21)</sup>;
- b corruption, as defined in Article 3 of the Council Act of 26 May 1997<sup>(22)</sup> and Article 3(1) of Council Joint Action 98/742/JHA<sup>(23)</sup> respectively;
- c fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities<sup>(24)</sup>;
- d money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering<sup>(25)</sup>.

Member States shall specify, in accordance with their national law and having regard for Community law, the implementing conditions for this paragraph.

They may provide for a derogation from the requirement referred to in the first subparagraph for overriding requirements in the general interest.

For the purposes of this paragraph, the contracting authorities shall, where appropriate, ask candidates or tenderers to supply the documents referred to in paragraph 3 and may, where they have doubts concerning the personal situation of such candidates or tenderers, also apply to the competent authorities to obtain any information they

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consider necessary on the personal situation of the candidates or tenderers concerned. Where the information concerns a candidate or tenderer established in a State other than that of the contracting authority, the contracting authority may seek the cooperation of the competent authorities. Having regard for the national laws of the Member State where the candidates or tenderers are established, such requests shall relate to legal and/or natural persons, including, if appropriate, company directors and any person having powers of representation, decision or control in respect of the candidate or tenderer.

2 Any economic operator may be excluded from participation in a contract where that economic operator:

- a is bankrupt or is being wound up, where his affairs are being administered by the court, where he has entered into an arrangement with creditors, where he has suspended business activities or 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 of an arrangement with creditors or of any other similar proceedings under national laws and regulations;
- c has been convicted by a judgment which has the force of res judicata in accordance with the legal provisions of the country 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 the country in which he is established or with those of the country of the contracting authority;
- g is guilty of serious misrepresentation in supplying the information required under this Section or has not supplied such information.

Member States shall specify, in accordance with their national law and having regard for Community law, the implementing conditions for this paragraph.

3 Contracting authorities shall accept the following as sufficient evidence that none of the cases specified in paragraphs 1 or 2(a), (b), (c), (e) or (f) applies to the economic operator:

- a as regards paragraphs 1 and 2(a), (b) and (c), the production of an extract from the 'judicial record' or, failing that, of an equivalent document issued by a competent judicial or administrative authority in the country of origin or the country whence that person comes showing that these requirements have been met;
- b as regards paragraph 2(e) and (f), a certificate issued by the competent authority in the Member State concerned.

Where the country in question does not issue such documents or certificates, or where these do not cover all the cases specified in paragraphs 1 and 2(a), (b) and (c), 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 whence that person comes.

4 Member States shall designate the authorities and bodies competent to issue the documents, certificates or declarations referred to in paragraph 3 and shall inform the Commission thereof. Such notification shall be without prejudice to data protection law.

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## Article 46

### **Suitability to pursue the professional activity**

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

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

## Article 47

### **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, where appropriate, 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 and, where appropriate, of turnover in the area covered by the contract for a maximum of the last three financial years available, depending on the date on which the undertaking was set up or the economic operator started trading, as far as the information on these turnovers is available.

2 An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the contracting authority that it will have at its disposal the resources necessary, for example, by producing an undertaking by those entities to that effect.

3 Under the same conditions, a group of economic operators as referred to in Article 4 may rely on the capacities of participants in the group or of other entities.

4 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 must be provided.

5 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 48

### Technical and/or professional ability

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

2 Evidence of the economic operators' technical abilities may be furnished by one or more of the following means according to the nature, quantity or importance, and use of the works, supplies or services:

- a (i) a list of the works carried out over the past five years, accompanied by certificates of satisfactory execution for the most important works. These 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 appropriate, the competent authority shall submit these certificates to the contracting authority direct;
- (ii) a list of the principal deliveries effected or the main services provided in the past three years, with the sums, dates and recipients, whether public or private, involved. Evidence of delivery and services provided shall be given:
  - where the recipient was a contracting authority, in the form of certificates issued or countersigned by the competent authority,
  - where the recipient was a private purchaser, by the purchaser's certification or, failing this, simply by a declaration by the economic operator;
- b an indication of the technicians or technical bodies involved, whether or not belonging directly to the economic operator's undertaking, especially those responsible for quality control and, in the case of public works contracts, those upon whom the contractor can call in order to carry out the work;
- c a description of the technical facilities and measures used by the supplier or service provider for ensuring quality and the undertaking's study and research facilities;
- d where the products or services 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 or service provider is established, subject to that body's agreement, on the production capacities of the supplier or the technical capacity of the service provider and, if necessary, on the means of study and research which are available to it and the quality control measures it will operate;
- e the educational and professional qualifications of the service provider or contractor and/or those of the undertaking's managerial staff and, in particular, those of the person or persons responsible for providing the services or managing the work;
- f for public works contracts and public services contracts, and only in appropriate cases, an indication of the environmental management measures that the economic operator will be able to apply when performing the contract;
- g a statement of the average annual manpower of the service provider or contractor and the number of managerial staff for the last three years;
- h a statement of the tools, plant or technical equipment available to the service provider or contractor for carrying out the contract;
- i an indication of the proportion of the contract which the services provider intends possibly to subcontract;

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- j with regard to the products to be supplied:
- (i) samples, descriptions and/or photographs, the authenticity of which must be certified if the contracting authority so requests;
  - (ii) 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.

3 An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the execution of the contract, for example, by producing an undertaking by those entities to place the necessary resources at the disposal of the economic operator.

[<sup>X14</sup> Under the same conditions a group of economic operators as referred to in Article 4 may rely on the abilities of participants in the group or of other entities.]

5 In procedures for awarding public contracts having as their object supplies requiring siting or installation work, the provision of services and/or the execution of works, the ability of economic operators to provide the service or to execute the installation or the work may be evaluated in particular with regard to their skills, efficiency, experience and reliability.

6 The contracting authority shall specify, in the notice or in the invitation to tender, which references under paragraph 2 it wishes to receive.

#### **Editorial Information**

- X1** Substituted by [Corrigendum to Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts \(Official Journal of the European Union L 134 of 30 April 2004\)](#).

### *Article 49*

#### **Quality assurance standards**

Should they require the production of certificates drawn up by independent bodies attesting the compliance of the economic operator with certain quality assurance standards, contracting authorities 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.

### *Article 50*

#### **Environmental management standards**

Should contracting authorities, in the cases referred to in Article 48(2)(f), require the production of certificates drawn up by independent bodies attesting the compliance of the economic operator with certain environmental management standards, they shall refer to the Community Eco-Management and Audit Scheme (EMAS) or to

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environmental management standards based on the relevant European or international standards certified by bodies conforming to Community law or the relevant European or international standards concerning certification. They shall recognise equivalent certificates from bodies established in other Member States. They shall also accept other evidence of equivalent environmental management measures from economic operators.

#### *Article 51*

### **Additional documentation and information**

The contracting authority may invite economic operators to supplement or clarify the certificates and documents submitted pursuant to Articles 45 to 50.

#### *Article 52*

### **Official lists of approved economic operators and certification by bodies established under public or private law**

1 Member States may introduce either official lists of approved contractors, suppliers or service providers or certification by certification bodies established in public or private law.

Member States shall adapt the conditions for registration on these lists and for the issue of certificates by certification bodies to the provisions of Article 45(1), Article 45(2) (a) to (d) and (g), Articles 46, Article 47(1), (4) and (5), Article 48(1), (2), (5) and (6), Article 49 and, where appropriate, Article 50.

Member States shall also adapt them to Article 47(2) and Article 48(3) as regards applications for registration submitted by economic operators belonging to a group and claiming resources made available to them by the other companies in the group. In such case, these operators must prove to the authority establishing the official list that they will have these resources at their disposal throughout the period of validity of the certificate attesting to their being registered in the official list and that throughout the same period these companies continue to fulfil the qualitative selection requirements laid down in the Articles referred to in the second subparagraph on which operators rely for their registration.

2 Economic operators registered on the official lists or having a certificate may, for each contract, submit to the contracting authority a certificate of registration issued by the competent authority or the certificate issued by the competent certification body. The certificates shall state the references which enabled them to be registered in the list/to obtain certification and the classification given in that list.

3 Certified registration on official lists by the competent bodies or a certificate issued by the certification body shall not, for the purposes of the contracting authorities of other Member States, constitute a presumption of suitability except as regards Articles 45(1) and (2)(a) to (d) and (g), Article 46, Article 47(1)(b) and (c), and Article 48(2)(a)(i), (b), (e), (g) and (h) in the case of contractors, (2)(a)(ii), (b), (c), (d) and (j) in the case of suppliers and 2(a)(ii) and (c) to (i) in the case of service providers.

4 Information which can be deduced from registration on official lists or certification may not be questioned without justification. With regard to the payment of social security contributions and taxes, an additional certificate may be required of any registered economic operator whenever a contract is offered.

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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 Member State holding the official list.

5 For any registration of economic operators of other Member States in an official list or for their certification by the bodies referred to in paragraph 1, 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 45 to 49 and, where appropriate, Article 50.

However, economic operators from other Member States may not be obliged to undergo such registration or certification in order to participate in a public contract. The contracting authorities shall recognise equivalent certificates from bodies established in other Member States. They shall also accept other equivalent means of proof.

6 Economic operators may ask at any time to be registered in an official list or for a certificate to be issued. They must be informed within a reasonably short period of time of the decision of the authority drawing up the list or of the competent certification body.

7 The certification bodies referred to in paragraph 1 shall be bodies complying with European certification standards.

8 Member States which have official lists or certification bodies as referred to in paragraph 1 shall be obliged to inform the Commission and the other Member States of the address of the body to which applications should be sent.

### Section 3

#### **Award of the contract**

##### *Article 53*

#### **Contract award criteria**

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

- a when the award is made to the tender most economically advantageous from the point of view of the contracting authority, various criteria linked to the subject-matter 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, or
- b the lowest price only.

2 Without prejudice to the provisions of the third subparagraph, in the case referred to in paragraph 1(a) the contracting authority shall specify in the contract notice or in the contract documents or, in the case of a competitive dialogue, in the descriptive document, the relative weighting which it gives to each of the criteria chosen to determine the most economically advantageous tender.

Those weightings can be expressed by providing for a range with an appropriate maximum spread.



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Where, in the opinion of the contracting authority, weighting is not possible for demonstrable reasons, the contracting authority shall indicate in the contract notice or contract documents or, in the case of a competitive dialogue, in the descriptive document, the criteria in descending order of importance.

#### Article 54

##### Use of electronic auctions

1 Member States may provide that contracting authorities may use electronic auctions.

2 In open, restricted or negotiated procedures in the case referred to in Article 30(1)(a), the contracting authorities may decide that the award of a public contract shall be preceded by an electronic auction when the contract specifications can be established with precision.

In the same circumstances, an electronic auction may be held on the reopening of competition among the parties to a framework agreement as provided for in the second indent of the second subparagraph of Article 32(4) and on the opening for competition of contracts to be awarded under the dynamic purchasing system referred to in Article 33.

The electronic auction shall be based:

- either solely on prices when the contract is awarded to the lowest price,
- or on prices and/or on the new values of the features of the tenders indicated in the specification when the contract is awarded to the most economically advantageous tender.

3 Contracting authorities which decide to hold an electronic auction shall state that fact in the contract notice.

The specifications shall include, *inter alia*, the following details:

- a the features, the values for which will be the subject of electronic auction, provided that such features are quantifiable and can be expressed in figures or percentages;
- b any limits on the values which may be submitted, as they result from the specifications relating to the subject of the contract;
- c the information which will be made available to tenderers in the course of the electronic auction and, where appropriate, when it will be made available to them;
- d the relevant information concerning the electronic auction process;
- e the conditions under which the tenderers will be able to bid and, in particular, the minimum differences which will, where appropriate, be required when bidding;
- f the relevant information concerning the electronic equipment used and the arrangements and technical specifications for connection.

4 Before proceeding with an electronic auction, contracting authorities shall make a full initial evaluation of the tenders in accordance with the award criterion/criteria set and with the weighting fixed for them.

All tenderers who have submitted admissible tenders shall be invited simultaneously by electronic means to submit new prices and/or new values; the invitation shall contain all relevant information concerning individual connection to the electronic equipment being used and shall state the date and time of the start of the electronic auction. The electronic auction may take place in a number of successive phases. The electronic auction may not start sooner than two working days after the date on which invitations are sent out.

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5 When the contract is to be awarded on the basis of the most economically advantageous tender, the invitation shall be accompanied by the outcome of a full evaluation of the relevant tenderer, carried out in accordance with the weighting provided for in the first subparagraph of Article 53(2).

The invitation shall also state the mathematical formula to be used in the electronic auction to determine automatic rerankings on the basis of the new prices and/or new values submitted. That formula shall incorporate the weighting of all the criteria fixed to determine the most economically advantageous tender, as indicated in the contract notice or in the specifications; for that purpose, any ranges shall, however, be reduced beforehand to a specified value.

Where variants are authorised, a separate formula shall be provided for each variant.

6 Throughout each phase of an electronic auction the contracting authorities shall instantaneously communicate to all tenderers at least sufficient information to enable them to ascertain their relative rankings at any moment. They may also communicate other information concerning other prices or values submitted, provided that that is stated in the specifications. They may also at any time announce the number of participants in that phase of the auction. In no case, however, may they disclose the identities of the tenderers during any phase of an electronic auction.

7 Contracting authorities shall close an electronic auction in one or more of the following manners:

- a in the invitation to take part in the auction they shall indicate the date and time fixed in advance;
- b when they receive no more new prices or new values which meet the requirements concerning minimum differences. In that event, the contracting authorities shall state in the invitation to take part in the auction the time which they will allow to elapse after receiving the last submission before they close the electronic auction;
- c when the number of phases in the auction, fixed in the invitation to take part in the auction, has been completed.

When the contracting authorities have decided to close an electronic auction in accordance with subparagraph (c), possibly in combination with the arrangements laid down in subparagraph (b), the invitation to take part in the auction shall indicate the timetable for each phase of the auction.

8 After closing an electronic auction contracting authorities shall award the contract in accordance with Article 53 on the basis of the results of the electronic auction.

Contracting authorities may not have improper recourse to electronic auctions nor may they use them in such a way as to prevent, restrict or distort competition or to change the subject-matter of the contract, as put up for tender in the published contract notice and defined in the specification.

#### *Article 55*

#### **Abnormally low tenders**

1 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.

Those details may relate in particular to:

- a the economics of the construction method, the manufacturing process or the services provided;
  - b the technical solutions chosen and/or any exceptionally favourable conditions available to the tenderer for the execution of the work, for the supply of the goods or services;
  - c the originality of the work, supplies or services proposed by the tenderer;
  - d compliance with the provisions relating to employment protection and working conditions in force at the place where the work, service or supply is to be performed;
  - e the possibility of the tenderer obtaining State aid.
- 2 The contracting authority shall verify those constituent elements by consulting the tenderer, taking account of the evidence supplied.
- 3 Where a contracting authority establishes that a tender is abnormally low because the tenderer has obtained State aid, the tender can be rejected on that ground alone only after consultation with the tenderer where the latter is unable to prove, within a sufficient time limit fixed by the contracting authority, that the aid in question was granted legally. Where the contracting authority rejects a tender in these circumstances, it shall inform the Commission of that fact.

## TITLE III

### RULES ON PUBLIC WORKS CONCESSIONS

#### CHAPTER I

##### Rules governing public works concessions

###### *Article 56*

###### Scope

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 [<sup>F1</sup>EUR 5 000 000].

The value shall be calculated in accordance with the rules applicable to public works contracts defined in Article 9.

#### Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 1251/2011 of 30 November 2011 amending Directives 2004/17/EC, 2004/18/EC and 2009/81/EC of the European Parliament and of the Council in respect of their application thresholds for the procedures for the awards of contract \(Text with EEA relevance\).](#)

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### *Article 57*

#### **Exclusions from the scope**

This Title shall not apply to public works concessions which are awarded:

- (a) in the cases referred to in Articles 13, 14 and 15 of this Directive in respect of public works contracts;
- (b) by contracting authorities exercising one or more of the activities referred to in Articles 3 to 7 of Directive 2004/17/EC where those concessions are awarded for carrying out those activities.

However, this Directive shall continue to apply to public works concessions awarded by contracting authorities carrying out one or more of the activities referred to in Article 6 of Directive 2004/17/EC and awarded for those activities, insofar as the Member State concerned takes advantage of the option referred to in the second subparagraph of Article 71 thereof to defer its application.

### *Article 58*

#### **Publication of the notice concerning public works concessions**

- 1 Contracting authorities which wish to award a public works concession contract shall make known their intention by means of a notice.
- 2 Notices of public works concessions shall contain the information referred to in Annex VII C and, where appropriate, any other information deemed useful by the contracting authority, in accordance with the standard forms adopted by the Commission pursuant to the procedure in Article 77(2).
- 3 Notices shall be published in accordance with Article 36(2) to (8).
- 4 Article 37 on the publication of notices shall also apply to public works concessions.

### *Article 59*

#### **Time limit**

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, except where Article 38(5) applies.

Article 38(7) shall apply.

### *Article 60*

#### **Subcontracting**

The contracting authority may either:

- (a) 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.

#### *Article 61*

### **Awarding of additional works to the concessionaire**

This Directive shall not apply to additional works not included in the concession project initially considered or in the initial contract but which have, through unforeseen circumstances, become necessary for the performance of the work described therein, which the contracting authority has awarded to the concessionaire, on condition that the award is made to the economic operator performing such work:

- when such additional works cannot be technically or economically separated from the initial contract without major inconvenience to the contracting authorities, or
- when such works, although separable from the performance of the initial contract, are strictly necessary for its completion.

However, the aggregate value of contracts awarded for additional works may not exceed 50 % of the amount of the original works concession contract.

## CHAPTER II

### **Rules on contracts awarded by concessionaires which are contracting authorities**

#### *Article 62*

### **Applicable rules**

Where the concessionaire is a contracting authority as referred to in Article 1(9), it 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.

## CHAPTER III

### **Rules applicable to contracts awarded by concessionaires which are not contracting authorities**

#### *Article 63*

### **Advertising rules: threshold and exceptions**

1 The Member States shall take the necessary measures to ensure that public works concessionaires which are not contracting authorities apply the advertising rules defined in

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Article 64 when awarding works contracts to third parties where the value of such contracts is equal to or greater than [<sup>F1</sup>EUR 5 000 000].

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

The values of contracts shall be calculated in accordance with the rules applicable to public works contracts laid down in Article 9.

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

‘Related undertaking’ shall mean any undertaking over which the concessionaire can exert a dominant influence, whether 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 an undertaking is presumed when, directly or indirectly in relation to another undertaking, it:

- a holds a majority of the undertaking's subscribed capital;
- 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 exhaustive list of such undertakings shall be included in the application for the concession. That list shall be brought up to date following any subsequent changes in the relationship between the undertakings.

#### **Textual Amendments**

- F1** Substituted by [Commission Regulation \(EU\) No 1251/2011 of 30 November 2011 amending Directives 2004/17/EC, 2004/18/EC and 2009/81/EC of the European Parliament and of the Council in respect of their application thresholds for the procedures for the awards of contract \(Text with EEA relevance\).](#)

#### *Article 64*

#### **Publication of the notice**

1 Works concessionaires which are not contracting authorities and which wish to award works contracts to a third party shall make known their intention by way of a notice.

2 Notices shall contain the information referred to in Annex VII C and, where appropriate, any other information deemed useful by the works concessionaire, in accordance with the standard form adopted by the Commission in accordance with the procedure in Article 77(2).

3 The notice shall be published in accordance with Article 36(2) to (8).

4 Article 37 on the voluntary publication of notices shall also apply.

### Article 65

#### **Time limit for the receipt of requests to participate and receipt of tenders**

In works contracts awarded by a works concessionaire which is not a contracting authority, 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.

Article 38(5), (6) and (7) shall apply.

### TITLE IV

#### **RULES GOVERNING DESIGN CONTESTS**

### Article 66

#### **General provisions**

- 1 The rules for the organisation of design contests shall be in conformity with Articles 66 to 74 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 be required to be either natural or legal persons.

### Article 67

#### **Scope**

- 1 In accordance with this Title, design contests shall be organised by:
  - a contracting authorities which are listed as central government authorities in Annex IV, starting from a threshold equal to or greater than [F1EUR 130 000];
  - b contracting authorities not listed in Annex IV, starting from a threshold equal to or greater than [F1EUR 200 000];
  - c by all the contracting authorities, starting from a threshold equal to or greater than [F1EUR 200 000] where contests concern services in category 8 of Annex II A, category 5 telecommunications services, the positions of which in the CPV are equivalent to reference Nos CPC 7524, 7525 and 7526 and/or services listed in Annex II B.
- 2 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 (a) the threshold refers to the estimated value net of VAT of the public services contract, including any possible prizes and/or payments to participants.

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In the cases referred to in (b), the threshold refers to the total amount of the prizes and payments, including the estimated value net of VAT of the public services contract which might subsequently be concluded under Article 31(3) if the contracting authority does not exclude such an award in the contest notice.

#### **Textual Amendments**

- F1** Substituted by [Commission Regulation \(EU\) No 1251/2011 of 30 November 2011 amending Directives 2004/17/EC, 2004/18/EC and 2009/81/EC of the European Parliament and of the Council in respect of their application thresholds for the procedures for the awards of contract \(Text with EEA relevance\)](#).

#### *Article 68*

#### **Exclusions from the scope**

This Title shall not apply to:

- (a) design contests within the meaning of Directive 2004/17/EC which are organised by contracting authorities exercising one or more of the activities referred to in Articles 3 to 7 of that Directive and are organised for the pursuit of such activities; nor shall it apply to contests excluded from the scope of this Directive.

However, this Directive shall continue to apply to design contests awarded by contracting authorities carrying out one or more of the activities referred to in Article 6 of Directive 2004/17/EC and awarded for those activities, insofar as the Member State concerned takes advantage of the option referred to in the second subparagraph of Article 71 thereof to defer its application;

- (b) contests which are organised in the same cases as those referred to in Articles 13, 14 and 15 of this Directive for public service contracts.

#### *Article 69*

#### **Notices**

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

2 Contracting authorities which have held a design contest shall send a notice of the results of the contest in accordance with Article 36 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, be contrary to the public interest, prejudice the legitimate commercial interests of a particular enterprise, whether public or private, or might prejudice fair competition between service providers, such information need not be published.

3 Article 37 concerning publication of notices shall also apply to contests.



## Article 70

### Form and manner of publication of notices of contests

- 1 The notices referred to in Article 69 shall contain the information referred to in Annex VII D in accordance with the standard model notices adopted by the Commission in accordance with the procedure in Article 77(2).
- 2 The notices shall be published in accordance with Article 36(2) to (8).

## Article 71

### Means of communication

- 1 Article 42(1), (2) and (4) shall apply to all communications relating to contests.
- 2 Communications, exchanges and the storage of information shall be such as to ensure that the integrity and the confidentiality of all information communicated by the participants in a contest are preserved and that the jury ascertains the contents of plans and projects only after the expiry of the time limit for their submission.
- 3 The following rules shall apply to devices for the electronic receipt of plans and projects:
  - a the information relating to the specifications which is necessary for the presentation of plans and projects by electronic means, including encryption, shall be available to the parties concerned. In addition, the devices for the electronic receipt of plans and projects shall comply with the requirements of Annex X;
  - b the Member States may introduce or maintain voluntary arrangements for accreditation intended to improve the level of the certification service provided for such devices.

## Article 72

### 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 73

### Composition 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 the members of the jury shall have that qualification or an equivalent qualification.

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#### Article 74

##### **Decisions of the jury**

- 1 The jury shall be autonomous in its decisions or opinions.
- 2 It shall examine the plans and projects submitted by the candidates anonymously and solely on the basis of the criteria indicated in the contest notice.
- 3 It shall record its ranking of projects in a report, signed by its members, made according to the merits of each project, together with its remarks and any points which may need clarification.
- 4 Anonymity must be observed until the jury has reached its opinion or decision.
- 5 Candidates may be invited, if need be, to answer questions which the jury has recorded in the minutes to clarify any aspects of the projects.
- 6 Complete minutes shall be drawn up of the dialogue between jury members and candidates.

#### TITLE V

### **STATISTICAL OBLIGATIONS, EXECUTORY POWERS AND FINAL PROVISIONS**

#### Article 75

##### **Statistical obligations**

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 76, separately addressing public supply, services and works contracts awarded by contracting authorities during the preceding year, by no later than 31 October of each year.

#### Article 76

##### **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 awarded contracts covered by this Directive;
  - 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; and
- b for each of these procedures, works as given in Annex I and products and services as given in Annex II identified by category of the CPV nomenclature;

- c the nationality of the economic operator to which 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 30 and 31 and shall specify the number and value of contracts awarded, by Member State and third 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 77(2).

### *[<sup>F3</sup>Article 77*

#### **Committee procedure**

1 The Commission shall be assisted by the Committee established by Council Decision 71/306/EEC<sup>(26)</sup>.

2 Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

3 Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

4 Where reference is made to this paragraph, Article 5a(1) to (4) and (5)(b) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof. The time-limits laid down in Article 5a(3)(c), (4)(b) and (4)(e) of Decision 1999/468/EC shall be set at four, two and six weeks respectively.

5 Where reference is made to this paragraph, Article 5a(1), (2), (4) and (6) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.]

#### **Textual Amendments**

- F3** Substituted by [Regulation \(EC\) No 596/2009 of the European Parliament and of the Council of 18 June 2009 adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny](#)  
Adaptation to the regulatory procedure with scrutiny — Part Four.

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## Article 78

### Revision of the thresholds

1 <sup>[F3]</sup> The Commission shall verify the thresholds established in Article 7 every two years from 30 April 2004 and shall, if necessary, revise them. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 77(4). On imperative grounds of urgency, the Commission may have recourse to the urgency procedure referred to in Article 77(5).]

The calculation of the value of these thresholds shall be based on the average daily value of the euro, expressed in SDRs, 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 thousand euro so as to ensure that the thresholds in force provided for by the Agreement, expressed in SDRs, are observed.

<sup>[F3]</sup>2 At the same time as the revision under paragraph 1, the Commission shall align:

- a the thresholds established in point (a) of the first paragraph of Article 8, in Article 56 and in the first subparagraph of Article 63(1) on the revised threshold applying to public works contracts;
- b the threshold established in Article 67(1)(a) on the revised threshold applying to public service contracts awarded by the contracting authorities referred to in Annex IV;
- c the thresholds established in point (b) of the first paragraph of Article 8 and in Article 67(1)(b) and (c) on the revised threshold applying to public service contracts awarded by contracting authorities other than those referred to in Annex IV.

Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 77(4). On imperative grounds of urgency, the Commission may have recourse to the urgency procedure referred to in Article 77(5).]

3 The value of the thresholds set pursuant to paragraph 1 in the national currencies of the Member States which are not participating in monetary union is normally to be adjusted every two years from 1 January 2004 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 Union* at the beginning of the month of November following their revision.

#### Textual Amendments

**F3** Substituted by [Regulation \(EC\) No 596/2009 of the European Parliament and of the Council of 18 June 2009 adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny](#)  
Adaptation to the regulatory procedure with scrutiny — Part Four.

## *[<sup>F3</sup>Article 79*

### **Amendments**

- 1 The Commission may amend, in accordance with the advisory procedure referred to in Article 77(2):
  - a the procedures for the drawing-up, transmission, receipt, translation, collection and distribution of the notices referred to in Articles 35, 58, 64 and 69 and the statistical reports provided for in the fourth subparagraph of Article 35(4) and in Articles 75 and 76;
  - b the procedure for sending and publishing data referred to in Annex VIII, on grounds of technical progress or for administrative reasons.
- 2 The Commission may amend the following:
  - a the technical procedures for the calculation methods set out in the second subparagraph of Article 78(1) and in Article 78(3);
  - b the procedures for specific reference to specific positions in the CPV nomenclature in the notices;
  - c the lists of bodies and categories of bodies governed by public law in Annex III, when, on the basis of the notifications from the Member States, such amendment proves necessary;
  - d the lists of central government authorities in Annex IV, following the adaptations necessary to give effect to the Agreement;
  - e the reference numbers in the nomenclature set out in Annex I, in so far as this does not change the material scope of this Directive, and the procedures for reference to particular positions of that nomenclature in the notices;
  - f the reference numbers in the nomenclature set out in Annex II, in so far as this does not change the material scope of this Directive, and the procedures for reference in the notices to particular positions in that nomenclature within the categories of services listed in the Annex;
  - g the technical details and characteristics of the devices for electronic receipt referred to in points (a), (f) and (g) of Annex X.

Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 77(3). On imperative grounds of urgency, the Commission may have recourse to the urgency procedure referred to in Article 77(5).]

#### **Textual Amendments**

- F3** Substituted by [Regulation \(EC\) No 596/2009 of the European Parliament and of the Council of 18 June 2009](#) adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny Adaptation to the regulatory procedure with scrutiny — Part Four.

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## Article 80

### Implementation

1 The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than 31 January 2006. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2 Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

## Article 81

### Monitoring mechanisms

In conformity with Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts<sup>(27)</sup>, Member States shall ensure implementation of this Directive by effective, available and transparent mechanisms.

For this purpose they may, among other things, appoint or establish an independent body.

## Article 82

### Repeals

Directive 92/50/EEC, except for Article 41 thereof, and Directives 93/36/EEC and 93/37/EEC shall be repealed with effect from the date shown in Article 80, without prejudice to the obligations of the Member States concerning the deadlines for transposition and application set out in Annex XI.

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 XII.

## Article 83

### Entry into force

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Union*.

*Article 84*

**Addressees**

This Directive is addressed to the Member States.

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## ANNEX I

LIST OF THE ACTIVITIES REFERRED TO IN ARTICLE 1(2), POINT (b)<sup>(28)</sup>

[ <sup>F4</sup> NACE <sup>a</sup>					CPV code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
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: <ul style="list-style-type: none"> <li>— demolition of buildings and other structures,</li> <li>— clearing of building sites,</li> <li>— earth moving: excavation, landfill, levelling and grading of construction sites, trench digging, rock removal, blasting, etc.</li> <li>— site preparation</li> </ul>	45110000

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



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				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.	
		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	45120000

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

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				<p>wells, see 11.20.</p> <p>— water well drilling, see 45.25,</p> <p>— shaft sinking, see 45.25,</p> <p>— oil and gas field exploration, geophysical, geological and seismic surveying, see 74.20.</p>	
	45.2		Building of complete constructions or parts thereof; civil engineering		45200000
		45.21	General construction of buildings and civil engineering works	<p>This class includes:</p> <p>— construction of all types of buildings construction of civil engineering constructions, bridges, including those for elevated highways,</p>	<p>45210000</p> <p>Except:</p> <p>— 45200316</p> <p>of 45220000</p> <p>all 45231000</p> <p>types 45232000</p>

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

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				<ul style="list-style-type: none"><li>— viaducts, tunnels and subways, long-distance pipelines, communication and power lines,</li><li>— urban pipelines, urban communication and powerlines,</li><li>— ancillary urban works,</li><li>— assembly and erection of prefabricated constructions on the site.</li></ul> <p>This class excludes:</p> <ul style="list-style-type: none"><li>— service activities incidental to oil and gas extraction, see 11.20,</li><li>— erection of complete prefabricated constructions from self-manufactured parts</li></ul>
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**a** Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), Regulation as last amended by Commission Regulation (EEC) No 761/93 (OJ L 83, 3.4.1993, p. 1).]

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

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	45.22	Erection of roof covering and frames	This class includes: — erection of roofs, — roof covering, — waterproofing.	45261000
	45.23	Construction of highways, roads, airfields and sport facilities	This class includes: — 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	45212212 and DA03 45230000 except: 45231000 45232000 45234115

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

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				road surfaces and car parks. This class excludes: — preliminary earth moving, see 45.11.	
		45.24	Construction of water projects	This class includes — construction of: — 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	This class includes: — construction activities specialising in one aspect common to different kinds of structures, requiring specialised skill	45250000 45262000

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

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					or equipment, — construction of foundations, including pile driving, — 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.
					This class excludes:

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

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				— renting of scaffolds without erection and dismantling, see 71.32	
	45.3		Building installation		45300000
		45.31	Installation of electrical wiring and fittings	This class includes: installation in buildings or other construction projects of: <ul style="list-style-type: none"> <li>— electrical wiring and fittings,</li> <li>— telecommunications systems,</li> <li>— electrical heating systems,</li> <li>— residential antennas and aerials,</li> <li>— fire alarms,</li> <li>— burglar alarm systems,</li> <li>— lifts and escalators,</li> <li>— lightning conductors, etc.</li> </ul>	45213316 45310000 Except: 45316000
		45.32	Insulation work activities	This class includes: <ul style="list-style-type: none"> <li>— installation in buildings or</li> </ul>	45320000

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

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				<p>other construction projects of thermal, sound or vibration insulation.</p> <p>This class excludes:</p> <ul style="list-style-type: none"> <li>— waterproofing, see 45.22.</li> </ul>
		45.33	Plumbing	<p>This class includes:</p> <ul style="list-style-type: none"> <li>— installation in buildings or other construction projects of:                             <ul style="list-style-type: none"> <li>— plumbing and sanitary equipment,</li> <li>— gas fittings,</li> <li>— heating, ventilation, refrigeration or air-conditioning equipment and ducts,</li> <li>— sprinkler systems.</li> </ul> </li> </ul> <p>This class excludes:</p> <ul style="list-style-type: none"> <li>— installation of electrical heating systems,</li> </ul>

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

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				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.	45234115 45316000 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	45410000

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

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				lathing materials.	
		45.42	Joinery installation	<p>This class includes:</p> <ul style="list-style-type: none"> <li>— installation of not self-manufactured doors, windows, door and window frames, fitted kitchens, staircases, shop fittings and the like, of wood or other materials,</li> <li>— interior completion such as ceilings, wooden wall coverings, movable partitions, etc.</li> </ul> <p>This class excludes:</p> <ul style="list-style-type: none"> <li>— laying of parquet and other wood floor coverings,</li> </ul>	45420000

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

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				see 45.43.	
		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	45430000

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

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				—	wall coverings, wallpaper.
		45.44	Painting and glazing	<p>This class includes:</p> <ul style="list-style-type: none"> <li>— interior and exterior painting of buildings,</li> <li>— painting of civil engineering structures,</li> <li>— installation of glass, mirrors, etc.</li> </ul> <p>This class excludes:</p> <ul style="list-style-type: none"> <li>— installation of windows, see 45.42,</li> </ul>	45440000
		45.45	Other building completion	<p>This class includes:</p> <ul style="list-style-type: none"> <li>— installation of private swimming pools,</li> <li>— steam cleaning, sand blasting and similar activities for building exteriors,</li> <li>— other building completion and</li> </ul>	45212212 and DA04 45450000

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

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				finishing work n.e.c. This class excludes: — interior cleaning of buildings and other structures, see 74.70.	
	45.5		Renting of construction or demolition equipment with operator		45500000
		45.50	Renting of construction or demolition equipment with operator	This class excludes: — renting of construction or demolition machinery and equipment without operators, see 71.32.	45500000

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

#### Textual Amendments

**F4** Substituted by [Commission Regulation \(EC\) No 213/2008 of 28 November 2007 amending Regulation \(EC\) No 2195/2002 of the European Parliament and of the Council on the Common Procurement Vocabulary \(CPV\) and Directives 2004/17/EC and 2004/18/EC of the European Parliament and of the Council on public procurement procedures, as regards the revision of the CPV \(Text with EEA relevance\).](#)

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ANNEX II

SERVICES REFERRED TO IN ARTICLE 1(2)(d)

ANNEX II A<sup>(29)</sup>

[ <sup>F4</sup> Category No	Subject	CPC reference No <sup>a</sup>	CPV reference No
1	Maintenance and repair services	6112, 6122, 633, 886	From 50100000-6 to 50884000-5 (except for 50310000-1 to 50324200-4 and 50116510-9, 50190000-3, 50229000-6, 50243000-0), and from 51000000-9 to 51900000-1
2	Land transport services <sup>b</sup> , including armoured car services, and courier services, except transport of mail	712 (except 71235), 7512, 87304	From 60100000-9 to 60183000-4 (except 60160000-7, 60161000-4, 60220000-6), and from 64120000-3 to 64121200-2
3	Air transport services of passengers and freight, except transport of mail	73 (except 7321)	From 60410000-5 to 60424120-3 (except 60411000-2, 60421000-5), and 60500000-3, and from 60440000-4 to 60445000-9
4	Transport of mail by land <sup>b</sup> and by air	71235, 7321	60160000-7, 60161000-4, 60411000-2, 60421000-5
5	Telecommunications services	752	From 64200000-8 to 64228200-2, 72318000-7, and from 72700000-7 to 72720000-3
6	Financial services: (a) Insurance services (b) Banking and investment services <sup>c</sup>	ex 81, 812, 814	From 66100000-1 to 66720000-3 <sup>c</sup>

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7	Computer and related services	84	From 50310000-1 to 50324200-4 from 72000000-5 to 72920000-5 (except 72318000-7 and from 72700000-7 to 72720000-3), 79342410-4
8	Research and development services <sup>d</sup>	85	From 73000000-2 to 73436000-7 (except 73200000-4, 73210000-7, 73220000-0)
9	Accounting, auditing and bookkeeping services	862	From 79210000-9 to 79223000-3
10	Market research and public opinion polling services	864	From 79300000-7 to 79330000-6, and 79342310-9, 79342311-6
11	Management consulting services <sup>e</sup> and related services	865, 866	From 73200000-4 to 73220000-0 from 79400000-8 to 79421200-3 and 79342000-3, 79342100-4 79342300-6, 79342320-2 79342321-9, 79910000-6, 79991000-7 98362000-8
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	From 71000000-8 to 71900000-7 (except 71550000-8) and 79994000-8
13	Advertising services	871	From 79341000-6 to 79342200-5



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			(except 79342000-3 and 79342100-4)
14	Building-cleaning services and property management services	874, 82201 to 82206	From 70300000-4 to 70340000-6, and from 90900000-6 to 90924000-0
15	Publishing and printing services on a fee or contract basis	88442	From 79800000-2 to 79824000-6, and from 79970000-6 to 79980000-7
16	Sewage and refuse disposal services; sanitation and similar services	94	From 90400000-1 to 90743200-9 (except 90712200-3), from 90910000-9 to 90920000-2 and 50190000-3, 50229000-6 50243000-0

**a** CPC Nomenclature (provisional version), used to define the scope of Directive 92/50/EEC.

**b** Except for rail transport services covered by category 18.

**c** Except financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services. Also excluded: services involving the acquisition or rental, by whatever financial procedures, of land, existing buildings, or other immovable property or concerning rights thereon; nevertheless, financial services supplied at the same time as, before or after the contract of acquisition or rental, in whatever form, shall be subject to this Directive.

**d** Except research and development services other than those where the benefits accrue exclusively to the contracting authority and/or contracting entity for its use in the conduct of its own affairs on condition that the service provided is wholly remunerated by the contracting authority and/or contracting entity.

**e** Except arbitration and conciliation services.]

## ANNEX II B<sup>(30)</sup>

[ <sup>F4</sup> Category No	Subject	CPC reference No <sup>a</sup>	CPV reference No
17	Hotel and restaurant services	64	From 55100000-1 to 55524000-9, and from 98340000-8 to 98341100-6
18	Rail transport services	711	From 60200000-0 to 60220000-6
19	Water transport services	72	From 60600000-4 to 60653000-0, and

**a** CPC Nomenclature (provisional version), used to define the scope of Directive 92/50/EEC.

**b** Except employment contracts.

**c** Except contracts for the acquisition, development, production or co-production of programmes by broadcasting organisations and contracts for broadcasting time.]

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			from 63727000-1 to 63727200-3
20	Supporting and auxiliary transport services	74	From 63000000-9 to 63734000-3 (except 63711200-8, 63712700-0, 63712710-3, and from 63727000-1, to 63727200-3), and 98361000-1
21	Legal services	861	From 79100000-5 to 79140000-7
22	Personnel placement and supply services <sup>b</sup>	872	From 79600000-0 to 79635000-4 (except 79611000-0, 79632000-3, 79633000-0), and from 98500000-8 to 98514000-9
23	Investigation and security services, except armoured car services	873 (except 87304)	From 79700000-1 to 79723000-8
24	Education and vocational education services	92	From 80100000-5 to 80660000-8 (except 80533000-9, 80533100-0, 80533200-1)
25	Health and social services	93	79611000-0, and from 85000000-9 to 85323000-9 (except 85321000-5 and 85322000-2)
26	Recreational, cultural and sporting services <sup>c</sup>	96	From 79995000-5 to 79995200-7, and from 92000000-1 to 92700000-8 (except 92230000-2, 92231000-9, 92232000-6)
27	Other services		

**a** CPC Nomenclature (provisional version), used to define the scope of Directive 92/50/EEC.

**b** Except employment contracts.

**c** Except contracts for the acquisition, development, production or co-production of programmes by broadcasting organisations and contracts for broadcasting time.]

[<sup>F5</sup> ANNEX III

## LIST OF BODIES AND CATEGORIES OF BODIES GOVERNED BY PUBLIC LAW AS REFERRED TO IN THE SECOND SUBPARAGRAPH OF ARTICLE 1(9)

**Textual Amendments**

- F5** Substituted by [Commission Decision of 9 December 2008 amending the Annexes to Directives 2004/17/EC and 2004/18/EC of the European Parliament and of the Council on public procurement procedures, as regards their lists of contracting entities and contracting authorities \(notified under document number C\(2008\) 7871\) \(Text with EEA relevance\) \(2008/963/EC\).](#)

## I— BELGIUM

## Bodies

## A

- Agence fédérale pour l'Accueil des demandeurs d'Asile — Federaal Agentschap voor Opvang van Asielzoekers
- Agence fédérale pour la Sécurité de la Chaîne alimentaire — Federaal Agentschap voor de Veiligheid van de Voedselketen
- Agence fédérale de Contrôle nucléaire — Federaal Agentschap voor nucleaire Controle
- Agence wallonne à l'Exportation
- Agence wallonne des Télécommunications
- Agence wallonne pour l'Intégration des Personnes handicapées
- Aquafin
- Arbeitsamt der Deutschsprachigen Gemeinschaft
- Archives générales du Royaume et Archives de l'Etat dans les Provinces — Algemeen Rijksarchief en Rijksarchief in de Provinciën Astrid

## B

- Banque nationale de Belgique — Nationale Bank van België
- Belgisches Rundfunk- und Fernsehzentrum der Deutschsprachigen Gemeinschaft
- Berlaymont 2000
- Bibliothèque royale Albert Ier — Koninklijke Bibliotheek Albert I
- Bruxelles-Propreté — Agence régionale pour la Propreté — Net-Brussel — Gewestelijke Agentschap voor Netheid
- Bureau d'Intervention et de Restitution belge — Belgisch Interventie en Restitutiebureau
- Bureau fédéral du Plan — Federaal Planbureau

## C

- Caisse auxiliaire de Paiement des Allocations de Chômage — Hulpkas voor Werkloosheidsuitkeringen
- Caisse de Secours et de Prévoyance en Faveur des Marins — Hulp en Voorzorgskas voor Zeevarenden
- Caisse de Soins de Santé de la Société Nationale des Chemins de Fer Belges — Kas der geneeskundige Verzorging van de Nationale Maatschappij der Belgische Spoorwegen
- Caisse nationale des Calamités — Nationale Kas voor Rampenschade
- Caisse spéciale de Compensation pour Allocations familiales en Faveur des Travailleurs occupés dans les Entreprises de Batellerie — Bijzondere Verrekenkas

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- voor Gezinsvergoedingen ten Bate van de 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 d'Etude de l'Energie nucléaire — Studiecentrum voor Kernenergie
- Centre de recherches agronomiques de Gembloux
- Centre hospitalier de Mons
- Centre hospitalier de Tournai
- Centre hospitalier universitaire de Liège
- Centre informatique pour la Région de Bruxelles-Capitale — Centrum voor Informatica voor het Brusselse Gewest
- Centre pour l'Egalité des Chances et la Lutte contre le Racisme — Centrum voor Gelijkheid van Kansen en voor Racismebestrijding
- Centre régional d'Aide aux Communes
- Centrum voor Bevolkings- en Gezinsstudiën
- Centrum voor landbouwkundig Onderzoek te Gent
- Comité de Contrôle de l'Electricité et du Gaz — Controlecomité voor Elektriciteit en Gas
- Comité national de l'Energie — Nationaal Comité voor de Energie
- Commissariat général aux Relations internationales
- Commissariaat-Generaal voor de Bevordering van de lichamelijke Ontwikkeling, de Sport en de Openluchtrecreatie
- Commissariat général pour les Relations internationales de la Communauté française de Belgique
- Conseil central de l'Economie — Centrale Raad voor het Bedrijfsleven
- Conseil économique et social de la Région wallonne
- Conseil national du Travail — Nationale Arbeidsraad
- Conseil supérieur de la Justice — Hoge Raad voor de Justitie
- Conseil supérieur des Indépendants et des petites et moyennes Entreprises — Hoge Raad voor Zelfstandigen en de kleine en middelgrote Ondernemingen
- Conseil supérieur des Classes moyennes
- Coopération technique belge — Belgische technische Coöperatie
- D
- Dienststelle der Deutschsprachigen Gemeinschaft für Personen mit einer Behinderung
- Dienst voor de Scheepvaart
- Dienst voor Infrastructuurwerken van het gesubsidieerd Onderwijs
- Domus Flandria
- E
- Entreprise publique des Technologies nouvelles de l'Information et de la Communication de la Communauté française
- Export Vlaanderen

## F

- Financieringsfonds voor Schuldafbouw en Eenmalige Investeringsuitgaven
- Financieringsinstrument voor de Vlaamse Visserij- en Aquicultuursector
- Fonds bijzondere Jeugdbijstand
- Fonds communautaire de Garantie des Bâtiments scolaires
- Fonds culturele Infrastructuur
- Fonds de Participation
- Fonds de Vieillessement — Zilverfonds
- Fonds d'Aide médicale urgente — Fonds voor dringende geneeskundige Hulp
- Fonds de Construction d'Institutions hospitalières et médico-sociales de la Communauté française
- Fonds de Pension pour les Pensions de Retraite du Personnel statutaire de Belgacom — Pensioenfondsen voor de Rustpensioenen van het statutair Personeel van Belgacom
- Fonds des Accidents du Travail — Fonds voor Arbeidsongevallen
- 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 du Logement des Familles nombreuses de la Région de Bruxelles-Capitale — Woningfondsen van de grote Gezinnen van het Brusselse hoofdstedelijk Gewest
- Fonds du Logement des Familles nombreuses de Wallonie
- Fonds Film in Vlaanderen
- Fonds national de Garantie des Bâtiments scolaires — Nationaal Waarborgfonds voor Schoolgebouwen
- Fonds national de Garantie pour la Réparation des Dégâts houillers — Nationaal Waarborgfonds inzake Kolenmijnenschade
- Fonds piscicole de Wallonie
- Fonds pour le Financement des Prêts à des Etats étrangers — Fonds voor Financiering van de Leningen aan Vreemde Staten
- Fonds pour la Rémunération des Mousses — Fonds voor Scheepsjongens
- Fonds régional bruxellois de Refinancement des Trésoreries communales — Brussels gewestelijk Herfinancieringsfonds van de gemeentelijke Thesaurieën
- Fonds voor flankerend economisch Beleid
- Fonds wallon d'Avances pour la Réparation des Dommages provoqués par des Pompes et des Prises d'Eau souterraine

## G

- Garantiefonds der Deutschsprachigen Gemeinschaft für Schulbauten
- Grindfondsen

## H

- Herplaatsingfondsen
- Het Gemeenschapsonderwijs
- Hulpfondsen tot financieel Herstel van de Gemeenten

## I

- Institut belge de Normalisation — Belgisch Instituut voor Normalisatie
- Institut belge des Services postaux et des Télécommunications — Belgisch Instituut voor Postdiensten en Telecommunicatie
- Institut bruxellois francophone pour la Formation professionnelle

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- Institut bruxellois pour la Gestion de l'Environnement — Brussels Instituut voor Milieubeheer
- Institut d'Aéronomie spatiale — Instituut voor Ruimte aëronomie
- Institut de Formation permanente pour les Classes moyennes et les petites et moyennes Entreprises
- Institut des Comptes nationaux — Instituut voor de nationale Rekeningen
- Institut d'Expertise vétérinaire — Instituut voor veterinaire Keuring
- Institut du Patrimoine wallon
- Institut für Aus- und Weiterbildung im Mittelstand und in kleinen und mittleren Unternehmen
- Institut géographique national — Nationaal geografisch Instituut
- Institution pour le Développement de la Gazéification souterraine — Instelling voor de Ontwikkeling van ondergrondse Vergassing
- Institution royale de Messine — Koninklijke Gesticht van Mesen
- Institutions universitaires de droit public relevant de la Communauté flamande — Universitaire instellingen van publiek recht afangende van de Vlaamse Gemeenschap
- Institutions universitaires de droit public relevant de la Communauté française — Universitaire instellingen van publiek recht ahangende van de Franse Gemeenschap
- Institut national des Industries extractives — Nationaal Instituut voor de Extractiebedrijven
- Institut national de Recherche sur les Conditions de Travail — Nationaal Onderzoeksinstituut voor Arbeidsomstandigheden
- Institut national des Invalides de Guerre, anciens Combattants et Victimes de Guerre — Nationaal Instituut voor Oorlogsinvaliden, Oudstrijders en Oorlogsslachtoffers
- Institut national des Radioéléments — Nationaal Instituut voor Radio-Elementen
- Institut national pour la Criminalistique et la Criminologie — Nationaal Instituut voor Criminalistiek en Criminologie
- Institut pour l'Amélioration des Conditions de Travail — Instituut voor Verbetering van de Arbeidsvoorwaarden
- Institut royal belge des Sciences naturelles — Koninklijk Belgisch Instituut voor Natuurwetenschappen
- Institut royal du Patrimoine culturel — Koninklijk Instituut voor het Kunstpatrimonium
- Institut royal météorologique de Belgique — Koninklijk meteorologisch Instituut van België
- Institut scientifique de Service public en Région wallonne
- Institut scientifique de la Santé publique — Louis Pasteur — Wetenschappelijk Instituut Volksgezondheid — Louis Pasteur
- Instituut voor de Aanmoediging van Innovatie door Wetenschap en Technologie in Vlaanderen
- Instituut voor Bosbouw en Wildbeheer
- Instituut voor het archeologisch Patrimonium
- Investeringsdienst voor de Vlaamse autonome Hogescholen
- Investeringsfonds voor Grond- en Woonbeleid voor Vlaams-Brabant

J

- Jardin botanique national de Belgique — Nationale Plantentuin van België

K

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- Kind en Gezin
- Koninklijk Museum voor schone Kunsten te Antwerpen
- L
- Loterie nationale — Nationale Loterij
- M
- Mémorial national du Fort de Breendonk — Nationaal Gedenkteken van het Fort van Breendonk
- 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
- O
- Observatoire royal de Belgique — Koninklijke Sterrenwacht van België
- Office central d'Action sociale et culturelle du Ministère de la Défense — Centrale Dienst voor sociale en culturele Actie van het Ministerie van Defensie
- Office communautaire et régional de la Formation professionnelle et de L'Emploi
- Office de Contrôle des Assurances — Controledienst voor de Verzekeringen
- Office de Contrôle des Mutualités et des Unions nationales de Mutualités — Controledienst voor de Ziekenfondsen en de Landsbonden van Ziekenfondsen
- Office de la Naissance et de l'Enfance
- Office de Promotion du Tourisme
- Office de Sécurité sociale d'Outre-Mer — Dienst voor de overzeese sociale Zekerheid
- Office for Foreign Investors in Wallonia
- Office national d'Allocations familiales pour Travailleurs salariés — Rijksdienst voor Kinderbijslag voor Werknemers
- Office national de Sécurité sociale des Administrations provinciales et locales — Rijksdienst voor sociale Zekerheid van de provinciale en plaatselijke Overheidsdiensten
- Office national des Vacances annuelles — Rijksdienst voor jaarlijkse Vakantie
- Office national du Ducroire — Nationale Delcrederedienst
- Office régional bruxellois de l'Emploi — Brusselse gewestelijke Dienst voor Arbeidsbemiddeling
- Office régional de Promotion de l'Agriculture et de l'Horticulture
- Office régional pour le Financement des Investissements communaux
- Office wallon de la Formation professionnelle et de l'Emploi
- Openbaar psychiatrisch Ziekenhuis-Geel
- Openbaar psychiatrisch Ziekenhuis-Rekem
- 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 Splijtstoffen
- P
- Palais des Beaux-Arts — Paleis voor schone Kunsten
- Participatiemaatschappij Vlaanderen
- Pool des Marins de la Marine marchande — Pool van de Zeelieden der Koopvaardij
- R
- Radio et Télévision belge de la Communauté française

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- Reproductiefonds voor de Vlaamse Musea
- S
- Service d'Incendie et d'Aide médicale urgente de la Région de Bruxelles-Capitale — Brusselse hoofdstedelijk Dienst voor Brandweer en dringende medische Hulp
- Société belge d'Investissement pour les pays en développement — Belgische Investeringsmaatschappij voor Ontwikkelingslanden
- Société d'Assainissement et de Rénovation des Sites industriels dans l'Ouest du Brabant wallon
- Société de Garantie régionale
- Sociaal economische Raad voor Vlaanderen
- Société du Logement de la Région bruxelloise et sociétés agréées — Brusselse Gewestelijke Huisvestingsmaatschappij en erkende maatschappijen
- Société publique d'Aide à la Qualité de l'Environnement
- Société publique d'Administration des Bâtiments scolaires bruxellois
- Société publique d'Administration des Bâtiments scolaires du Brabant wallon
- Société publique d'Administration des Bâtiments scolaires du Hainaut
- Société publique d'Administration des Bâtiments scolaires de Namur
- Société publique d'Administration des Bâtiments scolaires de Liège
- Société publique d'Administration des Bâtiments scolaires du Luxembourg
- Société publique de Gestion de l'Eau
- Société wallonne du Logement et sociétés agréées
- Sofibail
- Sofibru
- Sofico
- T
- Théâtre national
- Théâtre royal de la Monnaie — De Koninklijke Muntchouwburg
- Toerisme Vlaanderen
- Tunnel Liefkenshoek
- U
- Universitair Ziekenhuis Gent
- V
- Vlaams Commissariaat voor de Media
- Vlaamse Dienst voor Arbeidsbemiddeling en Beroepsopleiding
- Vlaams Egalisatie Rente Fonds
- Vlaamse Hogescholenraad
- Vlaamse Huisvestingsmaatschappij en erkende maatschappijen
- Vlaamse Instelling voor technologisch Onderzoek
- Vlaamse interuniversitaire Raad
- Vlaamse Landmaatschappij
- Vlaamse Milieuholding
- Vlaamse Milieumaatschappij
- Vlaamse Onderwijsraad
- Vlaamse Opera
- Vlaamse Radio- en Televisieomroep
- Vlaamse Reguleringsinstantie voor de Elektriciteit- en Gasmarkt



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- Vlaamse Stichting voor Verkeerskunde
- Vlaams Fonds voor de Lastendelging
- Vlaams Fonds voor de Letteren
- Vlaams Fonds voor de sociale Integratie van Personen met een Handicap
- Vlaams Informatiecentrum over Land- en Tuinbouw
- Vlaams Infrastructuurfonds voor Persoonsgebonden Aangelegenheden
- Vlaams Instituut voor de Bevordering van het wetenschappelijk- en technologisch Onderzoek in de Industrie
- Vlaams Instituut voor Gezondheidspromotie
- Vlaams Instituut voor het Zelfstandig ondernemen
- Vlaams Landbouwinvesteringsfonds
- Vlaams Promotiecentrum voor Agro- en Visserijmarketing
- Vlaams Zorgfonds
- Vlaams Woningenfonds voor de grote Gezinnen

## II — BULGARIA

### Bodies

- Икономически и социален съвет
- Национален осигурителен институт
- Национална здравноосигурителна каса
- Български червен кръст
- Българска академия на науките
- Национален център за аграрни науки
- Български институт за стандартизация
- Българско национално радио
- Българска национална телевизия

### Categories

State undertakings within the meaning of Article 62(3) of the Търговския закон (обн., ДВ, бр.48/18.6.1991):

- Национална компания ‘Железопътна инфраструктура’
- ДП ‘Пристанищна инфраструктура’
- ДП ‘Ръководство на въздушното движение’
- ДП ‘Строителство и възстановяване’
- ДП ‘Транспортно строителство и възстановяване’
- ДП ‘Съобщително строителство и възстановяване’
- ДП ‘Радиоактивни отпадъци’
- ДП ‘Предприятие за управление на дейностите по опазване на околната среда’
- ДП ‘Български спортен тотализатор’
- ДП ‘Държавна парично-предметна лотария’
- ДП ‘Кабюк’, Шумен
- ДП ‘Фонд затворно дело’
- Държавни дивечовъдни станции

State Universities, established pursuant to Article 13 of the Закона за висшето образование (обн., ДВ, бр.112/27.12.1995):

- Аграрен университет — Пловдив
- Академия за музикално, танцово и изобразително изкуство — Пловдив

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- Академия на Министерството на вътрешните работи
- Великотърновски университет ‘Св. св. Кирил и Методий’
- Висше военноморско училище ‘Н. Й. Вапцаров’ — Варна
- Висше строително училище ‘Любен Каравелов’ — София
- Висше транспортно училище ‘Тодор Каблешков’ — София
- Военна академия ‘Г. С. Раковски’ — София
- Национална музикална академия ‘Проф. Панчо Владигеров’ — София
- Икономически университет — Варна
- Колеж по телекомуникации и пощи — София
- Лесотехнически университет — София
- Медицински университет ‘Проф. д-р Параскев Иванов Стоянов’ — Варна
- Медицински университет — Плевен
- Медицински университет — Пловдив
- Медицински университет — София
- Минно-геоложки университет ‘Св. Иван Рилски’ — София
- Национален военен университет ‘Васил Левски’ — Велико Търново
- Национална академия за театрално и филмово изкуство ‘Кръстьо Сарафов’ — София
- Национална спортна академия ‘Васил Левски’ — София
- Национална художествена академия — София
- Пловдивски университет ‘Паисий Хилендарски’
- Русенски университет ‘Ангел Кънчев’
- Софийски университет ‘Св. Климент Охридски’
- Специализирано висше училище по библиотекознание и информационни технологии — София
- Стопанска академия ‘Д. А. Ценов’ — Свищов
- Технически университет — Варна
- Технически университет — Габрово
- Технически университет — София
- Тракийски университет — Стара Загора
- Университет ‘Проф. д-р Асен Златаров’ — Бургас
- Университет за национално и световно стопанство — София
- Университет по архитектура, строителство и геодезия — София
- Университет по хранителни технологии — Пловдив
- Химико-технологичен и металургичен университет — София
- Шуменски университет ‘Епископ Константин Преславски’
- Югозападен университет ‘Неофит Рилски’ — Благоевград

State and municipal schools within the meaning of the Закона за народната просвета (обн., ДВ, бр. 86/18.10.1991)

Cultural institutes within the meaning of the Закона за закрила и развитие на културата (обн., ДВ, бр.50/1.6.1999):

- Народна библиотека ‘Св. св. Кирил и Методий’
- Българска национална фонотека
- Българска национална филмотека
- Национален фонд ‘Култура’

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- Национален институт за паметниците на културата
- Театри (Theatres)
- Оперы, филхармонии и ансамбли (Operas, philharmonic orchestras, ensembles)
- Музеи и галерии (Museums and galleries)
- Училища по изкуствата и културата (Art and culture schools)
- Български културни институти в чужбина (Bulgarian cultural institutes abroad)

State and/or municipal medical institutions referred to in Article 3(1) of the Закона за лечебните заведения (обн., ДВ, бр.62/9.7.1999)

Medical institutions referred to in Article 5(1) of the Закона за лечебните заведения (обн., ДВ, бр.62/9.7.1999):

- Домове за медико-социални грижи за деца
- Лечебни заведения за стационарна психиатрична помощ
- Центрове за спешна медицинска помощ
- Центрове за трансфузионна хематология
- Болница 'Лозенец'
- Военномедицинска академия
- Медицински институт на Министерство на вътрешните работи
- Лечебни заведения към Министерството на правосъдието
- Лечебни заведения към Министерството на транспорта

Legal persons of a non-commercial character established for the purpose of meeting needs of general interest pursuant to the Закона за юридическите лица с нестопанска цел (обн., ДВ, бр.81/6.10.2000), and satisfying the conditions of § 1, item 21 of the Закона за обществените поръчки (обн., ДВ, бр. 28/6.4.2004).

- III — CZECH REPUBLIC
- Pozemkový fond and other state funds
  - Česká národní banka
  - Česká televize
  - Český rozhlas
  - Rada pro rozhlasové a televizní vysílání
  - Všeobecná zdravotní pojišťovna České republiky
  - Zdravotní pojišťovna ministerstva vnitra ČR
  - Universities

and other legal entities established by a special Act which for their operation and in compliance with budget regulations use money from the state budget, state funds, contributions of international institutions, district authority budget, or budgets of self-governing territorial divisions.

IV — DENMARK

Bodies

- Danmarks Radio
- Det landsdækkende TV2
- Danmarks Nationalbank
- Sund og Bælt Holding A/S
- A/S Storebælt
- A/S Øresund

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- Øresundskonsortiet
- Metroselskabet I/S
- Arealudviklingsselskabet I/S
- Statens og Kommunernes Indkøbsservice
- Arbejdsmarkedets Tillægspension
- Arbejdsmarkedets Feriefond
- Lønmodtagernes Dyrtdidsfond
- Naviair

#### Categories

- De Almene Boligorganisationer (social housing organisations)
- Andre forvaltningssubjekter (other public administrative bodies)
- Universiteterne, jf. lovbekendtgørelse nr. 1368 af 7. december 2007 af lov om universiteter (Universities, see Consolidation Act nr. 1368 of 7 December 2007 on universities)

#### V — GERMANY

#### Categories

#### Legal persons governed by public law

Authorities, establishments and foundations governed by public law and created by Federal, State or local authorities particularly in the following fields:

#### (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).

#### (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 organisations and students' unions),
- Kultur-, Wohlfahrts- und Hilfsstiftungen — (cultural, welfare and relief foundations).

#### 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):

- 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, Volksschulen) [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 soweit im Allgemeininteresse tätig, Wohnraumvermittlung) — [building, civil engineering and housing: town planning, urban development, housing, enterprises (insofar as they operate in the general interest), 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 aid, training].

## VI — ESTONIA

- Eesti Kunstiakadeemia;
- Eesti Muusika- ja Teatriakadeemia;
- Eesti Maaülikool;
- Eesti Teaduste Akadeemia;
- Eesti Rahvusringhaaling;
- Tagatisfond;
- Kaitseliit;
- Keemilise ja Bioloogilise Füüsika Instituut;
- Eesti Haigekassa;

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- Eesti Kultuurkapital;
- Notarite Koda;
- Rahvusooper Estonia;
- Eesti Rahvusraamatukogu;
- Tallinna Ülikool;
- Tallinna Tehnikaülikool;
- Tartu Ülikool;
- Eesti Advokatuur;
- Audiitorkogu;
- Eesti Töötukassa;
- Eesti Arengufond;

#### Categories

Other legal persons governed by public law or legal persons in private law in compliance with Article 10(2) of the Public Procurement Act (RT I 21.7.2007, 15, 76).

#### VII — IRELAND

##### Bodies

- Enterprise Ireland [Marketing, technology and enterprise development]
- Forfás [Policy and advice for enterprise, trade, science, technology and innovation]
- Industrial Development Authority
- FÁS [Industrial and employment training]
- Health and Safety Authority
- Bord Fáilte Éireann — [Tourism development]
- CERT [Training in hotel, catering and tourism industries]
- Irish Sports Council
- National Roads Authority
- Údarás na Gaeltachta — [Authority for Gaelic speaking regions]
- Teagasc [Agricultural research, training and development]
- An Bord Bia — [Food industry promotion]
- Irish Horseracing Authority
- Bord na gCon — [Greyhound racing support and development]
- Marine Institute
- Bord Iascaigh Mhara — [Fisheries Development]
- Equality Authority
- Legal Aid Board
- Forbas [Forbairt]

##### Categories

- Health Service Executive
- Hospitals and similar institutions of a public character
- Vocational Education Committees
- Colleges and educational institutions of a public character
- Central and Regional Fisheries Boards
- Regional Tourism Organisations
- National Regulatory and Appeals bodies [such as in the telecommunications, energy, planning etc. areas]

- Agencies established to carry out particular functions or meet needs in various public sectors [e.g. Healthcare Materials Management Board, Health Sector Employers Agency, Local Government Computer Services Board, Environmental Protection Agency, National Safety Council, Institute of Public Administration, Economic and Social Research Institute, National Standards Authority, etc.]
- Other public bodies falling within the definition of a body governed by public law.

## VIII — GREECE

### Categories

- Public enterprises and public entities
- Legal persons governed by private law which are State-owned or which regularly receive at least 50 % of their annual budget in the form of State subsidies, pursuant to the applicable rules, or in which the State has a capital holding of at least 51 %.
- Legal persons governed by private law which are owned by legal persons governed by public law, by local authorities of any level, including the Greek Central Association of Local Authorities (K.E.Δ.K.E.), by local associations of ‘communes’, (local administrative areas) or by public enterprises or entities, or by legal persons as referred to in b) or which regularly receive at least 50 % of their annual budget in the form of subsidies from such legal persons, pursuant to the applicable rules or to their own articles of association, or legal persons as referred to above which have a capital holding of at least 51 % in such legal persons governed by public law.

## IX — SPAIN

### Categories

- Bodies and entities governed by public law which are subject to the ‘Ley 30/2007, de 30 de octubre, de Contratos del sector público’, — [Spanish State legislation on procurement] —, in accordance with its article 3, other than those which are part of the Administración General del Estado — (general national administration) —, the Administración de las Comunidades Autónomas — (administration of the autonomous regions — and the Corporaciones Locales — (local authorities).
- Entidades Gestoras y los Servicios Comunes de la Seguridad Social — (administrative entities and common services of the health and social services).

## X — FRANCE

### Bodies

- Compagnies et établissements consulaires, chambres de commerce et d’industrie (CCI), chambres des métiers et chambres d’agriculture.

### Categories

- (1) National public bodies:
  - Académie des Beaux-arts
  - Académie française
  - Académie des inscriptions et belles-lettres
  - Académie des sciences
  - Académie des sciences morales et politiques
  - Banque de France
  - Centre de coopération internationale en recherche agronomique pour le développement
  - Ecoles d’architecture
  - Institut national de la consommation
  - Reunion des musées nationaux

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- Thermes nationaux — Aix-les-Bains
- Groupements d'intérêt public; exemples:
- Agence EduFrance
- ODI France (observation, développement et ingénierie touristique)
- Agence nationale de lutte contre l'illettrisme
- (2) Administrative public bodies at regional, departmental and local level:
- Collèges
- Lycées
- Etablissements publics locaux d'enseignement et de formation professionnelle agricole
- Etablissements publics hospitaliers
- Offices publics de l'habitat
- (3) Groupings of territorial authorities:
- Etablissements publics de coopération intercommunale
- Institutions interdépartementales et interrégionales
- Syndicat des transports d'Ile-de-France

#### [<sup>F6</sup>XI] — CROATIA

Contracting authorities referred to in Article 5, paragraph 1, item 3 of the *Zakon o javnoj nabavi* (Narodne novine broj 90/11) (Public Procurement Act, Official Gazette No 90/11), i.e. legal persons established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character and which meet one of the following conditions:

- they are financed from the State Budget or from the budget of a local or regional self-government unit or from the budgets of other such legal entities in more than 50 %, or
- they are subject to management supervision by state bodies, local and regional self-government units or other such legal entities, or
- they have a supervisory board, an administrative or managerial board, more than half of whose members are appointed by the state bodies, local and regional self-government units or other such legal entities.

For example:

- Agency Alan d.o.o.,
- APIS IT d.o.o. — Information Systems and Information Technologies Support Agency,
- National Folk Dance Ensemble of Croatia 'Lado',
- Autocesta Rijeka — Zagreb d.d. (Rijeka — Zagreb Motorway),
- CARnet (Croatian Academic and Research Network),
- Help and care centres,
- Social welfare centres,
- Social care homes,
- Health care centres,
- State archives,
- State Institute for Nature Protection,
- Fund for Financing the Decommissioning of the Krško Nuclear Power Plant and the Disposal of NEK Radioactive Waste and Spent Nuclear Fuel,
- Fund for Indemnification of Seized Property,
- Fund for Reconstruction and Development of Vukovar,



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- Fund for Professional Rehabilitation and Employment of People with Disabilities,
- Environmental Protection and Energy Efficiency Fund,
- Croatian Academy of Science and Arts,
- Croatian Bank for Reconstruction and Development,
- Hrvatska kontrola zračne plovidbe d.o.o. (Croatia Control Ltd.),
- Hrvatska lutrija d.o.o. (Croatian Lottery),
- Croatian Heritage Foundation,
- Croatian Chamber of Agriculture,
- Croatian Radio Television,
- Croatian Association of Technological Culture,
- Hrvatske autoceste d.o.o. (Croatian Motorways Ltd.),
- Hrvatske ceste d.o.o. (Croatian Roads Ltd.),
- Hrvatske šume d.o.o. (Croatian Forests),
- Hrvatske vode (Croatian water management company),
- Croatian Audiovisual Centre,
- Croatian Centre for Horse Breeding — State Stud Farms Đakovo and Lipik,
- Croatian Centre for Agriculture, Food and Rural Affairs,
- Croatian Mine Action Centre,
- Croatian Memorial-Documentation Centre of the Homeland War,
- Croatian Olympic Committee,
- Croatian Energy Market Operator,
- Croatian Paralympic Committee,
- Croatian Register of Shipping,
- Croatian Conservation Institute,
- Croatian Deaf Sport Federation,
- Croatian Institute of Emergency Medicine,
- Croatian National Institute of Public Health,
- Croatian Institute for Mental Health,
- Croatian Institute for Pension Insurance,
- Croatian Standards Institute,
- Croatian Institute for Telemedicine,
- Croatian Institute for Toxicology and Anti-doping,
- Croatian National Institute of Transfusion Medicine,
- Croatian Employment Service,
- Croatian Institute for Health Protection and Safety at Work,
- Croatian Institute for Health Insurance,
- Croatian Institute for Health Insurance of Occupational Health,
- Jadrolinija (shipping company),
- Public Institution Croatian Olympic Centre,
- Higher education public institutions,
- National parks public institutions,
- Nature parks public institutions,
- Public scientific institutes,
- Theatres, museums, galleries, libraries and other institutions in the field of culture established by the Republic of Croatia or local and regional self-government units,

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- Penitentiaries,
- Clinical hospitals,
- Clinical hospital centres,
- Clinics,
- ‘Miroslav Krleža’ Institute of Lexicography,
- Port Authorities,
- Sanatoriums,
- Pharmacies founded by the units of regional self-government,
- Matica hrvatska (Matrix Croatia),
- International Centre for Underwater Archaeology,
- National and University Library,
- National Foundation for Support to the Pupil and Student Standard of Living,
- National Foundation for Civil Society Development,
- National Foundation for Science, Higher Education and Technological Development of the Republic of Croatia,
- National Centre for External Evaluation of Education,
- National Council for Higher Education,
- National Council for Science,
- Official Gazette (Narodne novine d.d.),
- Educational/correctional institutes,
- Educational institutions founded by the Republic of Croatia or units of local and regional self-government,
- General hospitals,
- Plovput d.o.o. (State-owned company in charge of safety of navigation),
- Polyclinics,
- Special hospitals,
- Central Register of Insured Persons,
- University Computing Centre,
- Sports associations,
- Sports federations,
- Emergency medical treatment institutions,
- Palliative care institutions,
- Health care institutions,
- Foundation of Police Solidarity,
- Prisons,
- Institute for the Restoration of Dubrovnik,
- Institute for Seed and Seedlings,
- Public health institutes,
- Aeronautical Technical Centre (Zrakoplovno — tehnički centar d.d.),
- County road administrations.]

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#### **Textual Amendments**

- F6** Inserted by [Council Directive 2013/16/EU of 13 May 2013 adapting certain directives in the field of public procurement, by reason of the accession of the Republic of Croatia.](#)

## XII — ITALY

## Bodies

- Società Stretto di Messina S.p.A.
- Mostra d'oltremare S.p.A.
- Ente nazionale per l'aviazione civile — ENAC
- Società nazionale per l'assistenza al volo S.p.A. — ENAV
- ANAS S.p.A

## Categorie

- Consorzi per le opere idrauliche (consortia for water engineering works)
- Università statali, gli istituti universitari statali, i consorzi per i lavori interessanti le università (State universities, State university institutes, consortia for university development work)
- Istituzioni pubbliche di assistenza e di beneficenza (public welfare and benevolent institutions)
- Istituti superiori scientifici e culturali, osservatori astronomici, astrofisici, geofisici o vulcanologici (higher scientific and cultural institutes, astronomical, astrophysical, geophysical or vulcanological observations)
- Enti di ricerca e sperimentazione (organizations conducting research and experimental work)
- 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 e di irrigazione (development or irrigation agencies)
- Consorzi per le aree industriali (associations for industrial 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)

## XIII — CYPRUS

- Αρχή Ραδιοτηλεόρασης Κύπρου
- Επιτροπή Κεφαλαιαγοράς Κύπρου
- Επίτροπος Ρυθμίσεως Ηλεκτρονικών Επικοινωνιών και Ταχυδρομείων
- Ρυθμιστική Αρχή Ενέργειας Κύπρου
- Εφοριακό Συμβούλιο
- Συμβούλιο Εγγραφής και Ελέγχου Εργοληπτών
- Ανοικτό Πανεπιστήμιο Κύπρου
- Πανεπιστήμιο Κύπρου
- Τεχνολογικό Πανεπιστήμιο Κύπρου
- Ένωση Δήμων
- Ένωση Κοινοτήτων
- Αναπτυξιακή Εταιρεία Λάρνακας
- Ταμείο Κοινωνικής Συνοχής
- Ταμείο Κοινωνικών Ασφαλίσεων
- Ταμείο Πλεονάζοντος Προσωπικού

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- Κεντρικό Ταμείο Αδειών
- Αντιναρκωτικό Συμβούλιο Κύπρου
- Ογκολογικό Κέντρο της Τράπεζας Κύπρου
- Οργανισμός Ασφάλισης Υγείας
- Ινστιτούτο Γενετικής και Νευρολογίας
- Κεντρική Τράπεζα της Κύπρου
- Χρηματιστήριο Αξιών Κύπρου
- Οργανισμός Χρηματοδοτήσεως Στέγης
- Κεντρικός Φορέας Ισότιμης Κατανομής Βαρών
- Ίδρυμα Κρατικών Υποτροφιών Κύπρου
- Κυπριακός Οργανισμός Αγροτικών Πληρωμών
- Οργανισμός Γεωργικής Ασφάλισης
- Ειδικό Ταμείο Ανανεώσιμων Πηγών Ενέργειας και Εξοικονόμησης Ενέργειας
- Συμβούλιο Ελαιοκομικών Προϊόντων
- Οργανισμός Κυπριακής Γαλακτοκομικής Βιομηχανίας
- Συμβούλιο Αμπελοοινικών Προϊόντων
- Συμβούλιο Εμπορίας Κυπριακών Πατατών
- Ευρωπαϊκό Ινστιτούτο Κύπρου
- Ραδιοφωνικό Ίδρυμα Κύπρου
- Οργανισμός Νεολαίας Κύπρου
- Κυπριακόν Πρακτορείον Ειδήσεων
- Θεατρικός Οργανισμός Κύπρου
- Κυπριακός Οργανισμός Αθλητισμού
- Αρχή Ανάπτυξης Ανθρώπινου Δυναμικού Κύπρου
- Αρχή Κρατικών Εκθέσεων Κύπρου
- Ελεγκτική Υπηρεσία Συνεργατικών Εταιρειών
- Κυπριακός Οργανισμός Τουρισμού
- Κυπριακός Οργανισμός Αναπτύξεως Γης
- Συμβούλια Αποχετεύσεων (This category refers to the Συμβούλια Αποχετεύσεων established and operating according to the Provisions of the Αποχετευτικών Συστημάτων Νόμου Ν.1(Ι) of 1971)
- Συμβούλια Σφαγείων (This category refers to the Κεντρικά και Κοινοτικά Συμβούλια Σφαγείων run by local authorities, established and operating according to the provisions of the Σφαγείων Νόμου Ν.26(Ι) of 2003)
- Σχολικές Εφορείες (This category refers to the Σχολικές Εφορείες established and operating according to the provisions of the Σχολικών Εφορειών Νόμου Ν.108 of 2003)
- Ταμείο Θήρας
- Κυπριακός Οργανισμός Διαχείρισης Αποθεμάτων Πετρελαιοειδών
- Ίδρυμα Τεχνολογίας Κύπρου
- Ίδρυμα Προώθησης Έρευνας
- Ίδρυμα Ενέργειας Κύπρου
- Ειδικό Ταμείο Παραχώρησης Επιδόματος Διακίνησης Αναπήρων
- Ταμείο Ευημερίας Εθνοφρουρού
- Ίδρυμα Πολιτισμού Κύπρου

- Subjects of private law which make purchases according to ‘Publisko iepirkumu likuma prasībām’
- XV — LITHUANIA
- Establishments of research and education (higher education institutions, establishments of scientific research, research and technology parks as well as other establishments and institutions, the activity of which pertains to evaluation or organisation of research and education)
  - Educational establishments (higher education establishments, vocational colleges, schools of general education, pre-school establishments, informal education institutions, special education institutions and other establishments)
  - Establishments of culture (theatres, museums, libraries and other establishments)
  - National establishments of the Lithuanian health care system (individual health care protection establishments, public health protection establishments, establishments of pharmaceutical activities and other health care establishments, etc.)
  - Social care institutions
  - Institutions of physical culture and sports (sports clubs, sports schools, sports centres, sports facilities and other establishments)
  - Establishments of the national defence system
  - Establishments of environmental protection
  - Establishments ensuring public safety and public order
  - Establishments of the civil protection and rescue system
  - Tourism service providers (tourism information centres and other establishments providing tourism services)
  - Other public and private persons in accordance with the conditions provided for in Article 4(2) of the Law on Public Procurement (‘Valstybės žinios’(Official Gazette) No. 84-2000, 1996; No 4-102, 2006).
- XVI — LUXEMBOURG
- Établissements publics de l'État placés sous la surveillance d'un membre du gouvernement:
    - Fonds d'Urbanisation et d'Aménagement du Plateau de Kirchberg
    - Fonds de Rénovation de Quatre Îlots de la Vieille Ville de Luxembourg
    - Fonds Belval
  - Établissements publics placés sous la surveillance des communes.
  - Syndicats de communes créés en vertu de la loi du 23 février 2001 concernant les syndicats de communes.
- XVII — HUNGARY
- Bodies
- Egyes költségvetési szervek (certain budgetary organs)
  - Az elkülönített állami pénzalapok kezelője (managing bodies of the separate state funds)
  - A közalapítványok (public foundations)
  - A Magyar Nemzeti Bank
  - A Magyar Nemzeti Vagyonkezelő Zrt.
  - A Magyar Fejlesztési Bank Részvénytársaság
  - A Magyar Távirati Iroda Részvénytársaság
  - A közszolgálati műsorszolgáltatók (public service broadcasters)

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— Azok a közműsor-szolgáltatók, amelyek működését többségi részben állami, illetve önkormányzati költségvetésből finanszírozzák (public broadcasters financed, for the most part, from public budget)

— Az Országos Rádió és Televízió Testület

#### Categories

— Organizations established for the purpose of meeting needs in the general interest, not having an industrial or commercial character, and controlled by public entities, or financed, for the most part, by public entities (from public budget)

— Organizations established by law determining their public tasks and operation, and controlled by public entities, or financed, for the most part, by public entities (from public budget)

— Organizations established by public entities for the purpose of carrying out their certain basic activities, and controlled by the public entities

#### XVIII — MALTA

— Uffiċċju tal-Prim Ministru (Office of the Prime Minister)

— Kunsill Malti Għall-Iżvilupp Ekonomiku u Soċjali (Malta Council for Economic and Social Development).

— Awtorità tax-Xandir (Broadcasting Authority).

— Industrial Projects and Services Ltd.

— Kunsill ta' Malta għax-Xjenza u Teknoloġija (Malta Council for Science and Technology)

— Ministeru tal-Finanzi (Ministry of Finance)

— Awtorità għas-Servizzi Finanzjarji ta' Malta (Malta Financial Services Authority).

— Borża ta' Malta (Malta Stock Exchange).

— Awtorità dwar Lotteriji u l-Loghob (Lotteries and Gaming Authority).

— Awtorità tal-Istatistika ta' Malta (Malta Statistics Authority).

— Sezzjoni ta' Konformità mat-Taxxa (Tax Compliance Unit).

— Ministeru tal-Ġustizzja u l-Intern (Ministry for Justice & Home Affairs)

— Ċentru Malti tal-Arbitraġġ (Malta Arbitration Centre).

— Kunsilli Lokali (Local Councils).

— Ministeru tal-Edukazzjoni, Żgħażaġh u Impjiegi (Ministry of Education, Youth and Employment)

— Junior College.

— Kullegġ Malti għall-Arti, Xjenza u Teknoloġija (Malta College of Arts Science and Technology).

— Università ta' Malta (University of Malta).

— Fondazzjoni għall-Istudji Internazzjonali (Foundation for International Studies).

— Fondazzjoni għall-Iskejjel ta' Ghada (Foundation for Tomorrow's Schools).

— Fondazzjoni għal Servizzi Edukattivi (Foundation for Educational Services).

— Korporazzjoni tal-Impjieg u t-Taħriġ (Employment and Training Corporation).

— Awtorità tas-Saħħa u s-Sigurtà (Occupational Health and Safety Authority).

— Istitut għal Studji Turistiċi (Institute for Tourism Studies).

— Kunsill Malti għall-Isport.

— Bord tal-Koperattivi (Cooperatives Board).

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- Pixxina Nazzjonali tal-Qroqq (National Pool tal-Qroqq).
- Ministeru tat-Turiżmu u Kultura (Ministry for Tourism and Culture)
  - Awtorità Maltija-ghat-Turiżmu (Malta Tourism Authority).
  - Heritage Malta.
  - Kunsill Malti għall-Kultura u l-Arti (National Council for Culture and the Arts).
  - Ċentru għall-Kreativita fil-Kavallier ta' San Ġakbu (St. James Cavalier Creativity Centre).
  - Orkestra Nazzjonali (National Orchestra).
  - Teatru Manoel (Manoel Theatre).
  - Ċentru tal- Konferenzi tal-Mediterran (Mediterranean Conference Centre).
  - Ċentru Malti għar-Restawr (Malta Centre for Restoration).
  - Sovrintendenza tal-Patrimonju Kulturali (Superintendence of Cultural Heritage).
  - Fondazzjoni Patrimonju Malti.
- Ministeru tal-Kompetittività u l-Komunikazzjoni (Ministry for Competitiveness and Communications)
  - Awtorità ta' Malta dwar il-Komunikazzjoni (Malta Communications Authority).
  - Awtorità ta' Malta dwar l-Istandards (Malta Standards Authority).
- Ministeru tar-Riżorsi u Infrastruttura (Ministry for Resources and Infrastructure)
  - Awtorità ta' Malta dwar ir-Riżorsi (Malta Resources Authority).
  - Kunsill Konsultattiv dwar l-Industija tal-Bini (Building Industry Consultative Council).
- Ministeru għal Ghawdex (Ministry for Gozo)
- Ministeru tas-Sahħa, l-Anzjani u Kura fil-Komunità (Ministry of Health, the Elderly and Community Care)
  - Fondazzjoni għas-Servizzi Mediċi (Foundation for Medical Services).
  - Sptar Zammit Clapp (Zammit Clapp Hospital).
  - Sptar Mater Dei (Mater Dei Hospital).
  - Sptar Monte Carmeli (Mount Carmel Hospital).
  - Awtorità dwar il-Mediċini (Medicines Authority).
  - Kumitat tal-Welfare (Welfare Committee).
- Ministeru għall-Investment, Industrija u Teknologija ta' Informazzjoni (Ministry for Investment, Industry and Information Technology)
  - Laboratorju Nazzjonali ta' Malta (Malta National Laboratory).
  - MGI/Mimcol.
  - Gozo Channel Co. Ltd.
  - Kummissjoni dwar il-Protezzjoni tad-Data (Data Protection Commission).
  - MITTS
  - Sezzjoni tal-Privatizzazzjoni (Privatization Unit).
  - Sezzjoni għan-Negożjati Kollettivi (Collective Bargaining Unit).
  - Malta Enterprise.
  - Malta Industrial Parks.
- Ministeru għall-Affarijiet Rurali u l-Ambjent (Ministry for Rural Affairs and the Environment)

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- Awtorità ta' Malta għall-Ambjent u l-Ippjanar (Malta Environment and Planning Authority).
- Wasteserv Malta Ltd.
- Ministeru għall-Iżvilupp Urban u Toroq (Ministry for Urban Development and Roads)
- Ministeru għall-Familja u Solidarjetà Soċjali (Ministry for the Family and Social Solidarity)
  - Awtorità tad-Djar (Housing Authority).
  - Fondazzjoni għas-Servizzi Soċjali (Foundation for Social Welfare Services).
  - Sedqa.
  - Appoġġ.
  - Kummissjoni Nazzjonali Għal Persuni b'Diżabilità (National Commission for Disabled Persons).
  - Sapport.
- Ministeru għall-Affarijiet Barranin (Ministry of Foreign Affairs)
  - Istitut Internazzjonali tal-Anzjani (International Institute on Ageing).
- XIX — NETHERLANDS
- Bodies
  - Ministerie van Binnenlandse Zaken en Koninkrijksrelaties
    - Nederlands Instituut voor Brandweer en rampenbestrijding (NIBRA)
    - Nederlands Bureau Brandweer Examens (NBBE)
    - Landelijk Selectie- en Opleidingsinstituut Politie (LSOP)
    - 25 afzonderlijke politieregio's — (25 individual police regions)
    - Stichting ICTU
    - Voorziening tot samenwerking Politie Nederland
  - Ministerie van Economische Zaken
    - Stichting Syntens
    - Van Swinden Laboratorium B.V.
    - Nederlands Meetinstituut B.V.
    - Nederland Instituut voor Vliegtuigontwikkeling en Ruimtevaart (NIVR)
    - Nederlands Bureau voor Toerisme en Congressen
    - Samenwerkingsverband Noord Nederland (SNN)
    - Ontwikkelingsmaatschappij Oost Nederland N.V.(Oost N.V.)
    - LIOF (Limburg Investment Development Company LIOF)
    - Noordelijke Ontwikkelingsmaatschappij (NOM)
    - Brabantse Ontwikkelingsmaatschappij (BOM)
    - Onafhankelijke Post en Telecommunicatie Autoriteit (Opta)
    - Centraal Bureau voor de Statistiek (CBS)
    - Energieonderzoek Centrum Nederland (ECN)
    - Stichting PUM (Programma Uitzending Managers)
    - Stichting Kenniscentrum Maatschappelijk Verantwoord Ondernemen (MVO)
    - Kamer van Koophandel Nederland
  - Ministerie van Financiën
    - De Nederlandse Bank N.V.
    - Autoriteit Financiële Markten



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- Pensioen- & Verzekeringskamer
- Ministerie van Justitie
  - Stichting Reclassering Nederland (SRN)
  - Stichting VEDIVO
  - Voogdij- en gezinsvoogdij instellingen — (Guardianship and Family Guardianship Institutions)
  - Stichting Halt Nederland (SHN)
  - Particuliere Internaten — (Private Boarding Institutions)
  - Particuliere Jeugdinstellingen — (Penal Institutions for Juvenile Offenders)
  - Schadefonds Gewelddsmisdrijven
  - Centraal Orgaan opvang asielzoekers (COA)
  - Landelijk Bureau Inning Onderhoudsbijdragen (LBIO)
  - Landelijke organisaties slachtofferhulp
  - College Bescherming Persoongegevens
  - Raden voor de Rechtsbijstand
  - Stichting Rechtsbijstand Asiel
  - Stichtingen Rechtsbijstand
  - Landelijk Bureau Racisme bestrijding (LBR)
  - Clara Wichman Instituut
- Ministerie van Landbouw, Natuur en Voedselkwaliteit
  - Bureau Beheer Landbouwgronden
  - Faunafonds
  - Staatsbosbeheer
  - Stichting Voorlichtingsbureau voor de Voeding
  - Universiteit Wageningen
  - Stichting DLO
  - (Hoofd) productschappen — (Commodity Boards)
- Ministerie van Onderwijs, Cultuur en Wetenschap

The competent authorities of:

- public or publicly funded private schools for primary education within the meaning of the Wet op het primair onderwijs (Law on Primary Education);
- public or publicly funded private schools for primary special education within the meaning of the Wet op het primair onderwijs (Law on Primary Education);
- public or publicly funded private schools and institutions for special and secondary education within the meaning of the Wet op de expertisecentra (Law on Resource Centres);
- public or publicly funded private schools and institutions for secondary education within the meaning of the Wet op het voortgezet onderwijs (Law on Secondary Education);
- public or publicly funded public private institutions within the meaning of the Wet Educatie en Beroepsonderwijs (Law on Education and Vocational Education);
- Publicly funded universities and higher education institutions, the Open University, and the university hospitals, within the meaning of the Wet op het hoger onderwijs en wetenschappelijk onderzoek (Law on Higher Education and Scientific Research);

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- School advisory services within the meaning of the Wet op het primair onderwijs (Law on Primary Education) and the Wet op de exertisecentra (Law on Resource Centres);
- National teachers' centres within the meaning of the Wet subsidiëring landelijke onderwijsondersteunende activiteiten (Law on Subsidies for National Educational Support Activities);
- Broadcasting organisations within the meaning of the Mediawet (Media Law), insofar as the organisations are funded for more than 50 % by the Ministry of Education, Culture and Science;
- Services within the meaning of the Wet Verzelfstandiging Rijksmuseale Diensten (Law on Privatisation of National Services);
- Other organisations and institutions in the field of education, culture and science which receive more than 50 % of their funds from the Ministry of Education, Culture and Science.
- All organisations which are subsidised by the Ministerie van Onderwijs, Cultuur en Wetenschap for more than 50 %, for example:
  - Bedrijfsfonds voor de Pers (BvdP);
  - Commissariaat voor de Media (CvdM);
  - Informatie Beheer Groep (IB-Groep);
  - Koninklijke Bibliotheek (KB);
  - Koninklijke Nederlandse Academie van Wetenschappen (KNAW);
  - Vereniging voor Landelijke organen voor beroepsonderwijs (COLO);
  - Nederlands Vlaams Accreditatieorgaan Hoger Onderwijs (NVAO);
  - Fonds voor beeldende kunsten, vormgeving en bouwkunst;
  - Fonds voor Amateurkunsten en Podiumkunsten;
  - Fonds voor de scheppende toonkunst;
  - Mondriaanstichting;
  - Nederlands fonds voor de film;
  - Stimuleringsfonds voor de architectuur;
  - Fonds voor Podiumprogrammering- en marketing;
  - Fonds voor de letteren;
  - Nederlands Literair Productie- en Vertalingsfonds;
  - Nederlandse Omroepstichting (NOS);
  - Nederlandse Organisatie voor Toegepast Natuurwetenschappelijk Onderwijs (TNO);
  - Nederlandse Organisatie voor Wetenschappelijk Onderzoek (NWO);
  - Stimuleringsfonds Nederlandse culturele omroepproducties (STIFO);
  - Vervangingsfonds en bedrijfsgezondheidszorg voor het onderwijs (VF);
  - Nederlandse organisatie voor internationale samenwerking in het hoger onderwijs (Nuffic);
  - Europees Platform voor het Nederlandse Onderwijs;
  - Nederlands Instituut voor Beeld en Geluid (NIBG);
  - Stichting ICT op school;
  - Stichting Anno;
  - Stichting Educatieve Omroepcombinatie (EduCom);
  - Stichting Kwaliteitscentrum Examinering (KCE);
  - Stichting Kennisnet;

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- Stichting Muziek Centrum van de Omroep;
- Stichting Nationaal GBIF Kennisknooppunt (NL-BIF);
- Stichting Centraal Bureau voor Genealogie;
- Stichting Ether Reclame (STER);
- Stichting Nederlands Instituut Architectuur en Stedenbouw;
- Stichting Radio Nederland Wereldomroep;
- Stichting Samenwerkingsorgaan Beroepskwaliteit Leraren (SBL);
- Stichting tot Exploitatie van het Rijksbureau voor Kunsthistorische documentatie (RKD);
- Stichting Sectorbestuur Onderwijsarbeidsmarkt;
- Stichting Nationaal Restauratiefonds;
- Stichting Forum voor Samenwerking van het Nederlands Archiefwezen en Documentaire Informatie;
- Rijksacademie voor Beeldende Kunst en Vormgeving;
- Stichting Nederlands Onderwijs in het Buitenland;
- Stichting Nederlands Instituut voor Fotografie;
- Nederlandse Taalunie.
- Stichting Participatiefonds voor het onderwijs
- Stichting Uitvoering Kinderopvangregelingen/Kintent
- Stichting voor Vluchteling-Studenten UAF
- Stichting Nederlands Interdisciplinair Demografisch Instituut
- College van Beroep voor het Hoger Onderwijs
- Vereniging van openbare bibliotheken NBLC
- Stichting Muziek Centrum van de Omroep
- Nederlandse Programmastichting
- Stichting Stimuleringsfonds Nederlandse Culturele Omroepproducties
- Stichting Lezen
- Centrum voor innovatie van opleidingen
- Instituut voor Leerplanontwikkeling
- Landelijk Dienstverlenend Centrum voor studie- en beroepskeuzevoorlichting
- Max Goote Kenniscentrum voor Beroepsonderwijs en Volwasseneneducatie
- Stichting Vervangingsfonds en Bedrijfsgezondheidszorg voor het Onderwijs
- BVE-Raad
- Colo, Vereniging kenniscentra beroepsonderwijs bedrijfsleven
- Stichting kwaliteitscentrum examinering beroepsonderwijs
- Vereniging Jongerenorganisatie Beroepsonderwijs
- Combo, Stichting Combinatie Onderwijsorganisatie
- Stichting Financiering Struktureel Vakbondsverlof Onderwijs
- Stichting Samenwerkende Centrales in het COPWO
- Stichting SoFoKles
- Europees Platform
- Stichting mobiliteitsfonds HBO
- Nederlands Audiovisueel Archiefcentrum
- Stichting minderheden Televisie Nederland
- Stichting omroep allochtonen

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- Stichting Multiculturele Activiteiten Utrecht
- School der Poëzie
- Nederlands Perscentrum
- Nederlands Letterkundig Museum en documentatiecentrum
- Bibliotheek voor varenden
- Christelijke bibliotheek voor blinden en slechtzienden
- Federatie van Nederlandse Blindenbibliotheken
- Nederlandse luister- en braillebibliotheek
- Federatie Slechtzienden- en Blindenbelang
- Bibliotheek Le Sage Ten Broek
- Doe Maar Dicht Maar
- ElHizjra
- Fonds Bijzondere Journalistieke Projecten
- Fund for Central and East European Bookprojects
- Jongeren Onderwijs Media
- Ministerie van Sociale Zaken en Werkgelegenheid
  - Sociale Verzekeringsbank
  - Sociaal Economische Raad (SER)
  - Raad voor Werk en Inkomen (RWI)
  - Centrale organisatie voor werk en inkomen
  - Uitvoeringsinstituut werknemersverzekeringen
- Ministerie van Verkeer en Waterstaat
  - RDW, Dienst Wegverkeer
  - Luchtverkeersleiding Nederland (LVNL)
  - Nederlandse Loodsencorporatie (NLC)
  - Regionale Loodsencorporatie (RLC)
- Ministerie van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer
  - Kadaster
  - Centraal Fonds voor de Volkshuisvesting
  - Stichting Bureau Architectenregister
- Ministerie van Volksgezondheid, Welzijn en Sport
  - Commissie Algemene Oorlogsongevallenregeling Indonesië (COAR)
  - College ter beoordeling van de Geneesmiddelen (CBG)
  - Commissies voor gebiedsaanwijzing
  - College sanering Ziekenhuisvoorzieningen
  - Zorgonderzoek Nederland (ZON)
  - Inspection bodies under the Wet medische hulpmiddelen
  - N.V. KEMA/Stichting TNO Certification
  - College Bouw Ziekenhuisvoorzieningen (CBZ)
  - College voor Zorgverzekeringen (CVZ)
  - Nationaal Comité 4 en 5 mei
  - Pensioen- en Uitkeringsraad (PUR)
  - College Tarieven Gezondheidszorg (CTG)
  - Stichting Uitvoering Omslagregeling Wet op de Toegang Ziektekostenverzekering (SUO)

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- Stichting tot bevordering van de Volksgezondheid en Milieuhygiëne (SVM)
  - Stichting Facilitair Bureau Gemachtigden Bouw VWS
  - Stichting Sanquin Bloedvoorziening
  - College van Toezicht op de Zorgverzekeringen organen ex artikel 14, lid 2c, Wet BIG
  - Ziekenfondsen
  - Nederlandse Transplantatiestichting (NTS)
  - Regionale Indicatieorganen (RIO's)
- XX — AUSTRIA
- All bodies under the budgetary control of the ‘Rechnungshof’ (Court of Auditors) except those of an industrial or commercial nature.
- XXI — POLAND
- (1) Public universities and academic schools
- Uniwersytet w Białymstoku
  - Uniwersytet w Gdańsku
  - Uniwersytet Śląski
  - Uniwersytet Jagielloński w Krakowie
  - Uniwersytet Kardynała Stefana Wyszyńskiego
  - Katolicki Uniwersytet Lubelski
  - Uniwersytet Marii Curie-Skłodowskiej
  - Uniwersytet Łódzki
  - Uniwersytet Opolski
  - Uniwersytet im. Adama Mickiewicza
  - Uniwersytet Mikołaja Kopernika
  - Uniwersytet Szczeciński
  - Uniwersytet Warmińsko-Mazurski w Olsztynie
  - Uniwersytet Warszawski
  - Uniwersytet Rzeszowski
  - Uniwersytet Wrocławski
  - Uniwersytet Zielonogórski
  - Uniwersytet Kazimierza Wielkiego w Bydgoszczy
  - Akademia Techniczno-Humanistyczna w Bielsku-Białej
  - Akademia Górniczo-Hutnicza im. St Staszica w Krakowie
  - Politechnika Białostocka
  - Politechnika Częstochowska
  - Politechnika Gdańska
  - Politechnika Koszalińska
  - Politechnika Krakowska
  - Politechnika Lubelska
  - Politechnika Łódzka
  - Politechnika Opolska
  - Politechnika Poznańska
  - Politechnika Radomska im. Kazimierza Pułaskiego
  - Politechnika Rzeszowska im. Ignacego Łukasiewicza

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- Politechnika Szczecińska
- Politechnika Śląska
- Politechnika Świętokrzyska
- Politechnika Warszawska
- Politechnika Wroclawska
- Akademia Morska w Gdyni
- Wyższa Szkoła Morska w Szczecinie
- Akademia Ekonomiczna im. Karola Adameckiego w Katowicach
- Akademia Ekonomiczna w Krakowie
- Akademia Ekonomiczna w Poznaniu
- Szkoła Główna Handlowa
- Akademia Ekonomiczna im. Oskara Langego we Wrocławiu
- Akademia Pedagogiczna im. KEN w Krakowie
- Akademia Pedagogiki Specjalnej Im. Marii Grzegorzewskiej
- Akademia Podlaska w Siedlcach
- Akademia Świętokrzyska im. Jana Kochanowskiego w Kielcach
- Pomorska Akademia Pedagogiczna w Słupsku
- Akademia Pedagogiczna im. Jana Długosza w Częstochowie
- Wyższa Szkoła Filozoficzno-Pedagogiczna 'Ignatianum' w Krakowie
- Wyższa Szkoła Pedagogiczna w Rzeszowie
- Akademia Techniczno-Rolnicza im. J. J. Śniadeckich w Bydgoszczy
- Akademia Rolnicza im. Hugona Kołłątaja w Krakowie
- Akademia Rolnicza w Lublinie
- Akademia Rolnicza im. Augusta Cieszkowskiego w Poznaniu
- Akademia Rolnicza w Szczecinie
- Szkoła Główna Gospodarstwa Wiejskiego w Warszawie
- Akademia Rolnicza we Wrocławiu
- Akademia Medyczna w Białymstoku
- Akademia Medyczna im. Ludwika Rydygiera w Bydgoszczy
- Akademia Medyczna w Gdańsku
- Śląska Akademia Medyczna w Katowicach
- Collegium Medicum Uniwersytetu Jagiellońskiego w Krakowie
- Akademia Medyczna w Lublinie
- Uniwersytet Medyczny w Łodzi
- Akademia Medyczna im. Karola Marcinkowskiego w Poznaniu
- Pomorska Akademia Medyczna w Szczecinie
- Akademia Medyczna w Warszawie
- Akademia Medyczna im. Piastów Śląskich we Wrocławiu
- Centrum Medyczne Kształcenia Podyplomowego
- Chrześcijańska Akademia Teologiczna w Warszawie
- Papieski Fakultet Teologiczny we Wrocławiu
- Papieski Wydział Teologiczny w Warszawie
- Instytut Teologiczny im. Błogosławionego Wincentego Kadłubka w Sandomierzu
- Instytut Teologiczny im. Świętego Jana Kantego w Bielsku-Białej
- Akademia Marynarki Wojennej im. Bohaterów Westerplatte w Gdyni

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- Akademia Obrony Narodowej
- Wojskowa Akademia Techniczna im. Jarosława Dąbrowskiego w Warszawie
- Wojskowa Akademia Medyczna im. Gen. Dyw. Bolesława Szareckiego w Łodzi
- Wyższa Szkoła Oficerska Wojsk Lądowych im. Tadeusza Kościuszki we Wrocławiu
- Wyższa Szkoła Oficerska Wojsk Obrony Przeciwlotniczej im. Romualda Traugutta
- Wyższa Szkoła Oficerska im. gen. Józefa Bema w Toruniu
- Wyższa Szkoła Oficerska Sił Powietrznych w Dęblinie
- Wyższa Szkoła Oficerska im. Stefana Czarnieckiego w Poznaniu
- Wyższa Szkoła Policji w Szczytnie
- Szkoła Główna Służby Pożarniczej w Warszawie
- Akademia Muzyczna im. Feliksa Nowowiejskiego w Bydgoszczy
- Akademia Muzyczna im. Stanisława Moniuszki w Gdańsku
- Akademia Muzyczna im. Karola Szymanowskiego w Katowicach
- Akademia Muzyczna w Krakowie
- Akademia Muzyczna im. Grażyny i Kiejstuta Bacewiczów w Łodzi
- Akademia Muzyczna im. Ignacego Jana Paderewskiego w Poznaniu
- Akademia Muzyczna im. Fryderyka Chopina w Warszawie
- Akademia Muzyczna im. Karola Lipińskiego we Wrocławiu
- Akademia Wychowania Fizycznego i Sportu im. Jędrzeja Śniadeckiego w Gdańsku
- Akademia Wychowania Fizycznego w Katowicach
- Akademia Wychowania Fizycznego im. Bronisława Czecha w Krakowie
- Akademia Wychowania Fizycznego im. Eugeniusza Piaseckiego w Poznaniu
- Akademia Wychowania Fizycznego Józefa Piłsudskiego w Warszawie
- Akademia Wychowania Fizycznego we Wrocławiu
- Akademia Sztuk Pięknych w Gdańsku
- Akademia Sztuk Pięknych Katowicach
- Akademia Sztuk Pięknych im. Jana Matejki w Krakowie
- Akademia Sztuk Pięknych im. Władysława Strzemińskiego w Łodzi
- Akademia Sztuk Pięknych w Poznaniu
- Akademia Sztuk Pięknych w Warszawie
- Akademia Sztuk Pięknych we Wrocławiu
- Państwowa Wyższa Szkoła Teatralna im. Ludwika Solskiego w Krakowie
- Państwowa Wyższa Szkoła Filmowa, Telewizyjna i Teatralna im. Leona Schillera w Łodzi
- Akademia Teatralna im. Aleksandra Zelwerowicza w Warszawie
- Państwowa Wyższa Szkoła Zawodowa im. Jana Pawła II w Białej Podlaskiej
- Państwowa Wyższa Szkoła Zawodowa w Chełmie
- Państwowa Wyższa Szkoła Zawodowa w Ciechanowie
- Państwowa Wyższa Szkoła Zawodowa w Elblągu
- Państwowa Wyższa Szkoła Zawodowa w Głogowie
- Państwowa Wyższa Szkoła Zawodowa w Gorzowie Wielkopolskim
- Państwowa Wyższa Szkoła Zawodowa im. Ks. Bronisława Markiewicza w Jarosławiu
- Kolegium Karkonoskie w Jeleniej Górze
- Państwowa Wyższa Szkoła Zawodowa im. Prezydenta Stanisława Wojciechowskiego w Kaliszu
- Państwowa Wyższa Szkoła Zawodowa w Koninie

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- Państwowa Wyższa Szkoła Zawodowa w Krośnie
  - Państwowa Wyższa Szkoła Zawodowa im, Witelona w Legnicy
  - Państwowa Wyższa Szkoła Zawodowa im, Jana Amosa Kodeńskiego w Lesznie
  - Państwowa Wyższa Szkoła Zawodowa w Nowym Sączu
  - Państwowa Wyższa Szkoła Zawodowa w Nowym Targu
  - Państwowa Wyższa Szkoła Zawodowa w Nysie
  - Państwowa Wyższa Szkoła Zawodowa im, Stanisława Staszica w Pile
  - Państwowa Wyższa Szkoła Zawodowa w Płocku
  - Państwowa Wyższa Szkoła Wschodnioeuropejska w Przemyślu
  - Państwowa Wyższa Szkoła Zawodowa w Raciborzu
  - Państwowa Wyższa Szkoła Zawodowa im, Jana Gródka w Sanoku
  - Państwowa Wyższa Szkoła Zawodowa w Sulechowie
  - Państwowa Wyższa Szkoła Zawodowa im, Prof. Stanisława Tarnowskiego w Tarnobrzegu
  - Państwowa Wyższa Szkoła Zawodowa w Tarnowie
  - Państwowa Wyższa Szkoła Zawodowa im. Angelusa Silesiusa w Wałbrzychu
  - Państwowa Wyższa Szkoła Zawodowa we Włocławku
  - Państwowa Medyczna Wyższa Szkoła Zawodowa w Opolu
  - Państwowa Wyższa Szkoła Informatyki i Przedsiębiorczości w Łomży
  - Państwowa Wyższa Szkoła Zawodowa w Gnieźnie
  - Państwowa Wyższa Szkoła Zawodowa w Suwałkach
  - Państwowa Wyższa Szkoła Zawodowa w Wałczu
  - Państwowa Wyższa Szkoła Zawodowa w Oświęcimiu
  - Państwowa Wyższa Szkoła Zawodowa w Zamościu
- (3) National parks
- Babiogórski Park Narodowy
  - Białowiecki Park Narodowy
  - Biebrzański Park Narodowy
  - Bieszczadzki Park Narodowy
  - Drawieński Park Narodowy
  - Gorczański Park Narodowy
  - Kampinoski Park Narodowy
  - Karkonoski Park Narodowy
  - Magurski Park Narodowy
  - Narwiański Park Narodowy
  - Ojcowski Park Narodowy
  - Park Narodowy ‘Bory Tucholskie’
  - Park Narodowy Gór Stołowych
  - Park Narodowy ‘Ujście Warty’
  - Pieniński Park Narodowy
  - Poleski Park Narodowy
  - Roztoczański Park Narodowy
  - Słowiński Park Narodowy
  - Świętokrzyski Park Narodowy
  - Tatrzański Park Narodowy



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- Wielkopolski Park Narodowy
- Wigierski Park Narodowy
- Woliński Park Narodowy
- (5) Public radio and TV broadcasters
  - Telewizja Polska S.A. (Polish TV)
  - Polskie Radio S.A. (Polish Radio)
- (6) Public museums, theatres, libraries and other public cultural institutions
  - Muzeum Narodowe w Krakowie
  - Muzeum Narodowe w Poznaniu
  - Muzeum Narodowe w Warszawie
  - Zamek Królewski w Warszawie
  - Zamek Królewski na Wawelu — Państwowe Zbiory Sztuki
  - Muzeum Żup Krakowskich
  - Państwowe Muzeum Auschwitz-Birkenau
  - Państwowe Muzeum na Majdanku
  - Muzeum Stutthof w Sztutowie
  - Muzeum Zamkowe w Malborku
  - Centralne Muzeum Morskie
  - Muzeum ‘Łazienki Królewskie’
  - Muzeum Pałac w Wilanowie
  - Muzeum Łowiectwa i Jeździectwa w Warszawie
  - Muzeum Wojska Polskiego
  - Teatr Narodowy
  - Narodowy Stary Teatr Kraków
  - Teatr Wielki — Opera Narodowa
  - Filharmonia Narodowa
  - Galeria Zachęta
  - Centrum Sztuki Współczesnej
  - Centrum Rzeźby Polskiej w Orońsku
  - Międzynarodowe Centrum Kultury w Krakowie
  - Instytut im. Adama Mickiewicza
  - Dom Pracy Twórczej w Wigrach
  - Dom Pracy Twórczej w Radziejowicach
  - Instytut Dziedzictwa Narodowego
  - Biblioteka Narodowa
  - Instytut Książki
  - Polski Instytut Sztuki Filmowej
  - Instytut Teatralny
  - Filmoteka Narodowa
  - Narodowe Centrum Kultury
  - Muzeum Sztuki Nowoczesnej w Warszawie
  - Muzeum Historii Polski w Warszawie
  - Centrum Edukacji Artystycznej
- (9) Other

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- Panstwowa Agencja Informacji i Inwestycji Zagranicznych
- XXII — PORTUGAL
- Institutos públicos sem carácter comercial ou industrial — (public institutions without commercial or industrial character),
- Serviços públicos personalizados — (public services having legal personality)
- Fundações públicas — (public foundations),
- Estabelecimentos públicos de ensino, investigação científica e saúde — (public institutions for education, scientific research and health),
- INGA (National Agricultural Intervention and Guarantee Institute/Instituto Nacional de Intervenção e Garantia Agrícola)
- Instituto do Consumidor
- Instituto de Meteorologia
- Instituto da Conservação da Natureza
- Instituto da Agua
- ICEP/Instituto de Comércio Externo de Portugal
- Instituto do Sangue
- XXIII — ROMANIA
- Academia Română
- Biblioteca Națională a României
- Arhivele Naționale
- Institutul Diplomatic Român
- Institutul Cultural Român
- Institutul European din România
- Institutul de Investigare a Crimelor Comunismului
- Institutul de Memorie Culturală
- Agenția Națională pentru Programe Comunitare în Domeniul Educației și Formării Profesionale
- Centrul European UNESCO pentru Invățământul Superior
- Comisia Națională a României pentru UNESCO
- Societatea Română de Radiodifuziune
- Societatea Română de Televiziune
- Societatea Națională pentru Radiocomunicații
- Centrul Național al Cinematografiei
- Studioul de Creație Cinematografică
- Arhiva Națională de Filme
- Muzeul Național de Artă Contemporană
- Palatul Național al Copiilor
- Centrul Național pentru Burse de Studii în Străinătate
- Agenția pentru Sprijinirea Studenților
- Comitetul Olimpic și Sportiv Român
- Agenția pentru Cooperare Europeană în domeniul Tineretului (EUROTIN)
- Agenția Națională pentru Sprijinirea Inițiativelor Tinerilor (ANSIT)
- Institutul Național de Cercetare pentru Sport
- Consiliul Național pentru Combaterea Discriminării
- Secretariatul de Stat pentru Problemele Revoluționarilor din Decembrie 1989

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- Secretariatul de Stat pentru Culte
- Agenția Națională pentru Locuințe
- Casa Națională de Pensii și alte Drepturi de Asigurări Sociale
- Casa Națională de Asigurări de Sănătate
- Inspekția Muncii
- Oficiul Central de Stat pentru Probleme Speciale
- Inspectoratul General pentru Situații de Urgență
- Agenția Națională de Consultanță Agricolă
- Agenția Națională pentru Ameliorare și Reproducție în Zootehnie
- Laboratorul Central pentru Carantină Fitosanitară
- Laboratorul Central pentru Calitatea Semințelor și a Materialului Săditor
- Institutul pentru Controlul produselor Biologice și Medicamentelor de Uz Veterinar
- Institutul de Igienă și Sănătate Publică și Veterinară
- Institutul de Diagnostic și Sănătate Animală
- Institutul de Stat pentru Testarea și Inregistrarea Soiurilor
- Banca de Resurse Genetice Vegetale
- Agenția Națională pentru Dezvoltarea și Implementarea Programelor de Reconstrucție a Zonele Miniere
- Agenția Națională pentru Substanțe și Preparate Chimice Periculoase
- Agenția Națională de Controlul Exporturilor Strategice și al Interzicerii Armelor Chimice
- Administrația Rezervației Biosferei 'Delta Dunării' Tulcea
- Regia Națională a Pădurilor (ROMSILVA)
- Administrația Națională a Rezervelor de Stat
- Administrația Națională Apele Române
- Administrația Națională de Meteorologie
- Comisia Națională pentru Reciclarea Materialelor
- Comisia Națională pentru Controlul Activităților Nucleare
- Agenția Managerială de Cercetare Stiințifică, Inovare și Transfer Tehnologic
- Oficiul pentru Administrare și Operare al Infrastructurii de Comunicații de Date 'RoEduNet'
- Inspekția de Stat pentru Controlul Cazanelor, Recipientelor sub Presiune și Instalațiilor de Ridicat
- Centrul Român pentru Pregătirea și Perfecționarea Personalului din Transporturi Navale
- Inspectoratul Navigației Civile (INC)
- Regia Autonomă Registrul Auto Român
- Agenția Spațială Română
- Școala Superioară de Aviație Civilă
- Regia Autonomă Autoritatea Aeronautică Civilă Română
- Aeroclubul României
- Centrul de Pregătire pentru Personalul din Industrie Bușteni
- Centrul Român de Comerț Exterior
- Centrul de Formare și Management București
- Agenția de Cercetare pentru Tehnică și Tehnologii militare
- Agenția Română de Intervenții și Salvare Navală-ARSIN

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- Asociația Română de Standardizare (ASRO)
- Asociația de Acreditare din România (RENAR)
- Comisia Națională de Prognoză (CNP)
- Institutul Național de Statistică (INS)
- Comisia Națională a Valorilor Mobiliare (CNVM)
- Comisia de Supraveghere a Asigurărilor (CSA)
- Comisia de Supraveghere a Sistemului de Pensii Private
- Consiliul Economic și Social (CES)
- Agenția Domeniilor Statului
- Oficiul Național al Registrului Comerțului
- Autoritatea pentru Valorificarea Activelor Statului (AVAS)
- Consiliul Național pentru Studierea Arhivelor Securității
- Avocatul Poporului
- Institutul Național de Administrație (INA)
- Inspectoratul Național pentru Evidența Persoanelor
- Oficiul de Stat pentru Invenții și Mărci (OSIM)
- Oficiul Român pentru Drepturile de Autor (ORDA)
- Oficiul Național al Monumentelor Istorice
- Oficiul Național de Prevenire și Combateră a Spălării banilor (ONPCSB)
- Biroul Român de Metrologie Legală
- Inspectoratul de Stat în Construcții
- Compania Națională de Investiții
- Compania Națională de Autostrăzi și Drumuri Naționale
- Agenția Națională de Cadastru și Publicitate Imobiliară
- Administrația Națională a Imbunătățirilor Funciare
- Garda Financiară
- Garda Națională de Mediu
- Institutul Național de Expertize Criminalistice
- Institutul Național al Magistraturii
- Școala Națională de Grefieri
- Administrația Generală a Penitenciarelor
- Oficiul Registrului Național al Informațiilor Secrete de Stat
- Autoritatea Națională a Vămilelor
- Banca Națională a României
- Regia Autonomă ‘Monetăria Statului’
- Regia Autonomă ‘Imprimeria Băncii Naționale’
- Regia Autonomă ‘Monitorul Oficial’
- Oficiul Național pentru Cultul Eroilor
- Oficiul Român pentru Adopții
- Oficiul Român pentru Imigrări
- Compania Națională ‘Loteria Română’
- Compania Națională ‘ROMTEHNICA’
- Compania Națională ‘ROMARM’
- Agenția Națională pentru Romi
- Agenția Națională de Presă ‘ROMPRESS’

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- Regia Autonomă ‘Administrația Patrimoniului Protocolului de Stat’
- Institute și Centre de Cercetare (Research Institutes and Centers)
- Instituții de Invățământ de Stat (Education States Institutes)
- Universități de Stat (State Universities)
- Muzeu (Museums)
- Biblioteci de Stat (State Libraries)
- Teatre de Stat, Opere, Operete, filarmonica, centre și case de Cultură, (State Theaters, Operas, Philharmonic Orchestras, Cultural houses and Centers)
- Reviste (Magazines)
- Edituri (Publishing Houses)
- Inspectorate Scolare, de Cultură, de Culte (School, Culture and Cults Inspectorates)
- Complexuri, Federații și Cluburi Sportive (Sport Federations and Clubs)
- Spitale, Sanatorii, Policlinici, Dispensare, Centre Medicale, Institute medico-Legale, Stații Ambulanță (Hospitals, sanatoriums, Clinics, Medical Units, Legal-Medical Institutes, Ambulance Stations)
- Unități de Asistență Socială (Social Assistance Units)
- Tribunale (Courts)
- Judecătorii (Law Judges)
- Curți de Apel (Appeal Courts)
- Penitenciare (Penitentiaries)
- Parchetele de pe lângă Instanțele Judecătorești (Prosecutor’s Offices)
- Unități Militare (Military Units)
- Instanțe Militare (Military Courts)
- Inspectorate de Poliție (Police Inspectorates)
- Centre de Odihnă (Resting Houses)

#### XXIV — SLOVENIA

- Javni zavodi s področja vzgoje, izobraževanja ter športa (public institutes in the area of child care, education and sport)
- Javni zavodi s področja zdravstva (public institutes in the area of health care)
- Javni zavodi s področja socialnega varstva (public institutes in the area of social security)
- Javni zavodi s področja kulture (public institutes in the area of culture)
- Javni zavodi s področja raziskovalne dejavnosti (public institutes in the area of science and research)
- Javni zavodi s področja kmetijstva in gozdarstva (public institutes in the area of agriculture and forestry)
- Javni zavodi s področja okolja in prostora (public institutes in the area of environment and spatial planning)
- Javni zavodi s področja gospodarskih dejavnosti (public institutes in the area of economic activities)
- Javni zavodi s področja malega gospodarstva in turizma (public institutes in the area of small enterprises and tourism)
- Javni zavodi s področja javnega reda in varnosti (public institutes in the area of public order and security)
- Agencije (agencies)
- Skladi socialnega zavarovanja (social security funds)

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- Javni skladi na ravni države in na ravni občin (public funds at the level of the central government and local communities)
- Družba za avtoceste v RS
- Subjects created by State or local organs and falling under to the budget of the Republic of Slovenia or of local authorities
- Other legal persons, corresponding to the definition of State persons provided by the ZJN-2, article 3, 2nd paragraph

#### XXV — SLOVAKIA

- Any legal person constituted or established by particular legal regulation or administrative measure to the purpose of meeting needs in general interest, not having industrial or commercial character, and at the same time satisfying at least one of the following conditions:
  - is fully or partially financed by a contracting authority, i.e. government authority, municipality, Self-government Region or other legal person, which satisfies at the same time conditions referred to in Article 1(9) letter (a) or (b) or (c) of Directive 2004/18/EC of the European Parliament and of the Council,
  - is managed or controlled by a contracting authority, i.e. by government authority, municipality, Self-government Region or other body governed by public law, which satisfies at the same time conditions referred to in Article 1(9) letter (a) or (b) or (c) of Directive 2004/18/EC of the European Parliament and of the Council,
  - contracting authority, i.e. government authority, municipality, Self-government Region or other legal person, which satisfies at the same time conditions referred to in Article 1 (9) letter (a) or (b) or (c) of Directive 2004/18/EC of the European Parliament and of the Council, appoints or elects more than one half of the members of its managerial or supervisory board.

Such persons are bodies governed by public law exercising the activity, as for example:

- Pursuant to Act No. 16/2004 Coll. on Slovak Television,
- Pursuant to Act No. 619/2003 Coll. on Slovak Radio,
- Pursuant to Act No. 581/2004 Coll. on health insurance companies in wording of the Act No. 719/2004 Coll. providing public health insurance pursuant to Act No. 580/2004 Coll. on health insurance in wording of Act No. 718/2004 Coll.,
- Pursuant to Act No. 121/2005 Coll., by which the consolidated wording of the Act No. 461/2003 Coll. on social insurance, as amended, has been promulgated.

#### XXVI — FINLAND

Public or publicly controlled bodies and undertakings except those of an industrial or commercial nature.

#### XXVII — SWEDEN

All non-commercial bodies whose public contracts are subject to supervision by the Swedish Competition Authority

#### XXVIII — UNITED KINGDOM

Bodies

- Design Council
- Health and Safety Executive

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- National Research Development Corporation
- Public Health Laboratory Service Board
- Advisory, Conciliation and Arbitration Service
- Commission for the New Towns
- National Blood Authority
- National Rivers Authority
- Scottish Enterprise
- Ordnance Survey
- Financial Services Authority

#### Categories

- Maintained schools
- Universities and colleges financed for the most part by other contracting authorities
- National Museums and Galleries
- Research Councils
- Fire Authorities
- National Health Service Strategic Health Authorities
- Police Authorities
- New Town Development Corporations
- Urban Development Corporations]

## [<sup>F5</sup>ANNEX IV

### CENTRAL GOVERNMENT AUTHORITIES<sup>(31)</sup>

#### BELGIUM

1. Services publics fédéraux (Ministries):	1. Federale Overheidsdiensten (Ministries):
SPF Chancellerie du Premier Ministre;	FOD Kanselarij van de Eerste Minister;
SPF Personnel et Organisation;	FOD Kanselarij Personeel en Organisatie;
SPF Budget et Contrôle de la Gestion;	FOD Budget en Beheerscontrole;
SPF Technologie de l'Information et de la Communication (Fedict);	FOD Informatie- en Communicatietechnologie (Fedict);
SPF Affaires étrangères, Commerce extérieur et Coopération au Développement;	FOD Buitenlandse Zaken, Buitenlandse Handel en Ontwikkelingssamenwerking;
SPF Intérieur;	FOD Binnenlandse Zaken;
SPF Finances;	FOD Financiën;
SPF Mobilité et Transports;	FOD Mobiliteit en Vervoer;
SPF Emploi, Travail et Concertation sociale;	FOD Werkgelegenheid, Arbeid en sociaal overleg
SPF Sécurité Sociale et Institutions publiques de Sécurité Sociale;	FOD Sociale Zekerheid en Openbare Instellingen van sociale Zekerheid

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SPF Santé publique, Sécurité de la Chaîne alimentaire et Environnement;	FOD Volksgezondheid, Veiligheid van de Voedselketen en Leefmilieu;
SPF Justice;	FOD Justitie;
SPF Economie, PME, Classes moyennes et Energie;	FOD Economie, KMO, Middenstand en Energie;
Ministère de la Défense;	Ministerie van Landsverdediging;
Service public de programmation Intégration sociale, Lutte contre la pauvreté et Economie sociale;	Programmatorische Overheidsdienst Maatschappelijke Integratie, Armoedsbestrijding en sociale Economie;
Service public fédéral de Programmation Développement durable;	Programmatorische federale Overheidsdienst Duurzame Ontwikkeling;
Service public fédéral de Programmation Politique scientifique;	Programmatorische federale Overheidsdienst Wetenschapsbeleid;
2. Régie des Bâtiments;	2. Regie der Gebouwen;
Office national de Sécurité sociale;	Rijksdienst voor sociale Zekerheid;
Institut national d'Assurance sociales pour travailleurs indépendants	Rijksinstituut voor de sociale Verzekeringen der Zelfstandigen;
Institut national d'Assurance Maladie-Invalidité;	Rijksinstituut voor Ziekte- en Invaliditeitsverzekering;
Office national des Pensions;	Rijksdienst voor Pensioenen;
Caisse auxiliaire d'Assurance Maladie-Invalidité;	Hulpkas voor Ziekte-en Invaliditeitsverzekering;
Fond des Maladies professionnelles;	Fonds voor Beroepsziekten;
Office national de l'Emploi;	Rijksdienst voor Arbeidsvoorziening

## BULGARIA

- Администрация на Народното събрание
- Администрация на Президента
- Администрация на Министерския съвет
- Конституционен съд
- Българска народна банка
- Министерство на външните работи
- Министерство на вътрешните работи
- Министерство на държавната администрация и административната реформа
- Министерство на извънредните ситуации
- Министерство на земеделието и храните
- Министерство на здравеопазването
- Министерство на икономиката и енергетиката
- Министерство на културата
- Министерство на образованието и науката
- Министерство на околната среда и водите



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- Министерство на отбраната
- Министерство на правосъдието
- Министерство на регионалното развитие и благоустройството
- Министерство на транспорта
- Министерство на труда и социалната политика
- Министерство на финансите

State agencies, state commissions, executive agencies and other state authorities established by law or by Council of Ministers' decree having a function relating to the exercise of executive power:

- Агенция за ядрено регулиране
- Висшата атестационна комисия
- Държавна комисия за енергийно и водно регулиране
- Държавна комисия по сигурността на информацията
- Комисия за защита на конкуренцията
- Комисия за защита на личните данни
- Комисия за защита от дискриминация
- Комисия за регулиране на съобщенията
- Комисия за финансов надзор
- Патентно ведомство на Република България
- Сметна палата на Република България
- Агенция за приватизация
- Агенция за следприватизационен контрол
- Български институт по метрология
- Държавна агенция 'Архиви'
- Държавна агенция 'Държавен резерв и военновременни запаси'
- Държавна агенция 'Национална сигурност'
- Държавна агенция за бежанците
- Държавна агенция за българите в чужбина
- Държавна агенция за закрила на детето
- Държавна агенция за информационни технологии и съобщения
- Държавна агенция за метрологичен и технически надзор
- Държавна агенция за младежта и спорта
- Държавна агенция по горите
- Държавна агенция по туризма
- Държавна комисия по стоковите борси и тържища
- Институт по публична администрация и европейска интеграция
- Национален статистически институт
- Национална агенция за оценяване и акредитация
- Националната агенция за професионално образование и обучение
- Национална комисия за борба с трафика на хора
- Агенция 'Митници'
- Агенция за държавна и финансова инспекция
- Агенция за държавни вземания
- Агенция за социално подпомагане
- Агенция за хората с увреждания

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- Агенция по вписванията
- Агенция по геодезия, картография и кадастър
- Агенция по енергийна ефективност
- Агенция по заетостта
- Агенция по обществени поръчки
- Българска агенция за инвестиции
- Главна дирекция ‘Гражданска въздухоплавателна администрация’
- Дирекция ‘Материално-техническо осигуряване и социално обслужване’ на Министерство на вътрешните работи
- Дирекция ‘Оперативно издирване’ на Министерство на вътрешните работи
- Дирекция ‘Финансово-ресурсно осигуряване’ на Министерство на вътрешните работи
- Дирекция за национален строителен контрол
- Държавна комисия по хазарта
- Изпълнителна агенция ‘Автомобилна администрация’
- Изпълнителна агенция ‘Борба с градушките’
- Изпълнителна агенция ‘Българска служба за акредитация’
- Изпълнителна агенция ‘Военни клубове и информация’
- Изпълнителна агенция ‘Главна инспекция по труда’
- Изпълнителна агенция ‘Държавна собственост на Министерството на отбраната’
- Изпълнителна агенция ‘Железопътна администрация’
- Изпълнителна агенция ‘Изпитвания и контролни измервания на въоръжение, техника и имущества’
- Изпълнителна агенция ‘Морска администрация’
- Изпълнителна агенция ‘Национален филмов център’
- Изпълнителна агенция ‘Пристанищна администрация’
- Изпълнителна агенция ‘Проучване и поддържане на река Дунав’
- Изпълнителна агенция ‘Социални дейности на Министерството на отбраната’
- Изпълнителна агенция за икономически анализи и прогнози
- Изпълнителна агенция за насърчаване на малките и средни предприятия
- Изпълнителна агенция по лекарствата
- Изпълнителна агенция по лозата и виното
- Изпълнителна агенция по околна среда
- Изпълнителна агенция по почвените ресурси
- Изпълнителна агенция по рибарство и аквакултури
- Изпълнителна агенция по селекция и репродукция в животновъдството
- Изпълнителна агенция по сортоизпитване, апробация и семеконтрол
- Изпълнителна агенция по трансплантация
- Изпълнителна агенция по хидромелиорации
- Комисията за защита на потребителите
- Контролно-техническата инспекция
- Национален център за информация и документация
- Национален център по радиобиология и радиационна защита
- Национална агенция за приходите
- Национална ветеринарномедицинска служба

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- Национална служба ‘Полиция’
  - Национална служба ‘Пожарна безопасност и защита на населението’
  - Национална служба за растителна защита
  - Национална служба за съвети в земеделието
  - Национална служба по зърното и фуражите
  - Служба ‘Военна информация’
  - Служба ‘Военна полиция’
  - Фонд ‘Републиканска пътна инфраструктура’
  - Авиоотряд 28
- CZECH REPUBLIC
- Ministerstvo dopravy
  - Ministerstvo financí
  - Ministerstvo kultury
  - Ministerstvo obrany
  - Ministerstvo pro místní rozvoj
  - Ministerstvo práce a sociálních věcí
  - Ministerstvo průmyslu a obchodu
  - Ministerstvo spravedlnosti
  - Ministerstvo školství, mládeže a tělovýchovy
  - Ministerstvo vnitra
  - Ministerstvo zahraničních věcí
  - Ministerstvo zdravotnictví
  - Ministerstvo zemědělství
  - Ministerstvo životního prostředí
  - Poslanecká sněmovna PČR
  - Senát PČR
  - Kancelář prezidenta
  - Český statistický úřad
  - Český úřad zeměměřičský a katastrální
  - Úřad průmyslového vlastnictví
  - Úřad pro ochranu osobních údajů
  - Bezpečnostní informační služba
  - Národní bezpečnostní úřad
  - Česká akademie věd
  - Vězeňská služba
  - Český báňský úřad
  - Úřad pro ochranu hospodářské soutěže
  - Správa státních hmotných rezerv
  - Státní úřad pro jadernou bezpečnost
  - Česká národní banka
  - Energetický regulační úřad
  - Úřad vlády České republiky
  - Ústavní soud
  - Nejvyšší soud
  - Nejvyšší správní soud

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- Nejvyšší státní zastupitelství
- Nejvyšší kontrolní úřad
- Kancelář Veřejného ochránce práv
- Grantová agentura České republiky
- Státní úřad inspekce práce
- Český telekomunikační úřad
- DENMARK
- Folketinget
- Rigsrevisionen
- Statsministeriet
- Udenrigsministeriet
- Beskæftigelsesministeriet
- 5 styrelser og institutioner (5 agencies and institutions)
- Domstolsstyrelsen
- Finansministeriet
- 5 styrelser og institutioner (5 agencies and institutions)
- Forsvarsministeriet
- 5 styrelser og institutioner (5 agencies and institutions)
- Ministeriet for Sundhed og Forebyggelse
- Adskillige styrelser og institutioner, herunder Statens Serum Institut (Several agencies and institutions, including Statens Serum Institut)
- Justitsministeriet
- Rigspolitietschefen, anklagemyndigheden samt 1 direktorat og et antal styrelser (Commissioner of Police, the public prosecutor, 1 directorate and a number of agencies)
- Kirkeministeriet
- 10 stiftsøvrigheder (10 diocesan authorities)
- Kulturministeriet — Ministry of Culture
- 4 styrelser samt et antal statsinstitutioner (4 departments and a number of institutions)
- Miljøministeriet
- 5 styrelser (5 agencies)
- Ministeriet for Flygtninge, Invandrere og Integration
- 1 styrelse (1 agency)
- Ministeriet for Fødevarer, Landbrug og Fiskeri
- 4 direktorater og institutioner (4 directorates and institutions)
- Ministeriet for Videnskab, Teknologi og Udvikling
- Adskillige styrelser og institutioner, Forskningscenter Risø og Statens uddannelsesbygninger (Several agencies and institutions, including Risoe National Laboratory and Danish National Research and Education Buildings)
- Skatteministeriet
- 1 styrelse og institutioner (1 agency and several institutions)

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- Velfærdsministeriet
- 3 styrelser og institutioner (3 agencies and several institutions)
- Transportministeriet
- 7 styrelser og institutioner, herunder Øresundsbrokonsortiet (7 agencies and institutions, including Øresundsbrokonsortiet)
- Undervisningsministeriet
- 3 styrelser, 4 undervisningsinstitutioner og 5 andre institutioner (3 agencies, 4 educational establishments, 5 other institutions)
- Økonomi- og Erhvervsministeriet
- Adskilligestyrelser og institutioner (Several agencies and institutions)
- Klima- og Energiministeriet
- 3 styrelse og institutioner (3 agencies and institutions)

#### GERMANY

- Auswärtiges Amt
- Bundeskanzleramt
- Bundesministerium für Arbeit und Soziales
- Bundesministerium für Bildung und Forschung
- Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz
- Bundesministerium der Finanzen
- Bundesministerium des Innern (only civil goods)
- Bundesministerium für Gesundheit
- Bundesministerium für Familie, Senioren, Frauen und Jugend
- Bundesministerium der Justiz
- Bundesministerium für Verkehr, Bau und Stadtentwicklung
- Bundesministerium für Wirtschaft und Technologie
- Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung
- Bundesministerium der Verteidigung (no military goods)
- Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit

#### ESTONIA

- Vabariigi Presidendi Kantselei;
- Eesti Vabariigi Riigikogu;
- Eesti Vabariigi Riigikohus;
- Riigikontroll;
- Õiguskantsler;
- Riigikantselei;
- Rahvusaarhiiv;
- Haridus- ja Teadusministeerium;
- Justiitsministeerium;
- Kaitseministeerium;
- Keskkonnaministeerium;
- Kultuuriministeerium;
- Majandus- ja Kommunikatsiooniministeerium;
- Põllumajandusministeerium;
- Rahandusministeerium;

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- Siseministerium;
- Sotsiaalministerium;
- Välisministerium;
- Keeleinspeksioon;
- Riigiprokuratuur;
- Teabeamet;
- Maa-amet;
- Keskkonnainspeksioon;
- Metsakaitse- ja Metsauenduskeskus;
- Muinsuskaitseamet;
- Patendiamet;
- Tarbijakaitseamet;
- Riigihangete Amet;
- Taimetoodangu Inspeksioon;
- Põllumajanduse Registrate ja Informatsiooni Amet;
- Veterinaar- ja Toiduamet
- Konkurentsiamet;
- Maksu –ja Tolliamet;
- Statistikaamet;
- Kaitsepolitseiamet;
- Kodakondsus- ja Migratsiooniamet;
- Piirivalveamet;
- Politseiamet;
- Eesti Kohtuekspertiisi Instituut;
- Keskkriminaalpolitsei;
- Päästeamet;
- Andmekaitse Inspeksioon;
- Raviamet;
- Sotsiaalkindlustusamet;
- Tööturuamet;
- Tervishoiuamet;
- Tervisekaitseinspeksioon;
- Tööinspeksioon;
- Lennuamet;
- Maanteeamet;
- Veeteede Amet;
- Julgestuspolitsei;
- Kaitseressursside Amet;
- Kaitseväe Logistikakeskus;
- Tehnilise Järelevalve Amet.

#### IRELAND

- President's Establishment
- Houses of the Oireachtas — [Parliament]
- Department of the Taoiseach — [Prime Minister]
- Central Statistics Office

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- Department of Finance
- Office of the Comptroller and Auditor General
- Office of the Revenue Commissioners
- Office of Public Works
- State Laboratory
- Office of the Attorney General
- Office of the Director of Public Prosecutions
- Valuation Office
- Office of the Commission for Public Service Appointments
- Public Appointments Service
- Office of the Ombudsman
- Chief State Solicitor's Office
- Department of Justice, Equality and Law Reform
- Courts Service
- Prisons Service
- Office of the Commissioners of Charitable Donations and Bequests
- Department of the Environment, Heritage and Local Government
- Department of Education and Science
- Department of Communications, Energy and Natural Resources
- Department of Agriculture, Fisheries and Food
- Department of Transport
- Department of Health and Children
- Department of Enterprise, Trade and Employment
- Department of Arts, Sports and Tourism
- Department of Defence
- Department of Foreign Affairs
- Department of Social and Family Affairs
- Department of Community, Rural and Gaeltacht — [Gaelic speaking regions] Affairs
- Arts Council
- National Gallery.

#### GREECE

- Υπουργείο Εσωτερικών;
- Υπουργείο Εξωτερικών;
- Υπουργείο Οικονομίας και Οικονομικών;
- Υπουργείο Ανάπτυξης;
- Υπουργείο Δικαιοσύνης;
- Υπουργείο Εθνικής Παιδείας και Θρησκευμάτων;
- Υπουργείο Πολιτισμού;
- Υπουργείο Υγείας και Κοινωνικής Αλληλεγγύης;
- Υπουργείο Περιβάλλοντος, Χωροταξίας και Δημοσίων Έργων;
- Υπουργείο Απασχόλησης και Κοινωνικής Προστασίας;
- Υπουργείο Μεταφορών και Επικοινωνιών;
- Υπουργείο Αγροτικής Ανάπτυξης και Τροφίμων;
- Υπουργείο Εμπορικής Ναυτιλίας, Αιγαίου και Νησιωτικής Πολιτικής;
- Υπουργείο Μακεδονίας- Θράκης;

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- Γενική Γραμματεία Επικοινωνίας;
- Γενική Γραμματεία Ενημέρωσης;
- Γενική Γραμματεία Νέας Γενιάς;
- Γενική Γραμματεία Ισότητας;
- Γενική Γραμματεία Κοινωνικών Ασφαλίσεων;
- Γενική Γραμματεία Απόδημου Ελληνισμού;
- Γενική Γραμματεία Βιομηχανίας;
- Γενική Γραμματεία Έρευνας και Τεχνολογίας;
- Γενική Γραμματεία Αθλητισμού;
- Γενική Γραμματεία Δημοσίων Έργων;
- Γενική Γραμματεία Εθνικής Στατιστικής Υπηρεσίας Ελλάδος;
- Εθνικό Συμβούλιο Κοινωνικής Φροντίδας;
- Οργανισμός Εργατικής Κατοικίας;
- Εθνικό Τυπογραφείο;
- Γενικό Χημείο του Κράτους;
- Ταμείο Εθνικής Οδοποιίας;
- Εθνικό Καποδιστριακό Πανεπιστήμιο Αθηνών;
- Αριστοτέλειο Πανεπιστήμιο Θεσσαλονίκης;
- Δημοκρίτειο Πανεπιστήμιο Θράκης;
- Πανεπιστήμιο Αιγαίου;
- Πανεπιστήμιο Ιωαννίνων;
- Πανεπιστήμιο Πατρών;
- Πανεπιστήμιο Μακεδονίας;
- Πολυτεχνείο Κρήτης;
- Σιβιτανίδειος Δημόσια Σχολή Τεχνών και Επαγγελματών;
- Αιγινήτειο Νοσοκομείο;
- Αρεταίειο Νοσοκομείο;
- Εθνικό Κέντρο Δημόσιας Διοίκησης;
- Οργανισμός Διαχείρισης Δημοσίου Υλικού;
- Οργανισμός Γεωργικών Ασφαλίσεων;
- Οργανισμός Σχολικών Κτιρίων;
- Γενικό Επιτελείο Στρατού;
- Γενικό Επιτελείο Ναυτικού;
- Γενικό Επιτελείο Αεροπορίας;
- Ελληνική Επιτροπή Ατομικής Ενέργειας;
- Γενική Γραμματεία Εκπαίδευσης Ενηλίκων;
- Υπουργείο Εθνικής Άμυνας;
- Γενική Γραμματεία Εμπορίου.

#### SPAIN

- Presidencia de Gobierno
- Ministerio de Asuntos Exteriores y de Cooperación
- Ministerio de Justicia
- Ministerio de Defensa
- Ministerio de Economía y Hacienda
- Ministerio del Interior



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- Ministerio de Fomento
- Ministerio de Educación, Política Social y Deportes
- Ministerio de Industria, Turismo y Comercio
- Ministerio de Trabajo e Inmigración
- Ministerio de la Presidencia
- Ministerio de Administraciones Públicas
- Ministerio de Cultura
- Ministerio de Sanidad y Consumo
- Ministerio de Medio Ambiente y Medio Rural y Marino
- Ministerio de Vivienda
- Ministerio de Ciencia e Innovación
- Ministerio de Igualdad

#### FRANCE

- 1) Ministries
  - Services du Premier ministre
  - Ministère chargé de la santé, de la jeunesse et des sports
  - Ministère chargé de l'intérieur, de l'outre-mer et des collectivités territoriales
  - Ministère chargé de la justice
  - Ministère chargé de la défense
  - Ministère chargé des affaires étrangères et européennes
  - Ministère chargé de l'éducation nationale
  - Ministère chargé de l'économie, des finances et de l'emploi
  - Secrétariat d'Etat aux transports
  - Secrétariat d'Etat aux entreprises et au commerce extérieur
  - Ministère chargé du travail, des relations sociales et de la solidarité
  - Ministère chargé de la culture et de la communication
  - Ministère chargé du budget, des comptes publics et de la fonction publique
  - Ministère chargé de l'agriculture et de la pêche
  - Ministère chargé de l'enseignement supérieur et de la recherche
  - Ministère chargé de l'écologie, du développement et de l'aménagement durables
  - Secrétariat d'Etat à la fonction publique
  - Ministère chargé du logement et de la ville
  - Secrétariat d'Etat à la coopération et à la francophonie
  - Secrétariat d'Etat à l'outre-mer
  - Secrétariat d'Etat à la jeunesse, des sports et de la vie associative
  - Secrétariat d'Etat aux anciens combattants
  - Ministère chargé de l'immigration, de l'intégration, de l'identité nationale et du co-développement
  - Secrétariat d'Etat en charge de la prospective et de l'évaluation des politiques publiques
  - Secrétariat d'Etat aux affaires européennes,
  - Secrétariat d'Etat aux affaires étrangères et aux droits de l'homme
  - Secrétariat d'Etat à la consommation et au tourisme
  - Secrétariat d'Etat à la politique de la ville
  - Secrétariat d'Etat à la solidarité
  - Secrétariat d'Etat en charge de l'industrie et de la consommation

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- Secrétariat d'Etat en charge de l'emploi
- Secrétariat d'Etat en charge du commerce, de l'artisanat, des PME, du tourisme et des services
- Secrétariat d'Etat en charge de l'écologie
- Secrétariat d'Etat en charge du développement de la région-capitale
- Secrétariat d'Etat en charge de l'aménagement du territoire
- 2) Institutions, independent authorities and jurisdictions
  - Présidence de la République
  - Assemblée Nationale
  - Sénat
  - Conseil constitutionnel
  - Conseil économique et social
  - Conseil supérieur de la magistrature
  - Agence française contre le dopage
  - Autorité de contrôle des assurances et des mutuelles
  - Autorité de contrôle des nuisances sonores aéroportuaires
  - Autorité de régulation des communications électroniques et des postes
  - Autorité de sûreté nucléaire
  - Autorité indépendante des marchés financiers
  - Comité national d'évaluation des établissements publics à caractère scientifique, culturel et professionnel
  - Commission d'accès aux documents administratifs
  - Commission consultative du secret de la défense nationale
  - Commission nationale des comptes de campagne et des financements politiques
  - Commission nationale de contrôle des interceptions de sécurité
  - Commission nationale de déontologie de la sécurité
  - Commission nationale du débat public
  - Commission nationale de l'informatique et des libertés
  - Commission des participations et des transferts
  - Commission de régulation de l'énergie
  - Commission de la sécurité des consommateurs
  - Commission des sondages
  - Commission de la transparence financière de la vie politique
  - Conseil de la concurrence
  - Conseil des ventes volontaires de meubles aux enchères publiques
  - Conseil supérieur de l'audiovisuel
  - Défenseur des enfants
  - Haute autorité de lutte contre les discriminations et pour l'égalité
  - Haute autorité de santé
  - Médiateur de la République
  - Cour de justice de la République
  - Tribunal des Conflits
  - Conseil d'Etat
  - Cours administratives d'appel
  - Tribunaux administratifs

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- Cour des Comptes
- Chambres régionales des Comptes
- Cours et tribunaux de l'ordre judiciaire (Cour de Cassation, Cours d'Appel, Tribunaux d'instance et Tribunaux de grande instance)
- 3) National public establishments
  - Académie de France à Rome
  - Académie de marine
  - Académie des sciences d'outre-mer
  - Académie des technologies
  - Agence centrale des organismes de sécurité sociale (ACOSS)
  - Agence de biomédecine
  - Agence pour l'enseignement du français à l'étranger
  - Agence française de sécurité sanitaire des aliments
  - Agence française de sécurité sanitaire de l'environnement et du travail
  - Agence Nationale pour la cohésion sociale et l'égalité des chances
  - Agence nationale pour la garantie des droits des mineurs
  - Agences de l'eau
  - Agence Nationale de l'Accueil des Etrangers et des migrations
  - Agence nationale pour l'amélioration des conditions de travail (ANACT)
  - Agence nationale pour l'amélioration de l'habitat (ANAH)
  - Agence Nationale pour la Cohésion Sociale et l'Egalité des Chances
  - Agence nationale pour l'indemnisation des français d'outre-mer (ANIFOM)
  - Assemblée permanente des chambres d'agriculture (APCA)
  - Bibliothèque publique d'information
  - Bibliothèque nationale de France
  - Bibliothèque nationale et universitaire de Strasbourg
  - Caisse des Dépôts et Consignations
  - Caisse nationale des autoroutes (CNA)
  - Caisse nationale militaire de sécurité sociale (CNMSS)
  - Caisse de garantie du logement locatif social
  - Casa de Velasquez
  - Centre d'enseignement zootechnique
  - Centre d'études de l'emploi
  - Centre d'études supérieures de la sécurité sociale
  - Centres de formation professionnelle et de promotion agricole
  - Centre hospitalier des Quinze-Vingts
  - Centre international d'études supérieures en sciences agronomiques (Montpellier Sup Agro)
  - Centre des liaisons européennes et internationales de sécurité sociale
  - Centre des Monuments Nationaux
  - Centre national d'art et de culture Georges Pompidou
  - Centre national des arts plastiques
  - Centre national de la cinématographie
  - Centre National d'Etudes et d'expérimentation du machinisme agricole, du génie rural, des eaux et des forêts (CEMAGREF)

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- Centre national du livre
- Centre national de documentation pédagogique
- Centre national des œuvres universitaires et scolaires (CNOUS)
- Centre national professionnel de la propriété forestière
- Centre National de la Recherche Scientifique (C.N.R.S)
- Centres d'éducation populaire et de sport (CREPS)
- Centres régionaux des œuvres universitaires (CROUS)
- Collège de France
- Conservatoire de l'espace littoral et des rivages lacustres
- Conservatoire National des Arts et Métiers
- Conservatoire national supérieur de musique et de danse de Paris
- Conservatoire national supérieur de musique et de danse de Lyon
- Conservatoire national supérieur d'art dramatique
- Ecole centrale de Lille
- Ecole centrale de 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
- Ecole du Louvre
- École nationale d'administration
- École nationale de l'aviation civile (ENAC)
- École nationale des Chartes
- École nationale d'équitation
- Ecole Nationale du Génie de l'Eau et de l'environnement de Strasbourg
- Écoles nationales d'ingénieurs
- Ecole nationale d'ingénieurs des industries des techniques agricoles et alimentaires de Nantes
- Écoles nationales d'ingénieurs des travaux agricoles
- 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 des arts décoratifs
- École nationale supérieure des arts et techniques du théâtre
- 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 de céramique industrielle
- École nationale supérieure de l'électronique et de ses applications (ENSEA)
- Ecole nationale supérieure du paysage de Versailles
- Ecole Nationale Supérieure des Sciences de l'information et des bibliothécaires
- Ecole nationale supérieure de la sécurité sociale
- Écoles nationales vétérinaires

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- École nationale de voile
- Écoles normales supérieures
- École polytechnique
- École technique professionnelle agricole et forestière de Meymac (Corrèze)
- École de sylviculture Croigny (Aube)
- École de viticulture et d'œnologie de la Tour- Blanche (Gironde)
- École de viticulture — Avize (Marne)
- Etablissement national d'enseignement agronomique de Dijon
- Établissement national des invalides de la marine (ENIM)
- Établissement national de bienfaisance Koenigswarter
- Établissement public du musée et du domaine national de Versailles
- Fondation Carnegie
- Fondation Singer-Polignac
- Haras nationaux
- Hôpital national de Saint-Maurice
- Institut des hautes études pour la science et la technologie
- Institut français d'archéologie orientale du Caire
- Institut géographique national
- Institut National de l'origine et de la qualité
- Institut national des hautes études de sécurité
- Institut de veille sanitaire
- Institut National d'enseignement supérieur et de recherche agronomique et agroalimentaire de Rennes
- Institut National d'Etudes Démographiques (I.N.E.D)
- Institut National d'Horticulture
- Institut National de la jeunesse et de l'éducation populaire
- 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.N.P.N.P.P)
- Institut national de la propriété industrielle
- Institut National de la Recherche Agronomique (I.N.R.A)
- Institut National de la Recherche Pédagogique (I.N.R.P)
- Institut National de la Santé et de la Recherche Médicale (I.N.S.E.R.M)
- Institut national d'histoire de l'art (I.N.H.A.)
- Institut national de recherches archéologiques préventives
- Institut National des Sciences de l'Univers
- Institut National des Sports et de l'Education Physique
- Institut national supérieur de formation et de recherche pour l'éducation des jeunes handicapés et les enseignements inadaptés
- Instituts nationaux polytechniques
- Instituts nationaux des sciences appliquées
- Institut national de recherche en informatique et en automatique (INRIA)
- Institut national de recherche sur les transports et leur sécurité (INRETS)

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- Institut de Recherche pour le Développement
- Instituts régionaux d'administration
- Institut des Sciences et des Industries du vivant et de l'environnement (Agro Paris Tech)
- Institut supérieur de mécanique de Paris
- Institut Universitaires de Formation des Maîtres
- Musée de l'armée
- Musée Gustave-Moreau
- Musée national de la marine
- Musée national J.-J.-Henner
- Musée du Louvre
- Musée du Quai Branly
- Muséum National d'Histoire Naturelle
- Musée Auguste-Rodin
- Observatoire de Paris
- Office français de protection des réfugiés et apatrides
- Office National des Anciens Combattants et des Victimes de Guerre (ONAC)
- Office national de la chasse et de la faune sauvage
- Office National de l'eau et des milieux aquatiques
- Office national d'information sur les enseignements et les professions (ONISEP)
- Office universitaire et culturel français pour l'Algérie
- Ordre national de la Légion d'honneur
- Palais de la découverte
- Parcs nationaux
- Universités
- 4) Other national public body
  - Union des groupements d'achats publics (UGAP)
  - Agence Nationale pour l'emploi (A.N.P.E)
  - Caisse Nationale des Allocations Familiales (CNAF)
  - Caisse Nationale d'Assurance Maladie des Travailleurs Salariés (CNAMS)
  - Caisse Nationale d'Assurance-Vieillesse des Travailleurs Salariés (CNAVTS)

#### <sup>F6</sup>CROATIA

- 1) State bodies of the Republic of Croatia:
  - Croatian Parliament,
  - President of the Republic of Croatia,
  - Office of the President of the Republic of Croatia,
  - Office of the President of the Republic of Croatia after the expiry of the term of office,
  - Government of the of the Republic of Croatia,
  - Offices of the Government of the Republic of Croatia,
  - Ministries,
  - State offices,
  - State administrative organisations,
  - County state administration offices,
  - Constitutional Court of the Republic of Croatia,

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- Supreme Court of the Republic of Croatia,
  - Courts,
  - State Judiciary Council,
  - State attorney's offices,
  - State Prosecutor's Council,
  - Ombudsman's offices,
  - State Commission for the Supervision of Public Procurement Procedures,
  - Croatian National Bank,
  - State Audit Office;
- 2) State agencies and offices:
- Croatian Civil Aviation Agency,
  - Electronic Media Agency,
  - Aircraft Accident and Incident Investigation Agency,
  - Agency for Public Private Partnership,
  - Agency for Quality and Accreditation in Healthcare,
  - Agency for Medicinal Products and Medical Devices,
  - Agency for Mobility and EU Programmes,
  - Agency for Coastal Lines and Maritime Traffic,
  - Agency for the Reconstruction of Fort Tvrđa in Osijek,
  - Education and Teacher Training Agency,
  - Pressure Equipment Agency,
  - Agency for Insurance of Workers' Claims in Case of Employer's Bankruptcy,
  - Paying Agency for Agriculture, Fisheries and Rural Development,
  - Agricultural Land Agency,
  - Agency for Transactions and Mediation in Immovable Properties,
  - Agency for Explosive Atmosphere Hazardous Areas,
  - Agency for Regional Development of the Republic of Croatia,
  - Railway Market Regulatory Agency,
  - Agency for the Audit of European Union Programmes Implementation System,
  - Railway Transport Safety Agency,
  - Agency for Vocational Education and Training and Adult Education,
  - Agency for State Property Management,
  - Agency for Inland Waterways,
  - Croatian Environment Agency,
  - Personal Data Protection Agency,
  - Croatian Competition Agency,
  - Agency for Science and Higher Education,
  - State Agency for Deposit Insurance and Bank Rehabilitation,
  - Financial Agency,
  - Croatian Food Agency,
  - Croatian Agency for Small Business,
  - Croatian Financial Services Supervisory Agency,
  - Croatian Compulsory Oil Stocks Agency,

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- Croatian Post and Electronic Communications Agency,
- Croatian Accreditation Agency,
- Croatian Energy Regulatory Agency,
- Croatian News Agency,
- Croatian Agricultural Agency,
- Central Finance and Contracting Agency.]

## ITALY

- 1) Purchasing bodies
  - Presidenza del Consiglio dei Ministri
  - Ministero degli Affari Esteri
  - Ministero dell'Interno
  - Ministero della Giustizia e Uffici giudiziari (esclusi i giudici di pace)
  - Ministero della Difesa
  - Ministero dell'Economia e delle Finanze
  - Ministero dello Sviluppo Economico
  - Ministero delle Politiche Agricole, Alimentari e Forestali
  - Ministero dell'Ambiente — Tutela del Territorio e del Mare
  - Ministero delle Infrastrutture e dei Trasporti
  - Ministero del Lavoro, della Salute e delle Politiche Sociali
  - Ministero dell' Istruzione, Università e Ricerca
  - Ministero per i Beni e le Attività culturali, comprensivo delle sue articolazioni periferiche
- 2) Other national public bodies:
  - CONSIP (Concessionaria Servizi Informatici Pubblici)

## CYPRUS

- Προεδρία και Προεδρικό Μέγαρο
  - Γραφείο Συντονιστή Εναρμόνισης
- Υπουργικό Συμβούλιο
- Βουλή των Αντιπροσώπων
- Δικαστική Υπηρεσία
- Νομική Υπηρεσία της Δημοκρατίας
- Ελεγκτική Υπηρεσία της Δημοκρατίας
- Επιτροπή Δημόσιας Υπηρεσίας
- Επιτροπή Εκπαιδευτικής Υπηρεσίας
- Γραφείο Επιτρόπου Διοικήσεως
- Επιτροπή Προστασίας Ανταγωνισμού
- Υπηρεσία Εσωτερικού Ελέγχου
- Γραφείο Προγραμματισμού
- Γενικό Λογιστήριο της Δημοκρατίας
- Γραφείο Επιτρόπου Προστασίας Δεδομένων Προσωπικού Χαρακτήρα
- Γραφείο Εφόρου Δημοσίων Ενισχύσεων
- Αναθεωρητική Αρχή Προσφορών
- Υπηρεσία Εποπτείας και Ανάπτυξης Συνεργατικών Εταιρειών
- Αναθεωρητική Αρχή Προσφύγων
- Υπουργείο Άμυνας



- Υπουργείο Γεωργίας, Φυσικών Πόρων και Περιβάλλοντος
  - Τμήμα Γεωργίας
  - Κτηνιατρικές Υπηρεσίες
  - Τμήμα Δασών
  - Τμήμα Αναπτύξεως Υδάτων
  - Τμήμα Γεωλογικής Επισκόπησης
  - Μετεωρολογική Υπηρεσία
  - Τμήμα Αναδασμού
  - Υπηρεσία Μεταλλείων
  - Ινστιτούτο Γεωργικών Ερευνών
  - Τμήμα Αλιείας και Θαλάσσιων Ερευνών
- Υπουργείο Δικαιοσύνης και Δημοσίας Τάξεως
  - Αστυνομία
  - Πυροσβεστική Υπηρεσία Κύπρου
  - Τμήμα Φυλακών
- Υπουργείο Εμπορίου, Βιομηχανίας και Τουρισμού
  - Τμήμα Εφόρου Εταιρειών και Επίσημου Παραλήπτη
- Υπουργείο Εργασίας και Κοινωνικών Ασφαλίσεων
  - Τμήμα Εργασίας
  - Τμήμα Κοινωνικών Ασφαλίσεων
  - Τμήμα Υπηρεσιών Κοινωνικής Ευημερίας
  - Κέντρο Παραγωγικότητας Κύπρου
  - Ανώτερο Ξενοδοχειακό Ινστιτούτο Κύπρου
  - Ανώτερο Τεχνολογικό Ινστιτούτο
  - Τμήμα Επιθεώρησης Εργασίας
  - Τμήμα Εργασιακών Σχέσεων
- Υπουργείο Εσωτερικών
  - Επαρχιακές Διοικήσεις
  - Τμήμα Πολεοδομίας και Οικήσεως
  - Τμήμα Αρχείου Πληθυσμού και Μεταναστεύσεως
  - Τμήμα Κτηματολογίου και Χωρομετρίας
  - Γραφείο Τύπου και Πληροφοριών
  - Πολιτική Άμυνα
  - Υπηρεσία Μέριμνας και Αποκαταστάσεων Εκτοπισθέντων
  - Υπηρεσία Ασύλου
- Υπουργείο Εξωτερικών
- Υπουργείο Οικονομικών
  - Τελωνεία
  - Τμήμα Εσωτερικών Προσόδων
  - Στατιστική Υπηρεσία
  - Τμήμα Κρατικών Αγορών και Προμηθειών
  - Τμήμα Δημόσιας Διοίκησης και Προσωπικού
  - Κυβερνητικό Τυπογραφείο
  - Τμήμα Υπηρεσιών Πληροφορικής
- Υπουργείο Παιδείας και Πολιτισμού

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- Υπουργείο Συγκοινωνιών και Έργων
  - Τμήμα Δημοσίων Έργων
  - Τμήμα Αρχαιοτήτων
  - Τμήμα Πολιτικής Αεροπορίας
  - Τμήμα Εμπορικής Ναυτιλίας
  - Τμήμα Οδικών Μεταφορών
  - Τμήμα Ηλεκτρομηχανολογικών Υπηρεσιών
  - Τμήμα Ηλεκτρονικών Επικοινωνιών
- Υπουργείο Υγείας
  - Φαρμακευτικές Υπηρεσίες
  - Γενικό Χημείο
  - Ιατρικές Υπηρεσίες και Υπηρεσίες Δημόσιας Υγείας
  - Οδοντιατρικές Υπηρεσίες
  - Υπηρεσίες Ψυχικής Υγείας

#### LATVIA

- 1) Ministries, secretariats of ministers for special assignments, and their subordinate institutions
  - Aizsardzības ministrija un tās padotībā esošās iestādes
  - Ārlietu ministrija un tas padotībā esošās iestādes
  - Bērnu un ģimenes lietu ministrija un tās padotībā esošās iestādes
  - Ekonomikas ministrija un tās padotībā esošās iestādes
  - Finanšu ministrija un tās padotībā esošās iestādes
  - Iekšlietu ministrija un tās padotībā esošās iestādes
  - Izglītības un zinātnes ministrija un tās padotībā esošās iestādes
  - Kultūras ministrija un tas padotībā esošās iestādes
  - Labklājības ministrija un tās padotībā esošās iestādes
  - Reģionālās attīstības un pašvaldības lietu ministrija un tās padotībā esošās iestādes
  - Satiksmes ministrija un tās padotībā esošās iestādes
  - Tieslietu ministrija un tās padotībā esošās iestādes
  - Veselības ministrija un tās padotībā esošās iestādes
  - Vides ministrija un tās padotībā esošās iestādes
  - Zemkopības ministrija un tās padotībā esošās iestādes
  - Īpašu uzdevumu ministra sekretariāti un to padotībā esošās iestādes
  - Satversmes aizsardzības birojs
- 2) Other state institution
  - Augstākā tiesa
  - Centrālā vēlēšanu komisija
  - Finanšu un kapitāla tirgus komisija
  - Latvijas Banka
  - Prokuratūra un tās pārraudzībā esošās iestādes
  - Saeimas kanceleja un tās padotībā esošās iestādes
  - Satversmes tiesa
  - Valsts kanceleja un tās padotībā esošās iestādes
  - Valsts kontrole
  - Valsts prezidenta kanceleja

- Tiesībsarga birojs
- Nacionālā radio un televīzijas padome
- Citas valsts iestādes, kuras nav ministriju padotībā (Other state institutions not subordinate to ministries)

#### LITHUANIA

- Prezidentūros kanceliarija
- Seimo kanceliarija
- Institutions accountable to the Seimas [Parliament]:
  - Lietuvos mokslo taryba;
  - Seimo kontrolierių įstaiga;
  - Valstybės kontrolė;
  - Specialiųjų tyrimų tarnyba;
  - Valstybės saugumo departamentas;
  - Konkurencijos taryba;
  - Lietuvos gyventojų genocido ir rezistencijos tyrimo centras;
  - Vertybinių popierių komisija;
  - Ryšių reguliavimo tarnyba;
  - Nacionalinė sveikatos taryba;
  - Etninės kultūros globos taryba;
  - Lygių galimybių kontrolieriaus tarnyba;
  - Valstybinė kultūros paveldo komisija;
  - Vaiko teisių apsaugos kontrolieriaus įstaiga;
  - Valstybinė kainų ir energetikos kontrolės komisija;
  - Valstybinė lietuvių kalbos komisija;
  - Vyriausioji rinkimų komisija;
  - Vyriausioji tarnybinės etikos komisija;
  - Žurnalistų etikos inspektoriaus tarnyba.
- Vyriausybės kanceliarija
- Institutions accountable to the Vyriausybės [Government]:
  - Ginklų fondas;
  - Informacinės visuomenės plėtros komitetas;
  - Kūno kultūros ir sporto departamentas;
  - Lietuvos archyvų departamentas;
  - Mokestinių ginčų komisija;
  - Statistikos departamentas;
  - Tautinių mažumų ir išeivijos departamentas;
  - Valstybinė tabako ir alkoholio kontrolės tarnyba;
  - Viešųjų pirkimų tarnyba;
  - Narkotikų kontrolės departamentas;
  - Valstybinė atominės energetikos saugos inspekcija;
  - Valstybinė duomenų apsaugos inspekcija;
  - Valstybinė lošimų priežiūros komisija;
  - Valstybinė maisto ir veterinarijos tarnyba;
  - Vyriausioji administracinių ginčų komisija;
  - Draudimo priežiūros komisija;
  - Lietuvos valstybinis mokslo ir studijų fondas;

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- Lietuvos grįžimo į Tėvynę informacijos centras
- Konstitucinis Teismas
- Lietuvos bankas
- Aplinkos ministerija
- Institutions under the Aplinkos ministerija [Ministry of Environment]:
  - Generalinė miškų urėdija;
  - Lietuvos geologijos tarnyba;
  - Lietuvos hidrometeorologijos tarnyba;
  - Lietuvos standartizacijos departamentas;
  - Nacionalinis akreditacijos biuras;
  - Valstybinė metrologijos tarnyba;
  - Valstybinė saugomų teritorijų tarnyba;
  - Valstybinė teritorijų planavimo ir statybos inspekcija.
- Finansų ministerija
- Institutions under the Finansų ministerija [Ministry of Finance]:
  - Muitinės departamentas;
  - Valstybės dokumentų technologinės apsaugos tarnyba;
  - Valstybinė mokesčių inspekcija;
  - Finansų ministerijos mokymo centras.
- Krašto apsaugos ministerija
- Institutions under the Krašto apsaugos ministerijos [Ministry of National Defence]:
  - Antrasis operatyvinių tarnybų departamentas;
  - Centralizuota finansų ir turto tarnyba;
  - Karo prievolės administravimo tarnyba;
  - Krašto apsaugos archyvas;
  - Krizių valdymo centras;
  - Mobilizacijos departamentas;
  - Ryšių ir informacinių sistemų tarnyba;
  - Infrastruktūros plėtros departamentas;
  - Valstybinis pilietinio pasipriešinimo rengimo centras.
- Lietuvos kariuomenė
- Krašto apsaugos sistemos kariniai vienetai ir tarnybos
- Kultūros ministerija
- Institutions under the Kultūros ministerijos [Ministry of Culture]:
  - Kultūros paveldo departamentas;
  - Valstybinė kalbos inspekcija.
- Socialinės apsaugos ir darbo ministerija
- Institutions under the Socialinės apsaugos ir darbo ministerijos [Ministry of Social Security and Labour]:
  - Garantinio fondo administracija;
  - Valstybės vaiko teisių apsaugos ir įvaikinimo tarnyba;
  - Lietuvos darbo birža;
  - Lietuvos darbo rinkos mokymo tarnyba;
  - Trišalės tarybos sekretoriatas;
  - Socialinių paslaugų priežiūros departamentas;

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- Darbo inspekcija;
- Valstybinio socialinio draudimo fondo valdyba;
- Neįgalumo ir darbingumo nustatymo tarnyba;
- Ginčų komisija;
- Techninės pagalbos neįgaliesiems centras;
- Neįgaliųjų reikalų departamentas.
- Susisiekimo ministerija
- Institutions under the Susisiekimo ministerijos [Ministry of Transport and Communications]:
  - Lietuvos automobilių kelių direkcija;
  - Valstybinė geležinkelio inspekcija;
  - Valstybinė kelių transporto inspekcija;
  - Pasienio kontrolės punktų direkcija.
- Sveikatos apsaugos ministerija
- Institutions under the Sveikatos apsaugos ministerijos [Ministry of Health]:
  - Valstybinė akreditavimo sveikatos priežiūros veiklai tarnyba;
  - Valstybinė ligonių kasa;
  - Valstybinė medicininio audito inspekcija;
  - Valstybinė vaistų kontrolės tarnyba;
  - Valstybinė teismo psichiatrijos ir narkologijos tarnyba;
  - Valstybinė visuomenės sveikatos priežiūros tarnyba;
  - Farmacijos departamentas;
  - Sveikatos apsaugos ministerijos Ekstremalių sveikatai situacijų centras;
  - Lietuvos bioetikos komitetas;
  - Radiacinės saugos centras.
- Švietimo ir mokslo ministerija
- Institutions under the Švietimo ir mokslo ministerijos [Ministry of Education and Science]:
  - Nacionalinis egzaminų centras;
  - Studijų kokybės vertinimo centras.
- Teisingumo ministerija
- Institutions under the Teisingumo ministerijos [Ministry of Justice]:
  - Kalėjų departamentas;
  - Nacionalinė vartotojų teisių apsaugos taryba;
  - Europos teisės departamentas
- Ūkio ministerija
- Įstaigos prie the Ūkio ministerijos [Ministry of Economy]:
  - Įmonių bankroto valdymo departamentas;
  - Valstybinė energetikos inspekcija;
  - Valstybinė ne maisto produktų inspekcija;
  - Valstybinis turizmo departamentas
- Užsienio reikalų ministerija
- Diplomatinės atstovybės ir konsulinės įstaigos užsienyje bei atstovybės prie tarptautinių organizacijų
- Vidaus reikalų ministerija
- Institutions under the Vidaus reikalų ministerijos [Ministry of the Interior]:

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- Asmens dokumentų išrašymo centras;
- Finansinių nusikaltimų tyrimo tarnyba;
- Gyventojų registro tarnyba;
- Policijos departamentas;
- Priešgaisrinės apsaugos ir gelbėjimo departamentas;
- Turto valdymo ir ūkio departamentas;
- Vadovybės apsaugos departamentas;
- Valstybės sienos apsaugos tarnyba;
- Valstybės tarnybos departamentas;
- Informatikos ir ryšių departamentas;
- Migracijos departamentas;
- Sveikatos priežiūros tarnyba;
- Bendrasis pagalbos centras.
- Žemės ūkio ministerija
- Institutions under the Žemės ūkio ministerijos [Ministry of Agriculture]:
  - Nacionalinė mokėjimo agentūra;
  - Nacionalinė žemės tarnyba;
  - Valstybinė augalų apsaugos tarnyba;
  - Valstybinė gyvulių veislininkystės priežiūros tarnyba;
  - Valstybinė sėklų ir grūdų tarnyba;
  - Žuvininkystės departamentas
- Teismai [Courts]:
  - Lietuvos Aukščiausiasis Teismas;
  - Lietuvos apeliacinis teismas;
  - Lietuvos vyriausiasis administracinis teismas;
  - apygardų teismai;
  - apygardų administraciniai teismai;
  - apylinkių teismai;
  - Nacionalinė teismų administracija
- Generalinė prokuratūra
- Other Central Public Administration Entities (institucijos [institutions], įstaigos [establishments], tarnybos[agencies])
  - Aplinkos apsaugos agentūra;
  - Valstybinė aplinkos apsaugos inspekcija;
  - Aplinkos projektų valdymo agentūra;
  - Miško genetinių išteklių, sėklų ir sodmenų tarnyba;
  - Miško sanitarinės apsaugos tarnyba;
  - Valstybinė miškotvarkos tarnyba;
  - Nacionalinis visuomenės sveikatos tyrimų centras;
  - Lietuvos AIDS centras;
  - Nacionalinis organų transplantacijos biuras;
  - Valstybinis patologijos centras;
  - Valstybinis psichikos sveikatos centras;
  - Lietuvos sveikatos informacijos centras;
  - Slaugos darbuotojų tobulinimosi ir specializacijos centras;

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- Valstybinis aplinkos sveikatos centras;
- Respublikinis mitybos centras;
- Užkrečiamųjų ligų profilaktikos ir kontrolės centras;
- Trakų visuomenės sveikatos priežiūros ir specialistų tobulinimosi centras;
- Visuomenės sveikatos ugdymo centras;
- Muitinės kriminalinė tarnyba;
- Muitinės informacinių sistemų centras;
- Muitinės laboratorija;
- Muitinės mokymo centras;
- Valstybinis patentų biuras;
- Lietuvos teismo ekspertizės centras;
- Centrinė hipotekos įstaiga;
- Lietuvos metrologijos inspekcija;
- Civilinės aviacijos administracija;
- Lietuvos saugios laivybos administracija;
- Transporto investicijų direkcija;
- Valstybinė vidaus vandenų laivybos inspekcija;
- Pabėgėlių priėmimo centras

#### LUXEMBOURG

- Ministère d'Etat
- Ministère des Affaires Etrangères et de l'Immigration
- Ministère de l'Agriculture, de la Viticulture et du Développement Rural
- Ministère des Classes moyennes, du Tourisme et du Logement
- Ministère de la Culture, de l'Enseignement Supérieur et de la Recherche
- Ministère de l'Economie et du Commerce extérieur
- Ministère de l'Education nationale et de la Formation professionnelle
- Ministère de l'Egalité des chances
- Ministère de l'Environnement
- Ministère de la Famille et de l'Intégration
- Ministère des Finances
- Ministère de la Fonction publique et de la Réforme administrative
- Ministère de l'Intérieur et de l'Aménagement du territoire
- Ministère de la Justice
- Ministère de la Santé
- Ministère de la Sécurité sociale
- Ministère des Transports
- Ministère du Travail et de l'Emploi
- Ministère des Travaux publics

#### HUNGARY

- Egészségügyi Minisztérium
- Földművelésügyi és Vidékfejlesztési Minisztérium
- Gazdasági és Közlekedési Minisztérium
- Honvédelmi Minisztérium
- Igazságügyi és Rendészeti Minisztérium
- Környezetvédelmi és Vízügyi Minisztérium

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- Külügyminisztérium
- Miniszterelnöki Hivatal
- Oktatási és Kulturális Minisztérium
- Önkormányzati és Területfejlesztési Minisztérium
- Pénzügyminisztérium
- Szociális és Munkaügyi Minisztérium
- Központi Szolgáltatási Főigazgatóság

#### MALTA

- Uffiċċju tal-Prim Ministru (Office of the Prime Minister)
- Ministeru għall-Familja u Solidarjeta' Soċjali (Ministry for the Family and Social Solidarity)
- Ministeru ta' l-Edukazzjoni Zghazagh u Impjieg (Ministry for Education Youth and Employment)
- Ministeru tal-Finanzi (Ministry of Finance)
- Ministeru tar-Riżorsi u l-Infrastruttura (Ministry for Resources and Infrastructure)
- Ministeru tat-Turiżmu u Kultura (Ministry for Tourism and Culture)
- Ministeru tal-Ġustizzja u l-Intern (Ministry for Justice and Home Affairs)
- Ministeru għall-Affarijiet Rurali u l-Ambjent (Ministry for Rural Affairs and the Environment)
- Ministeru għal Ghawdex (Ministry for Gozo)
- Ministeru tas-Saħħa, l-Anzjani u Kura fil-Kommunita' (Ministry of Health, the Elderly and Community Care)
- Ministeru ta' l-Affarijiet Barranin (Ministry of Foreign Affairs)
- Ministeru għall-Investimenti, Industrija u Teknologija ta' Informazzjoni (Ministry for Investment, Industry and Information Technology)
- Ministeru għall-Kompetittivà u Komunikazzjoni (Ministry for Competitiveness and Communications)
- Ministeru għall-Iżvilupp Urban u Toroq (Ministry for Urban Development and Roads)

#### NETHERLANDS

- Ministerie van Algemene Zaken
  - Bestuursdepartement
  - Bureau van de Wetenschappelijke Raad voor het Regeringsbeleid
  - Rijksvoorlichtingsdienst
- Ministerie van Binnenlandse Zaken en Koninkrijksrelaties
  - Bestuursdepartement
  - Centrale Archiefselectiedienst (CAS)
  - Algemene Inlichtingen- en Veiligheidsdienst (AIVD)
  - Agentschap Basisadministratie Persoonsgegevens en Reisdocumenten (BPR)
  - Agentschap Korps Landelijke Politiediensten
- Ministerie van Buitenlandse Zaken
  - Directoraat-generaal Regiobeleid en Consulaire Zaken (DGRC)
  - Directoraat-generaal Politieke Zaken (DGPZ)
  - Directoraat-generaal Internationale Samenwerking (DGIS)
  - Directoraat-generaal Europese Samenwerking (DGES)
  - Centrum tot Bevordering van de Import uit Ontwikkelingslanden (CBI)



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- Centrale diensten ressorterend onder S/PlvS (Support services falling under the Secretary-general and Deputy Secretary-general)
- Buitenlandse Posten (ieder afzonderlijk)
- Ministerie van Defensie — (Ministry of Defence)
  - Bestuursdepartement
  - Commando Diensten Centra (CDC)
  - Defensie Telematica Organisatie (DTO)
  - Centrale directie van de Defensie Vastgoed Dienst
  - De afzonderlijke regionale directies van de Defensie Vastgoed Dienst
  - Defensie Materieel Organisatie (DMO)
  - Landelijk Bevoorradingsbedrijf van de Defensie Materieel Organisatie
  - Logistiek Centrum van de Defensie Materieel Organisatie
  - Marinebedrijf van de Defensie Materieel Organisatie
  - Defensie Pijpleiding Organisatie (DPO)
- Ministerie van Economische Zaken
  - Bestuursdepartement
  - Centraal Planbureau (CPB)
  - SenterNovem
  - Staatstoezicht op de Mijnen (SodM)
  - Nederlandse Mededingingsautoriteit (NMa)
  - Economische Voorlichtingsdienst (EVD)
  - Agentschap Telecom
  - Kenniscentrum Professioneel & Innovatief Aanbesteden, Netwerk voor Overheidsopdrachtgevers (PIANOO)
  - Regiebureau Inkoop Rijksoverheid
  - Octrooicentrum Nederland
  - Consumentenautoriteit
- Ministerie van Financiën
  - Bestuursdepartement
  - Belastingdienst Automatiseringscentrum
  - Belastingdienst
  - de afzonderlijke Directies der Rijksbelastingen (the various Divisions of the Tax and Customs Administration throughout the Netherlands)
  - Fiscale Inlichtingen- en Opsporingsdienst (incl. Economische Controle dienst (ECD))
  - Belastingdienst Opleidingen
  - Dienst der Domeinen
- Ministerie van Justitie
  - Bestuursdepartement
  - Dienst Justitiële Inrichtingen
  - Raad voor de Kinderbescherming
  - Centraal Justitie Incasso Bureau
  - Openbaar Ministerie
  - Immigratie en Naturalisatiedienst
  - Nederlands Forensisch Instituut
  - Dienst Terugkeer & Vertrek

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- Ministerie van Landbouw, Natuur en Voedselkwaliteit
  - Bestuursdepartement
  - Dienst Regelingen (DR)
  - Agentschap Plantenziektenkundige Dienst (PD)
  - Algemene Inspectiedienst (AID)
  - Dienst Landelijk Gebied (DLG)
  - Voedsel en Waren Autoriteit (VWA)
- Ministerie van Onderwijs, Cultuur en Wetenschappen
  - Bestuursdepartement
  - Inspectie van het Onderwijs
  - Erfgoedinspectie
  - Centrale Financiën Instellingen
  - Nationaal Archief
  - Adviesraad voor Wetenschaps- en Technologiebeleid
  - Onderwijsraad
  - Raad voor Cultuur
- Ministerie van Sociale Zaken en Werkgelegenheid
  - Bestuursdepartement
  - Inspectie Werk en Inkomen
  - Agentschap SZW
- Ministerie van Verkeer en Waterstaat
  - Bestuursdepartement
  - Directoraat-Generaal Transport en Luchtvaart
  - Directoraat-generaal Personenvervoer
  - Directoraat-generaal Water
  - Centrale diensten (Central Services)
  - Shared services Organisatie Verkeer en Watersaat
  - Koninklijke Nederlandse Meteorologisch Instituut KNMI
  - Rijkswaterstaat, Bestuur
  - De afzonderlijke regionale Diensten van Rijkswaterstaat (Each individual regional service of the Directorate-general of Public Works and Water Management)
  - De afzonderlijke specialistische diensten van Rijkswaterstaat (Each individual specialist service of the Directorate-general of Public Works and Water Management)
  - Adviesdienst Geo-Informatie en ICT
  - Adviesdienst Verkeer en Vervoer (AVV)
  - Bouwdienst
  - Corporate Dienst
  - Data ICT Dienst
  - Dienst Verkeer en Scheepvaart
  - Dienst Weg- en Waterbouwkunde (DWW)
  - Rijksinstituut voor Kunst en Zee (RIKZ)
  - Rijksinstituut voor Integraal Zoetwaterbeheer en Afvalwaterbehandeling (RIZA)
  - Waterdienst

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- Inspectie Verkeer en Waterstaat, Hoofddirectie
- Port state Control
- Directie Toezichtontwikkeling Communicatie en Onderzoek (TCO)
- Toezichthouder Beheer Eenheid Lucht
- Toezichthouder Beheer Eenheid Water
- Toezichthouder Beheer Eenheid Land
- Ministerie van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer
  - Bestuursdepartement
  - Directoraat-generaal Wonen, Wijken en Integratie
  - Directoraat-generaal Ruimte
  - Directoraat-generaal Milieubeheer
  - Rijksgebouwendienst
  - VROM Inspectie
- Ministerie van Volksgezondheid, Welzijn en Sport
  - Bestuursdepartement
  - Inspectie Gezondheidsbescherming, Waren en Veterinaire Zaken
  - Inspectie Gezondheidszorg
  - Inspectie Jeugdhulpverlening en Jeugdbescherming
  - Rijksinstituut voor de Volksgezondheid en Milieu (RIVM)
  - Sociaal en Cultureel Planbureau
  - Agentschap t.b.v. het College ter Beoordeling van Geneesmiddelen
- Tweede Kamer der Staten-Generaal
- Eerste Kamer der Staten-Generaal
- Raad van State
- Algemene Rekenkamer
- Nationale Ombudsman
- Kanselarij der Nederlandse Orden
- Kabinet der Koningin
- Raad voor de rechtspraak en de Rechtbanken

#### AUSTRIA

- Bundeskanzleramt
- Bundesministerium für europäische und internationale Angelegenheiten
- Bundesministerium für Finanzen
- Bundesministerium für Gesundheit, Familie und Jugend
- Bundesministerium für Inneres
- Bundesministerium für Justiz
- Bundesministerium für Landesverteidigung
- Bundesministerium für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft
- Bundesministerium für Soziales und Konsumentenschutz
- Bundesministerium für Unterricht, Kunst und Kultur
- Bundesministerium für Verkehr, Innovation und Technologie
- Bundesministerium für Wirtschaft und Arbeit
- Bundesministerium für Wissenschaft und Forschung
- Österreichische Forschungs- und Prüfzentrum Arsenal Gesellschaft m.b.H
- Bundesbeschaffung G.m.b.H

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— Bundesrechenzentrum G.m.b.H

POLAND

— Kancelaria Prezydenta RP

— Kancelaria Sejmu RP

— Kancelaria Senatu RP

— Kancelaria Prezesa Rady Ministrów

— Sąd Najwyższy

— Naczelny Sąd Administracyjny

— Wojewódzkie sądy administracyjne

— Sądy powszechne — rejonowe, okręgowe i apelacyjne

— Trybunał Konstytucyjny

— Najwyższa Izba Kontroli

— Biuro Rzecznika Praw Obywatelskich

— Biuro Rzecznika Praw Dziecka

— Biuro Ochrony Rządu

— Biuro Bezpieczeństwa Narodowego

— Centralne Biuro Antykorupcyjne

— Ministerstwo Pracy i Polityki Społecznej

— Ministerstwo Finansów

— Ministerstwo Gospodarki

— Ministerstwo Rozwoju Regionalnego

— Ministerstwo Kultury i Dziedzictwa Narodowego

— Ministerstwo Edukacji Narodowej

— Ministerstwo Obrony Narodowej

— Ministerstwo Rolnictwa i Rozwoju Wsi

— Ministerstwo Skarbu Państwa

— Ministerstwo Sprawiedliwości

— Ministerstwo Infrastruktury

— Ministerstwo Nauki i Szkolnictwa Wyższego

— Ministerstwo Środowiska

— Ministerstwo Spraw Wewnętrznych i Administracji

— Ministerstwo Spraw Zagranicznych

— Ministerstwo Zdrowia

— Ministerstwo Sportu i Turystyki

— Urząd Komitetu Integracji Europejskiej

— Urząd Patentowy Rzeczypospolitej Polskiej

— Urząd Regulacji Energetyki

— Urząd do Spraw Kombatantów i Osób Represjonowanych

— Urząd Transportu Kolejowego

— Urząd Dozoru Technicznego

— Urząd Rejestracji Produktów Leczniczych, Wyrobów Medycznych i Produktów Biobójczych

— Urząd do Spraw Repatriacji i Cudzoziemców

— Urząd Zamówień Publicznych

— Urząd Ochrony Konkurencji i Konsumentów

— Urząd Lotnictwa Cywilnego

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- Urząd Komunikacji Elektronicznej
- Wyższy Urząd Górniczy
- Główny Urząd Miar
- Główny Urząd Geodezji i Kartografii
- Główny Urząd Nadzoru Budowlanego
- Główny Urząd Statystyczny
- Krajowa Rada Radiofonii i Telewizji
- Generalny Inspektor Ochrony Danych Osobowych
- Państwowa Komisja Wyborcza
- Państwowa Inspekcja Pracy
- Rządowe Centrum Legislacji
- Narodowy Fundusz Zdrowia
- Polska Akademia Nauk
- Polskie Centrum Akredytacji
- Polskie Centrum Badań i Certyfikacji
- Polska Organizacja Turystyczna
- Polski Komitet Normalizacyjny
- Zakład Ubezpieczeń Społecznych
- Komisja Nadzoru Finansowego
- Naczelna Dyrekcja Archiwów Państwowych
- Kasa Rolniczego Ubezpieczenia Społecznego
- Generalna Dyrekcja Dróg Krajowych i Autostrad
- Państwowa Inspekcja Ochrony Roślin i Nasiennictwa
- Komenda Główna Państwowej Straży Pożarnej
- Komenda Główna Policji
- Komenda Główna Straży Granicznej
- Inspekcja Jakości Handlowej Artykułów Rolno-Spożywczych
- Główny Inspektorat Ochrony Środowiska
- Główny Inspektorat Transportu Drogowego
- Główny Inspektorat Farmaceutyczny
- Główny Inspektorat Sanitarny
- Główny Inspektorat Weterynarii
- Agencja Bezpieczeństwa Wewnętrznego
- Agencja Wywiadu
- Agencja Mienia Wojskowego
- Wojskowa Agencja Mieszkaniowa
- Agencja Restrukturyzacji i Modernizacji Rolnictwa
- Agencja Rynku Rolnego
- Agencja Nieruchomości Rolnych
- Państwowa Agencja Atomistyki
- Polska Agencja Żeglugi Powietrznej
- Polska Agencja Rozwiązywania Problemów Alkoholowych
- Agencja Rezerw Materiałowych
- Narodowy Bank Polski
- Narodowy Fundusz Ochrony Środowiska i Gospodarki Wodnej

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- Państwowy Fundusz Rehabilitacji Osób Niepełnosprawnych
- Instytut Pamięci Narodowej — Komisja Ścigania Zbrodni Przeciwko Narodowi Polskiemu
- Rada Ochrony Pamięci Walk i Męczeństwa
- Służba Celną Rzeczypospolitej Polskiej
- Państwowe Gospodarstwo Leśne ‘Lasy Państwowe’
- Polska Agencja Rozwoju Przedsiębiorczości
- Urzędy wojewódzkie
- Samodzielne Publiczne Zakłady Opieki Zdrowotnej, jeśli ich organem założycielskim jest minister, centralny organ administracji rządowej lub wojewoda

#### PORTUGAL

- Presidência do Conselho de Ministros
- Ministério das Finanças e da Administração Pública
- Ministério da Defesa Nacional
- Ministério dos Negócios Estrangeiros
- Ministério da Administração Interna
- Ministério da Justiça
- Ministério da Economia e da Inovação
- Ministério da Agricultura, Desenvolvimento Rural e Pescas
- Ministério da Educação
- Ministério da Ciência, Tecnologia e do Ensino Superior
- Ministério da Cultura
- Ministério da Saúde
- Ministério do Trabalho e da Solidariedade Social
- Ministério das Obras Públicas, Transportes e Comunicações
- Ministério do Ambiente, do Ordenamento do Território e do Desenvolvimento Regional
- Presidência da República
- Tribunal Constitucional
- Tribunal de Contas
- Provedoria de Justiça

#### ROMANIA

- Administrația Prezidențială
- Senatul României
- Camera Deputaților
- Inalta Curte de Casație și Justiție
- Curtea Constituțională
- Consiliul Legislativ
- Curtea de Conturi
- Consiliul Superior al Magistraturii
- Parchetul de pe lângă Inalta Curte de Casație și Justiție
- Secretariatul General al Guvernului
- Cancelaria primului ministru
- Ministerul Afacerilor Externe
- Ministerul Economiei și Finanțelor
- Ministerul Justiției

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- Ministerul Apărării
- Ministerul Internelor și Reformei Administrative
- Ministerul Muncii, Familiei și Egalității de Sanse
- Ministerul pentru Intreprinderi Mici și Mijlocii, Comerț, Turism și Profesii Liberale
- Ministerul Agriculturii și Dezvoltării Rurale
- Ministerul Transporturilor
- Ministerul Dezvoltării, Lucrărilor Publice și Locuinței
- Ministerul Educației Cercetării și Tineretului
- Ministerul Sănătății Publice
- Ministerul Culturii și Cultelor
- Ministerul Comunicațiilor și Tehnologiei Informației
- Ministerul Mediului și Dezvoltării Durabile
- Serviciul Român de Informații
- Serviciul de Informații Externe
- Serviciul de Protecție și Pază
- Serviciul de Telecomunicații Speciale
- Consiliul Național al Audiovizualului
- Consiliul Concurenței (CC)
- Direcția Națională Anticorupție
- Inspectoratul General de Poliție
- Autoritatea Națională pentru Reglementarea și Monitorizarea Achizițiilor Publice
- Consiliul Național de Soluționare a Contestațiilor
- Autoritatea Națională de Reglementare pentru Serviciile Comunitare de Utilități Publice(ANRSC)
- Autoritatea Națională Sanitară Veterinară și pentru Siguranța Alimentelor
- Autoritatea Națională pentru Protecția Consumatorilor
- Autoritatea Navală Română
- Autoritatea Feroviară Română
- Autoritatea Rutieră Română
- Autoritatea Națională pentru Protecția Drepturilor Copilului
- Autoritatea Națională pentru Persoanele cu Handicap
- Autoritatea Națională pentru Turism
- Autoritatea Națională pentru Restituirea Proprietăților
- Autoritatea Națională pentru Tineret
- Autoritatea Națională pentru Cercetare Stiințifică
- Autoritatea Națională pentru Reglementare în Comunicații și Tehnologia Informației
- Autoritatea Națională pentru Serviciile Societății Informaționale
- Autoritatea Electorală Permanente
- Agenția pentru Strategii Guvernamentale
- Agenția Națională a Medicamentului
- Agenția Națională pentru Sport
- Agenția Națională pentru Ocuparea Forței de Muncă
- Agenția Națională de Reglementare în Domeniul Energiei
- Agenția Română pentru Conservarea Energiei
- Agenția Națională pentru Resurse Minerale

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- Agenția Română pentru Investiții Străine
- Agenția Națională pentru Intreprinderi Mici și Mijlocii și Cooperatie
- Agenția Națională a Funcționarilor Publici
- Agenția Națională de Administrare Fiscală
- Agenția de Compensare pentru Achiziții de Tehnică Specială
- Agenția Națională Anti-doping
- Agenția Nucleară
- Agenția Națională pentru Protecția Familiei
- Agenția Națională pentru Egalitatea de Sanse între Bărbați și Femei
- Agenția Națională pentru Protecția Mediului
- Agenția națională Antidrog

#### SLOVENIA

- Predsednik Republike Slovenije
- Državni zbor Republike Slovenije
- Državni svet Republike Slovenije
- Varuh človekovih pravic
- Ustavno sodišče Republike Slovenije
- Računsko sodišče Republike Slovenije
- Državna revizijska komisija za revizijo postopkov oddaje javnih naročil
- Slovenska akademija znanosti in umetnosti
- Vladne službe
- Ministrstvo za finance
- Ministrstvo za notranje zadeve
- Ministrstvo za zunanje zadeve
- Ministrstvo za obrambo
- Ministrstvo za pravosodje
- Ministrstvo za gospodarstvo
- Ministrstvo za kmetijstvo, gozdarstvo in prehrano
- Ministrstvo za promet
- Ministrstvo za okolje in, prostor
- Ministrstvo za delo, družino in socialne zadeve
- Ministrstvo za zdravje
- Ministrstvo za javno upravo
- Ministrstvo za šolstvo in šport
- Ministrstvo za visoko šolstvo, znanost in tehnologijo
- Ministrstvo za kulturo
- Vrhovno sodišče Republike Slovenije
- višja sodišča
- okrožna sodišča
- okrajna sodišča
- Vrhovno državno tožilstvo Republike Slovenije
- Okrožna državna tožilstva
- Državno pravobranilstvo
- Upravno sodišče Republike Slovenije
- Višje delovno in socialno sodišče



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- delovna sodišča
- Davčna uprava Republike Slovenije
- Carinska uprava Republike Slovenije
- Urad Republike Slovenije za preprečevanje pranja denarja
- Urad Republike Slovenije za nadzor prirejanja iger na srečo
- Uprava Republike Slovenije za javna plačila
- Urad Republike Slovenije za nadzor proračuna
- Policija
- Inšpektorat Republike Slovenije za notranje zadeve
- General štab Slovenske vojske
- Uprava Republike Slovenije za zaščito in reševanje
- Inšpektorat Republike Slovenije za obrambo
- Inšpektorat Republike Slovenije za varstvo pred naravnimi in drugimi nesrečami
- Uprava Republike Slovenije za izvrševanje kazenskih sankcij
- Urad Republike Slovenije za varstvo konkurence
- Urad Republike Slovenije za varstvo potrošnikov
- Tržni inšpektorat Republike Slovenije
- Urad Republike Slovenije za intelektualno lastnino
- Inšpektorat Republike Slovenije za elektronske komunikacije, elektronsko podpisovanje in pošto
- Inšpektorat za energetiko in rudarstvo
- Agencija Republike Slovenije za kmetijske trge in razvoj podeželja
- Inšpektorat Republike Slovenije za kmetijstvo, gozdarstvo in hrano
- Fitosanitarna uprava Republike Slovenije
- Veterinarska uprava Republike Slovenije
- Uprava Republike Slovenije za pomorstvo
- Direkcija Republike Slovenije za caste
- Prometni inšpektorat Republike Slovenije
- Direkcija za vodenje investicij v javno železniško infrastrukturo
- Agencija Republike Slovenije za okolje
- Geodetska uprava Republike Slovenije
- Uprava Republike Slovenije za jedrsko varstvo
- Inšpektorat Republike Slovenije za okolje in prostor
- Inšpektorat Republike Slovenije za delo
- Zdravstveni inšpektorat
- Urad Republike Slovenije za kemikalije
- Uprava Republike Slovenije za varstvo pred sevanji
- Urad Republike Slovenije za meroslovje
- Urad za visoko šolstvo
- Urad Republike Slovenije za mladino
- Inšpektorat Republike Slovenije za šolstvo in šport
- Arhiv Republike Slovenije
- Inšpektorat Republike Slovenije za kulturo in medije
- Kabinet predsednika Vlade Republike Slovenije
- Generalni sekretariat Vlade Republike Slovenije

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- Služba vlade za zakonodajo
- Služba vlade za evropske zadeve
- Služba vlade za lokalno samoupravo in regionalno politiko
- Urad vlade za komuniciranje
- Urad za enake možnosti
- Urad za verske skupnosti
- Urad za narodnosti
- Urad za makroekonomske analize in razvoj
- Statistični urad Republike Slovenije
- Slovenska obveščevalno-varnostna agencija
- Protokol Republike Slovenije
- Urad za varovanje tajnih podatkov
- Urad za Slovence v zamejstvu in po svetu
- Služba Vlade Republike Slovenije za razvoj
- Informacijski pooblaščenec
- Državna volilna komisija

#### SLOVAKIA

Ministries and other central government authorities referred to as in Act No 575/2001 Coll. on the structure of activities of the Government and central state administration authorities in wording of later regulations:

- Kancelária Prezidenta Slovenskej republiky
- Národná rada Slovenskej republiky
- Ministerstvo hospodárstva Slovenskej republiky
- Ministerstvo financií Slovenskej republiky
- Ministerstvo dopravy, pôšt a telekomunikácií Slovenskej republiky
- Ministerstvo pôdohospodárstva Slovenskej republiky
- Ministerstvo výstavby a regionálneho rozvoja Slovenskej republiky
- Ministerstvo vnútra Slovenskej republiky
- Ministerstvo obrany Slovenskej republiky
- Ministerstvo spravodlivosti Slovenskej republiky
- Ministerstvo zahraničných vecí Slovenskej republiky
- Ministerstvo práce, sociálnych vecí a rodiny Slovenskej republiky
- Ministerstvo životného prostredia Slovenskej republiky
- Ministerstvo školstva Slovenskej republiky
- Ministerstvo kultúry Slovenskej republiky
- Ministerstvo zdravotníctva Slovenskej republiky
- Úrad vlády Slovenskej republiky
- Protimonopolný úrad Slovenskej republiky
- Štatistický úrad Slovenskej republiky
- Úrad geodézie, kartografie a katastra Slovenskej republiky
- Úrad jadrového dozoru Slovenskej republiky
- Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky
- Úrad pre verejné obstarávanie
- Úrad priemyselného vlastníctva Slovenskej republiky
- Správa štátnych hmotných rezerv Slovenskej republiky

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- Národný bezpečnostný úrad
  - Ústavný súd Slovenskej republiky
  - Najvyšší súd Slovenskej republiky
  - Generálna prokuratúra Slovenskej republiky
  - Najvyšší kontrolný úrad Slovenskej republiky
  - Telekomunikačný úrad Slovenskej republiky
  - Úrad priemyselného vlastníctva Slovenskej republiky
  - Úrad pre finančný trh
  - Úrad na ochranu osobných údajov
  - Kancelária verejnej ochrany práv
- FINLAND
- Oikeuskanslerinvirasto — Justitiekanslersämbetet
  - Liikenne- Ja Viestintäministeriö — Kommunikationsministeriet
    - Ajoneuvohallintokeskus AKE — Fordonsförvaltningscentralen AKE
    - Ilmailuhallinto — Luftfartsförvaltningen
    - Ilmatieteen laitos — Meteorologiska institutet
    - Merenkulkulaitos — Sjöfartsverket
    - Merentutkimuslaitos — Havsforskningsinstitutet
    - Ratahallintokeskus RHK — Banförvaltningscentralen RHK
    - Rautatievirasto — Järnvägsverket
    - Tiehallinto — Vägförvaltningen
    - Viestintävirasto — Kommunikationsverket
  - Maa- Ja Metsätalousministeriö — Jord- Och Skogsbruksministeriet
    - Elintarviketurvallisuusvirasto — Livsmedelssäkerhetsverket
    - Maanmittauslaitos — Lantmäteriverket
    - Maaseutuvirasto — Landsbygdsverket
  - Oikeusministeriö — Justitieministeriet
    - Tietosuojavaltuutetun toimisto — Dataombudsmannens byrå
    - Tuomioistuimet — domstolar
    - Korkein oikeus — Högsta domstolen
    - Korkein hallinto-oikeus — Högsta förvaltningsdomstolen
    - Hovioikeudet — hovrätter
    - Käräjäoikeudet — tingsrätter
    - Hallinto-oikeudet — förvaltningsdomstolar
    - Markkinaoikeus — Marknadsdomstolen
    - Työtuomioistuin — Arbetsdomstolen
    - Vakuutus-oikeus — Försäkringsdomstolen
    - Kuluttajariitalautakunta — Konsumenttvistenämnden
    - Vankeinhoitolaitos — Fångvårdsväsendet
    - HEUNI — Yhdistyneiden Kansakuntien yhteydessä toimiva Euroopan kriminaalipolitiikan instituutti — HEUNI — Europeiska institutet för kriminalpolitik, verksamt i anslutning till Förenta Nationerna
    - Konkurssiasiamiehen toimisto — Konkursombudsmannens byrå
    - Kuluttajariitalautakunta — Konsumenttvistenämnden
    - Oikeushallinnon palvelukeskus — Justitieförvaltningens servicecentral

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- Oikeushallinnon tietotekniikkakeskus — Justitieförvaltningens datateknikcentral
- Oikeuspoliittinen tutkimuslaitos (Optula) — Rättspolitiska forskningsinstitutet
- Oikeusrekisterikeskus — Rättsregistercentralen
- Onnettomuustutkintakeskus — Centralen för undersökning av olyckor
- Rikosseuraamusvirasto — Brottspåföljdsverket
- Rikosseuraamusalan koulutuskeskus — Brottspåföljdsområdets utbildningscentral
- Rikoksantorjuntaneuvosto Rådet för brottsförebyggande
- Saamelaiskäräjät — Sametinget
- Valtakunnansyyttäjänvirasto — Riksåklagarämbetet
- Vankeinhoitolaitos — Fångvårdsväsendet
- Opetusministeriö — Undervisningsministeriet
- Opetushallitus — Utbildningsstyrelsen
- Valtion elokuvatarkastamo — Statens filmgranskningsbyrå
- Puolustusministeriö — Försvarsministeriet
- Puolustusvoimat — Försvarsmakten
- Sisäasiainministeriö — Inrikesministeriet
- Väestörekisterikeskus — Befolkningsregistercentralen
- Keskusrikospoliisi — Centralkriminalpolisen
- Liikkuva poliisi — Rörliga polisen
- Rajavartiolaitos — Gränsbevakningsväsendet
- Läninhallitukset — Länstyrelserna
- Suojelupoliisi — Skyddspolisen
- Poliisiammattikorkeakoulu — Polisyrkeshögskolan
- Poliisin tekniikkakeskus — Polisens teknikcentral
- Poliisin tietohallintokeskus — Polisens datacentral
- Helsingin kihlakunnan poliisilaitos — Polisinrättningen i Helsingfors
- Pelastusopisto — Räddningsverket
- Hätaikeskuslaitos — Nödcentralverket
- Maahanmuuttovirasto — Migrationsverket
- Sisäasiainhallinnon palvelukeskus — Inrikesförvaltningens servicecentral
- Sosiaali- Ja Terveysministeriö — Social- Och Hälsovårdsministeriet
- Työttömyysturvan muutoksenhakulautakunta — Besvärnämnden för utkomstskyddsärenden
- Sosiaaliturvan muutoksenhakulautakunta — Besvärnämnden för socialtrygghet
- Lääkelaitos — Läkemedelsverket
- Terveysturvakeskus — Rättsskyddscentralen för hälsovården
- Säteilyturvakeskus — Strålsäkerhetscentralen
- Kansanterveyslaitos — Folkhälsoinstitutet
- Lääkehoidon kehittämiskeskus ROHTO — Utvecklingscentralen för läkemedelsbe-handling

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- Sosiaali- ja terveydenhuollon tuotevalvontakeskus — Social- och hälsovårdens produktill-synscentral
  - Sosiaali- ja terveystieteiden tutkimus- ja kehittämiskeskus Stakes — Forsknings- och utvecklingscentralen för social- och hälsovården Stakes
  - Vakuutusvalvontavirasto — Försäkringsinspektionen
  - Työ- ja Elinkeinoministeriö — Arbets- Och Näringsministeriet
  - Kuluttajavirasto — Konsumentverket
  - Kilpailuvirasto — Konkurrensverket
  - Patenti- ja rekisterihallitus — Patent- och registerstyrelsen
  - Valtakunnansovittelijain toimisto — Riksförlikningsmännens byrå
  - Valtion turvapaikanhakijoiden vastaanottokeskukset — Statliga förläggningar för asylsökande
  - Energi- ja energiamarkkinavirasto — Energimarknadsverket
  - Geologian tutkimuskeskus — Geologiska forskningscentralen
  - Huoltovarmuuskeskus — Försörjningsberedskapscentralen
  - Kuluttajatutkimuskeskus — Konsumentforskningscentralen
  - Matkailun edistämiskeskus (MEK) — Centralen för turistfrämjande
  - Mittatekniikan keskus (MIKES) — Mätteknikcentralen
  - Tekes — teknologian ja innovaatioiden kehittämiskeskus — Tekes — utvecklingscentralen för teknologi och innovationer
  - Turvatekniikan keskus (TUKES) — Säkerhetsteknikcentralen
  - Valtion teknillinen tutkimuskeskus (VTT) — Statens tekniska forskningscentral
  - Syrjintälautakunta — Nationella diskrimineringsnämnden
  - Työneuvosto — Arbetsrådet
  - Vähemmistövaltuutetun toimisto — Minoritetsombudsmännens byrå
  - Ulkoasiainministeriö — Utrikesministeriet
  - Valtioneuvoston Kanslia — Statsrådets Kansli
  - Valtiovarainministeriö — Finansministeriet
    - Valtiokonttori — Statskontoret
    - Verohallinto — Skatteförvaltningen
    - Tullilaitos — Tullverket
    - Tilastokeskus — Statistikcentralen
    - Valtiontaloudellinen tutkimuskeskus — Statens ekonomiska forskningscentral
  - Ympäristöministeriö — Miljöministeriet
    - Suomen ympäristökeskus — Finlands miljöcentral
    - Asumisen rahoitus- ja kehityskeskus — Finansierings- och utvecklingscentralen för boendet
  - Valtiontalouden tarkastusvirasto — Statens Revisionsverk
- SWEDEN
- A
- Affärsverket svenska kraftnät
  - Akademien för de fria konsterna
  - Alkohol- och läkemedelssortiments-nämnden
  - Allmänna pensionsfonden

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- Allmänna reklamationsnämnden
- Ambassader
- Ansvarsnämnd, statens
- Arbetsdomstolen
- Arbetsförmedlingen
- Arbetsgivarverk, statens
- Arbetstillsynsinstitutet
- Arbetsmiljöverket
- Arkitekturmuseet
- Arrendenämnder
- Arvsfondsdelegationen
- Arvsfondsdelegationen
- B
- Banverket
- Barnombudsmannen
- Beredning för utvärdering av medicinsk metodik, statens
- Bergsstaten
- Biografbyrå, statens
- Biografiskt lexikon, svenskt
- Birgittaskolan
- Blekinge tekniska högskola
- Bokföringsnämnden
- Bolagsverket
- Bostadsnämnd, statens
- Bostadskreditnämnd, statens
- Boverket
- Brottsförebyggande rådet
- Brottsoffermyndigheten
- C
- Centrala studiestödsnämnden
- D
- Danshögskolan
- Datainspektionen
- Departementen
- Domstolsverket
- Dramatiska institutet
- E
- Ekeskolan
- Ekobrottsmyndigheten
- Ekonomistyrningsverket
- Ekonomiska rådet
- Elsäkerhetsverket
- Energimarknadsinspektionen
- Energimyndighet, statens
- EU/FoU-rådet
- Exportkreditnämnden

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- Exportråd, Sveriges
- F
- Fastighetsmäklarnämnden
- Fastighetsverk, statens
- Fideikommissnämnden
- Finansinspektionen
- Finanspolitiska rådet
- Finsk-svenska gränsälvskommissionen
- Fiskeriverket
- Flygmedicincentrum
- Folkhälsoinstitut, statens
- Fonden för fukt- och mögelskador
- Forskningsrådet för miljö, areella näringar och samhällsbyggande, Formas
- Folke Bernadotte Akademin
- Forskarskattenämnden
- Forskningsrådet för arbetsliv och socialvetenskap
- Fortifikationsverket
- Forum för levande historia
- Försvarets materielverk
- Försvarets radioanstalt
- Försvarets underrättelsenämnd
- Förvarshistoriska museer, statens
- Förvarshögskolan
- Förvarsmakten
- Försäkringskassan
- G
- Gentekniknämnden
- Geologiska undersökning
- Geotekniska institut, statens
- Giftinformationscentralen
- Glesbygdsverket
- Grafiska institutet och institutet för högre kommunikation- och reklamutbildning
- Granskningsnämnden för radio och TV
- Granskningsnämnden för försvarsuppfinningar
- Gymnastik- och Idrottshögskolan
- Göteborgs universitet
- H
- Handelsflottans kultur- och fritidsråd
- Handelsflottans pensionsanstalt
- Handelssekreterare
- Handelskamrar, auktoriserade
- Handikappombudsmannen
- Handikappråd, statens
- Harpsundsnämnden
- Haverikommission, statens
- Historiska museer, statens

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- Hjälpmedelsinstitutet
- Hovrätterna
- Hyresnämnder
- Häktena
- Hälsa- och sjukvårdens ansvarsnämnd
- Högskolan Dalarna
- Högskolan i Borås
- Högskolan i Gävle
- Högskolan i Halmstad
- Högskolan i Kalmar
- Högskolan i Karlskrona/Ronneby
- Högskolan i Kristianstad
- Högskolan i Skövde
- Högskolan i Trollhättan/Uddevalla
- Högskolan på Gotland
- Högskolans avskiljandenämnd
- Höskoleverket
- Högsta domstolen
- I
- ILO kommittén
- Inspektionen för arbetslöshetsförsäkringen
- Inspektionen för strategiska produkter
- Institut för kommunikationsanalys, statens
- Institut för psykosocial medicin, statens
- Institut för särskilt utbildningsstöd, statens
- Institutet för arbetsmarknadspolitisk utvärdering
- Institutet för rymdfysik
- Institutet för tillväxtpolitiska studier
- Institutionsstyrelse, statens
- Insättningsgarantinämnden
- Integrationsverket
- Internationella programkontoret för utbildningsområdet
- J
- Jordbruksverk, statens
- Justitiekanslern
- Jämställdhetsombudsmannen
- Jämställdhetsnämnden
- Järnvägar, statens
- Järnvägsstyrelsen
- K
- Kammarkollegiet
- Kammarrätterna
- Karlstads universitet
- Karolinska Institutet
- Kemikalieinspektionen
- Kommerskollegium



- Konjunkturinstitutet
- Konkurrensverket
- Konstfack
- Konsthögskolan
- Konstnärsnämnden
- Konstråd, statens
- Konsulat
- Konsumentverket
- Krigsvetenskapsakademien
- Krigsförsäkringsnämnden
- Kriminaltekniska laboratorium, statens
- Kriminalvården
- Krisberedskapsmyndigheten
- Kristinaskolan
- Kronofogdemyndigheten
- Kulturråd, statens
- Kungl. Biblioteket
- Kungl. Konsthögskolan
- Kungl. Musikhögskolan i Stockholm
- Kungl. Tekniska högskolan
- Kungl. Vitterhets-, historie- och antikvitetsakademien
- Kungl Vetenskapsakademien
- Kustbevakningen
- Kvalitets- och kompetensråd, statens
- Kärnavfallsfondens styrelse
- L
- Lagrådet
- Lantbruksuniversitet, Sveriges
- Lantmäteriverket
- Linköpings universitet
- Livrustkammaren, Skoklosters slott och Hallwylska museet
- Livsmedelsverk, statens
- Livsmedelsekonomiska institutet
- Ljud- och bildarkiv, statens
- Lokala säkerhetsnämnderna vid kärnkraftverk
- Lotteriinspektionen
- Luftfartsverket
- Luftfartsstyrelsen
- Luleå tekniska universitet
- Lunds universitet
- Läkemedelsverket
- Läkemedelsförmånsnämnden
- Länsrätterna
- Länsstyrelserna
- Lärarhögskolan i Stockholm
- M

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- Malmö högskola
- Manillaskolan
- Maritima muséer, statens
- Marknadsdomstolen
- Medlingsinstitutet
- Meteorologiska och hydrologiska institut, Sveriges
- Migrationsverket
- Militärhögskolor
- Mittuniversitetet
- Moderna museet
- Museer för världskultur, statens
- Musikaliska Akademien
- Musiksamlingar, statens
- Myndigheten för handikappolitisk samordning
- Myndigheten för internationella adoptionsfrågor
- Myndigheten för skolutveckling
- Myndigheten för kvalificerad yrkesutbildning
- Myndigheten för nätverk och samarbete inom högre utbildning
- Myndigheten för Sveriges nätuniversitet
- Myndigheten för utländska investeringar i Sverige
- Mälardalens högskola
- N
- Nationalmuseum
- Nationellt centrum för flexibelt lärande
- Naturhistoriska riksmuseet
- Naturvårdsverket
- Nordiska Afrikainstitutet
- Notarienämnden
- Nämnd för arbetstagares uppfinningar, statens
- Nämnden för statligt stöd till trossamfund
- Nämnden för styrelserepresentationsfrågor
- Nämnden mot diskriminering
- Nämnden för elektronisk förvaltning
- Nämnden för RH anpassad utbildning
- Nämnden för hemslöjdsfrågor
- O
- Oljekrisnämnden
- Ombudsmannen mot diskriminering på grund av sexuell läggning
- Ombudsmannen mot etnisk diskriminering
- Operahögskolan i Stockholm
- P
- Patent- och registreringsverket
- Patentbesvärsrätten
- Pensionsverk, statens
- Personregisternämnd statens, SPAR-nämnden
- Pliktverk, Totalförsvarets

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- Polarforskningssekretariatet
- Post- och telestyrelsen
- Premiepensionsmyndigheten
- Presstödsnämnden
- R
- Radio- och TV-verket
- Rederinämnden
- Regeringskansliet
- Regeringsrätten
- Resegarantinämnden
- Registernämnden
- Revisorsnämnden
- Riksantikvarieämbetet
- Riksarkivet
- Riksbanken
- Riksdagsförvaltningen
- Riksdagens ombudsmän
- Riksdagens revisorer
- Riksgäldskontoret
- Rikshemvärnsrådet
- Rikspolisstyrelsen
- Riksrevisionen
- Rikstrafiken
- Riksutställningar, Stiftelsen
- Riksvärderingsnämnden
- Rymdstyrelsen
- Rådet för Europeiska socialfonden i Sverige
- Räddningsverk, statens
- Rättshjälpsmyndigheten
- Rättshjälpsnämnden
- Rättsmedicinalverket
- S
- Samarbetsnämnden för statsbidrag till trossamfund
- Sameskolstyrelsen och sameskolor
- Sametinget
- SIS, Standardiseringen i Sverige
- Sjöfartsverket
- Skatterättsnämnden
- Skatteverket
- Skaderegleringsnämnd, statens
- Skiljenämnden i vissa trygghetsfrågor
- Skogsstyrelsen
- Skogsvårdsstyrelserna
- Skogs och lantbruksakademien
- Skolverk, statens
- Skolväsendets överklagandenämnd

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- Smittskyddsinstitutet
- Socialstyrelsen
- Specialpedagogiska institutet
- Specialskolemyndigheten
- Språk- och folkminnesinstitutet
- Sprängämnesinspektionen
- Statistiska centralbyrån
- Statskontoret
- Stockholms universitet
- Stockholms internationella miljöinstitut
- Strålsäkerhetsmyndigheten
- Styrelsen för ackreditering och teknisk kontroll
- Styrelsen för internationellt utvecklingsamarbete, SIDA
- Styrelsen för Samefonden
- Styrelsen för psykologiskt försvar
- Stängselnämnden
- Svenska institutet
- Svenska institutet för europapolitiska studier
- Svenska ESF rådet
- Svenska Uneskorådet
- Svenska FAO kommittén
- Svenska Språknämnden
- Svenska Skeppshypotekskassan
- Svenska institutet i Alexandria
- Sveriges författarfond
- Säkerhetspolisen
- Säkerhets- och integritetsskyddsnämnden
- Södertörns högskola
- T
- Taltidningsnämnden
- Talboks- och punktskriftsbiblioteket
- Teaterhögskolan i Stockholm
- Tingsrätterna
- Tjänstepensions och grupplivnämnd, statens
- Tjänsteförslagsnämnden för domstolsväsendet
- Totalförsvarets forskningsinstitut
- Totalförsvarets pliktverk
- Tullverket
- Turistdelegationen
- U
- Umeå universitet
- Ungdomsstyrelsen
- Uppsala universitet
- Utlandslönenämnd, statens
- Utlänningsnämnden
- Utrikesförvaltningens antagningsnämnd

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- Utrikesnämnden
- Utsädeskontroll, statens
- V
- Valideringsdelegationen
- Valmyndigheten
- Vatten- och avloppsnämnd, statens
- Vattenöverdomstolen
- Verket för förvaltningsutveckling
- Verket för högskoleservice
- Verket för innovationssystem (VINNOVA)
- Verket för näringslivsutveckling (NUTEK)
- Vetenskapsrådet
- Veterinärmedicinska anstalt, statens
- Veterinära ansvarsnämnden
- Väg- och transportforskningsinstitut, statens
- Vägverket
- Vänerskolan
- Växjö universitet
- Växsortsnämnd, statens
- Å
- Åklagarmyndigheten
- Åsbackaskolan
- Ö
- Örebro universitet
- Örlogsmannasällskapet
- Östervångsskolan
- Överbefälhavaren
- Överklagandenämnden för högskolan
- Överklagandenämnden för nämndemanna-uppdrag
- Överklagandenämnden för studiestöd
- Överklagandenämnden för totalförsvaret
- UNITED KINGDOM
- Cabinet Office
  - Office of the Parliamentary Counsel
- Central Office of Information
- Charity Commission
- Crown Estate Commissioners (Vote Expenditure Only)
- Crown Prosecution Service
- Department for Business, Enterprise and Regulatory Reform
  - Competition Commission
  - Gas and Electricity Consumers' Council
  - Office of Manpower Economics
- Department for Children, Schools and Families
- Department of Communities and Local Government
  - Rent Assessment Panels
- Department for Culture, Media and Sport

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- British Library
- British Museum
- Commission for Architecture and the Built Environment
- The Gambling Commission
- Historic Buildings and Monuments Commission for England (English Heritage)
- Imperial War Museum
- Museums, Libraries and Archives Council
- National Gallery
- National Maritime Museum
- National Portrait Gallery
- Natural History Museum
- Science Museum
- Tate Gallery
- Victoria and Albert Museum
- Wallace Collection
- Department for Environment, Food and Rural Affairs
  - Agricultural Dwelling House Advisory Committees
  - Agricultural Land Tribunals
  - Agricultural Wages Board and Committees
  - Cattle Breeding Centre
  - Countryside Agency
  - Plant Variety Rights Office
  - Royal Botanic Gardens, Kew
  - Royal Commission on Environmental Pollution
- Department of Health
  - Dental Practice Board
  - National Health Service Strategic Health Authorities
  - NHS Trusts
  - Prescription Pricing Authority
- Department for Innovation, Universities and Skills
  - Higher Education Funding Council for England
  - National Weights and Measures Laboratory
  - Patent Office
- Department for International Development
- Department of the Procurator General and Treasury Solicitor
  - Legal Secretariat to the Law Officers
- Department for Transport
  - Maritime and Coastguard Agency
- Department for Work and Pensions
  - Disability Living Allowance Advisory Board
  - Independent Tribunal Service
  - Medical Boards and Examining Medical Officers (War Pensions)
  - Occupational Pensions Regulatory Authority
  - Regional Medical Service

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- Social Security Advisory Committee
- Export Credits Guarantee Department
- Foreign and Commonwealth Office
  - Wilton Park Conference Centre
- Government Actuary's Department
- Government Communications Headquarters
- Home Office
  - HM Inspectorate of Constabulary
- House of Commons
- House of Lords
- Ministry of Defence
  - Defence Equipment & Support
  - Meteorological Office
- Ministry of Justice
  - Boundary Commission for England
  - Combined Tax Tribunal
  - Council on Tribunals
  - Court of Appeal — Criminal
  - Employment Appeals Tribunal
  - Employment Tribunals
  - HMCS Regions, Crown, County and Combined Courts (England and Wales)
  - Immigration Appellate Authorities
  - Immigration Adjudicators
  - Immigration Appeals Tribunal
  - Lands Tribunal
  - Law Commission
  - Legal Aid Fund (England and Wales)
  - Office of the Social Security Commissioners
  - Parole Board and Local Review Committees
  - Pensions Appeal Tribunals
  - Public Trust Office
  - Supreme Court Group (England and Wales)
  - Transport Tribunal
- The National Archives
- National Audit Office
- National Savings and Investments
- National School of Government
- Northern Ireland Assembly Commission
- Northern Ireland Court Service
  - Coroners Courts
  - County Courts
  - Court of Appeal and High Court of Justice in Northern Ireland
  - Crown Court
  - Enforcement of Judgements Office
  - Legal Aid Fund

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- Magistrates' Courts
- Pensions Appeals Tribunals
- Northern Ireland, Department for Employment and Learning
- Northern Ireland, Department for Regional Development
- Northern Ireland, Department for Social Development
- Northern Ireland, Department of Agriculture and Rural Development
- Northern Ireland, Department of Culture, Arts and Leisure
- Northern Ireland, Department of Education
- Northern Ireland, Department of Enterprise, Trade and Investment
- Northern Ireland, Department of the Environment
- Northern Ireland, Department of Finance and Personnel
- Northern Ireland, Department of Health, Social Services and Public Safety
- Northern Ireland, Office of the First Minister and Deputy First Minister
- Northern Ireland Office
  - Crown Solicitor's Office
  - Department of the Director of Public Prosecutions for Northern Ireland
  - Forensic Science Laboratory of Northern Ireland
  - Office of the Chief Electoral Officer for Northern Ireland
  - Police Service of Northern Ireland
  - Probation Board for Northern Ireland
  - State Pathologist Service
- Office of Fair Trading
- Office for National Statistics
  - National Health Service Central Register
- Office of the Parliamentary Commissioner for Administration and Health Service Commissioners
- Paymaster General's Office
- Postal Business of the Post Office
- Privy Council Office
- Public Record Office
- HM Revenue and Customs
  - The Revenue and Customs Prosecutions Office
- Royal Hospital, Chelsea
- Royal Mint
- Rural Payments Agency
- Scotland, Auditor-General
- Scotland, Crown Office and Procurator Fiscal Service
- Scotland, General Register Office
- Scotland, Queen's and Lord Treasurer's Remembrancer
- Scotland, Registers of Scotland
- The Scotland Office
- The Scottish Ministers
  - Architecture and Design Scotland
  - Crofters Commission
  - Deer Commission for Scotland



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- Lands Tribunal for Scotland
- National Galleries of Scotland
- National Library of Scotland
- National Museums of Scotland
- Royal Botanic Garden, Edinburgh
- Royal Commission on the Ancient and Historical Monuments of Scotland
- Scottish Further and Higher Education Funding Council
- Scottish Law Commission
- Community Health Partnerships
- Special Health Boards
- Health Boards
- The Office of the Accountant of Court
- High Court of Justiciary
- Court of Session
- HM Inspectorate of Constabulary
- Parole Board for Scotland
- Pensions Appeal Tribunals
- Scottish Land Court
- Sheriff Courts
- Scottish Police Services Authority
- Office of the Social Security Commissioners
- The Private Rented Housing Panel and Private Rented Housing Committees
- Keeper of the Records of Scotland
- The Scottish Parliamentary Body Corporate
- HM Treasury
  - Office of Government Commerce
  - United Kingdom Debt Management Office
- The Wales Office (Office of the Secretary of State for Wales)
- The Welsh Ministers
  - Higher Education Funding Council for Wales
  - Local Government Boundary Commission for Wales
  - The Royal Commission on the Ancient and Historical Monuments of Wales
  - Valuation Tribunals (Wales)
  - Welsh National Health Service Trusts and Local Health Boards
  - Welsh Rent Assessment Panels]

## ANNEX V

### LIST OF PRODUCTS REFERRED TO IN ARTICLE 7 WITH REGARD TO CONTRACTS AWARDED BY CONTRACTING AUTHORITIES IN THE FIELD OF DEFENCE<sup>(32)</sup>

Chapter 25:	Salt, sulphur, earths and stone, plastering materials, lime and cement
Chapter 26:	Metallic ores, slag and ash

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Chapter 27:	Mineral fuels, mineral oils and products of their distillation, bituminous substances, mineral waxes except: ex 27.10: special engine fuels
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
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

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	similar articles, modelling pastes and ‘dental waxes’
Chapter 35:	Albuminoidal substances, glues, enzymes
Chapter 37:	Photographic and cinematographic goods
Chapter 38:	Miscellaneous chemical products, except: ex 38.19: toxic products
Chapter 39:	Artificial resins and plastic materials, celluloses esters and ethers, articles thereof, except: ex 39.03: explosives
Chapter 40:	Rubber, synthetic rubber, factice, and articles thereof, except: ex 40.11: bullet-proof tyres
Chapter 41:	Raw hides and skins (other than furskins) and leather
Chapter 42:	Articles of leather, saddlery and harness, travel goods, handbags and similar containers, articles of animal gut (other than silk-worm gut)
Chapter 43:	Furskins and artificial fur, manufactures thereof
Chapter 44:	Wood and articles of wood, wood charcoal
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
Chapter 49:	Printed books, newspapers, pictures and other products of the printing industry, manuscripts, typescripts and plans
Chapter 65:	Headgear and parts thereof
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

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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 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 ex 82.07: tools, parts
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 ex 84.55: parts of machines under heading No 84.53 ex 84.59: nuclear reactors
Chapter 85:	Electrical machinery and equipment, parts thereof, except: 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),

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	<p>except:</p> <ul style="list-style-type: none"> <li>ex 86.02: armoured locomotives, electric</li> <li>ex 86.03: other armoured locomotives</li> <li>ex 86.05: armoured wagons</li> <li>ex 86.06: repair wagons</li> <li>ex 86.07: wagons</li> </ul>
Chapter 87:	<p>Vehicles, other than railway or tramway rolling-stock, and parts thereof, except:</p> <ul style="list-style-type: none"> <li>ex 87.08: tanks and other armoured vehicles</li> <li>ex 87.01: tractors</li> <li>ex 87.02: military vehicles</li> <li>ex 87.03: breakdown lorries</li> <li>ex 87.09: motorcycles</li> <li>ex 87.14: trailers</li> </ul>
Chapter 89:	<p>Ships, boats and floating structures, except:</p> <ul style="list-style-type: none"> <li>ex 89.01A: warships</li> </ul>
Chapter 90:	<p>Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus, parts thereof, except:</p> <ul style="list-style-type: none"> <li>ex 90.05: binoculars</li> <li>ex 90.13: miscellaneous instruments, lasers</li> <li>ex 90.14: telemeters</li> <li>ex 90.28: electrical and electronic measuring instruments</li> <li>ex 90.11: microscopes</li> <li>ex 90.17: medical instruments</li> <li>ex 90.18: mechano-therapy appliances</li> <li>ex 90.19: orthopaedic appliances</li> <li>ex 90.20: X-ray apparatus</li> </ul>
Chapter 91:	<p>Manufacture of watches and clocks</p>
Chapter 92:	<p>Musical instruments, sound recorders or reproducers, television image and sound recorders or reproducers, parts and accessories of such articles</p>
Chapter 94:	<p>Furniture and parts thereof, bedding, mattresses, mattress supports, cushions and similar stuffed furnishings, except:</p> <ul style="list-style-type: none"> <li>ex 94.01A: aircraft seats</li> </ul>

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Chapter 95:	Articles and manufactures of carving or moulding material
Chapter 96:	Brooms, brushes, powder-puffs and sieves
Chapter 98:	Miscellaneous manufactured articles

## ANNEX VI

### DEFINITION OF CERTAIN TECHNICAL SPECIFICATIONS

For the purposes of this Directive:

1. (a) ‘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 environmental performance, design for all requirements (including accessibility for disabled persons) and conformity assessment, performance, safety or dimensions, including the procedures concerning quality assurance, terminology, symbols, testing and test methods, packaging, marking and labelling and production processes and methods. 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;
- (b) ‘technical specification’, in the case of public supply or service contracts, means a specification in a document defining the required characteristics of a product or a service, such as quality levels, environmental performance levels, design for all requirements (including accessibility for disabled persons) and conformity assessment, performance, 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, user instructions, production processes and methods and conformity assessment procedures;
2. ‘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 adapted 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;

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3. 'European technical approval' means a favourable technical assessment of the fitness for use of a product for a particular purpose, based on the 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 approvals are issued by an approval body designated for this purpose by the Member State;
4. '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 Union*;
5. 'technical reference': any product produced by European standardisation bodies, other than official standards, according to procedures adopted for the development of market needs.

## ANNEX VII

### INFORMATION TO BE INCLUDED IN NOTICES

#### *ANNEX VII A*

#### INFORMATION WHICH MUST BE INCLUDED IN PUBLIC CONTRACT NOTICES NOTICE OF THE PUBLICATION OF A PRIOR INFORMATION NOTICE ON A BUYER PROFILE

1. Country of the contracting authority
2. Name of the contracting authority
3. Internet address of the 'buyer profile' (URL)
4. CPV Nomenclature reference No(s)

#### PRIOR INFORMATION NOTICE

1. The name, address, fax number and email address of the contracting authority and, if different, of the service from which additional information may be obtained and, in the case of services and works contracts, of the services, e.g. the relevant governmental internet site, from which information can be obtained concerning the general regulatory framework for taxes, environmental protection, employment protection and working conditions applicable in the place where the contract is to be performed.
2. Where appropriate, indicate whether the public contract is restricted to sheltered workshops, or whether its execution is restricted to the framework of protected job programmes.
3. In the case of public works contracts: the nature and extent of the works and the place of execution; if the work is to be subdivided into several lots, the essential characteristics of those lots by reference to the work; if available, an estimate of the range of the cost of the proposed works; Nomenclature reference No(s).

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In the case of public supply contracts: the nature and quantity or value of the products to be supplied, Nomenclature reference No(s).

In the case of public services contracts: the total value of the proposed purchases in each of the service categories in Annex II A; Nomenclature reference No(s).

4. Estimated date for initiating the award procedures in respect of the contract or contracts, in the case of public service contracts by category.
5. Where appropriate, indicate whether a framework agreement is involved.
6. Where appropriate, other information.
7. Date of dispatch of the notice or of dispatch of the notice of the publication of the prior information notice on the buyer profile.
8. Indicate whether the contract is covered by the Agreement.

#### CONTRACT NOTICES

Open and restricted procedures, competitive dialogues, procedures, negotiated procedures:

1. Name, address, telephone and fax number, email address of the contracting authority.
2. Where appropriate, indicate whether the public contract is restricted to sheltered workshops, or whether its execution is restricted to the framework of protected job programmes.
3.
  - (a) The award procedure chosen;
  - (b) Where appropriate, the reasons for use of the accelerated procedure (in restricted and negotiated procedures);
  - (c) Where appropriate, indicate whether a framework agreement is involved;
  - (d) Where appropriate, indicate whether a dynamic purchasing system is involved;
  - (e) Where appropriate, the holding of an electronic auction (in the event of open, restricted or negotiated procedures, in the situation covered by Article 30(1) (a)).
4. Form of the contract.
5. Place of execution/performance of the works, for delivery of products or of the provision of services.
6.
  - (a) 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 recourse to these options as well as the number of possible renewals, if any. If the work or the contract is subdivided into several lots, the size of the different lots; Nomenclature reference number(s),
    - information concerning the purpose of the work or the contract where the latter also involves the drawing up of projects,
    - in the event of a framework agreement, indication also of the planned duration of the framework agreement, the estimated total value of the works for the entire duration of the framework



agreement and, as far as possible, the value and the frequency of the contracts to be awarded.

(b) 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 products to be supplied, indicating in particular options concerning supplementary purchases and, if known, the provisional timetable for recourse to these options as well as the number of renewals, if any. Nomenclature reference number(s),
- in the case of regular or renewable contracts during the course of a given period, indicate also, if known, the timetable for subsequent contracts for purchase of intended supplies,
- in the event of a framework agreement, indication also of the planned duration of the framework agreement, the estimated total value of the supplies for the entire duration of the framework agreement and, as far as possible, the value and the frequency of the contracts to be awarded.

(c) Public service contracts:

- category and description of service. Nomenclature reference number(s). Quantity of services to be provided. Indicate in particular options concerning supplementary purchases and, if known, the provisional timetable for recourse to these options as well as the number of renewals, if any. 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,  
  
in the event of a framework agreement, indication also of the planned duration of the framework agreement, the estimated total value of the services for the entire duration of the framework agreement and, as far as possible, the value and the frequency of the contracts to be awarded,
- 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.

7. If the contracts are subdivided into lots, indication of the possibility of tendering for one, for several or for all the lots.
8. Any time limit for completion of works/supplies/services or duration of the works/supply/services contract; where possible any time limit by which works will begin or any time limit by which delivery of supplies or services will begin.
9. Admission or prohibition of variants.

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10. Where applicable particular conditions to which the performance of the contract is subject.
11. In the case of open procedures:
  - (a) name, address, telephone and telefax number and electronic address of the service from which contract documents and additional documents can be requested;
  - (b) where appropriate, time limit for submission of such requests;
  - (c) where appropriate, cost of and payment conditions for obtaining these documents.
12.
  - (a) Time limit for receipt of tenders or indicative tenders where a dynamic purchasing system is being used (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 texts 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. Selection criteria regarding the personal situation of economic operators that may lead to their exclusion, and required information proving that they do not fall within the cases justifying exclusion. Selection criteria and 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. Minimum level(s) of standards possibly required.
18. Where there is a framework agreement: the number and, where appropriate, proposed maximum number of economic operators who will be members of it, the duration of the framework agreement provided for, stating, if appropriate, the reasons for any duration exceeding four years.
19. In the case of a competitive dialogue or a negotiated procedure with the publication of a contract notice, indicate, if appropriate, recourse to a staged procedure in order gradually to reduce the number of solutions to be discussed or tenders to be negotiated.
20. In the case of a restricted procedure, a competitive dialogue or a negotiated procedure with the publication of a contract notice, when recourse is had to the option of reducing the number of candidates to be invited to submit tenders, to engage in dialogue or to negotiate: minimum and, if appropriate, proposed maximum number of candidates and objective criteria to be used to choose that number of candidates.

21. Time frame during which the tenderer must maintain its tender (open procedures).
22. Where appropriate, names and addresses of economic operators already selected by the contracting authority (negotiated procedures).
23. Criteria referred to in Article 53 to be used for award of the contract: ‘lowest price’ or ‘most economically advantageous tender’. Criteria representing the most economically advantageous tender as well as their weighting shall be mentioned where they do not appear in the specifications or, in the event of a competitive dialogue, in the descriptive document.
24. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning deadlines for lodging appeals, or if need be the name, address, telephone number, fax number and email address of the service from which this information may be obtained.
25. Date(s) of publication of the prior information notice in accordance with the technical specifications of publication indicated in Annex VIII or statement that no such publication was made.
26. Date of dispatch of the notice.
27. Indicate whether the contract is covered by the Agreement.

#### SIMPLIFIED CONTRACT NOTICE FOR USE IN A DYNAMIC PURCHASING SYSTEM

1. Country of contracting authority.
2. Name and e-mail address of contracting authority.
3. Publication reference of the contract notice for the dynamic purchasing system.
4. E-mail address at which the technical specification and additional documents relating to the dynamic purchasing system are available.
5. Subject of contract: description by reference number(s) of ‘CPV’ nomenclature and quantity or extent of the contract to be awarded.
6. Time frame for submitting indicative tenders.

#### 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 (Article 28), justification.
3. Public works contracts: nature and extent of the contract, general characteristics of the work.

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.

4. Date of contract award.
5. Contract award criteria.
6. Number of tenders received.

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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 the notice.
13. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning the deadline for lodging appeals, or if need be the name, address, telephone number, fax number and email address of the service from which this information may be obtained.

#### ANNEX VII B

##### INFORMATION WHICH MUST APPEAR IN PUBLIC WORKS CONCESSION NOTICES

1. Name, address, fax number and email address of the contracting authority
2.
  - (a) Place of execution
  - (b) Subject of the concession; nature and extent of the services
3.
  - (a) Time limit for the submission of applications
  - (b) Address to which they must be sent
  - (c) Language(s) in which they must be written
4. Personal, technical and financial conditions to be met by the candidates
5. Criteria which will be applied in the award of the contract
6. If appropriate, the minimum proportion of the works which will be contracted out
7. Date of dispatch of the notice
8. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning the deadline for lodging appeals, or if need be the name, address, telephone number, fax number and email address of the service from which this information may be obtained.

## ANNEX VII C

### INFORMATION WHICH MUST APPEAR IN WORKS CONTRACT NOTICES OF CONCESSIONNAIRES WHO ARE NOT CONTRACTING AUTHORITIES

1.
  - (a) Place of execution
  - (b) Nature and extent of the services, general characteristics of the works
2. Any time limit for completion imposed
3. Name and address of the body from whom the specifications and the additional documents may be requested
4.
  - (a) Time limit for the receipt of applications to participate and/or the receipt of tenders
  - (b) Address to which they must be sent
  - (c) Language(s) in which they must be written
5. Any deposits or guarantees required
6. Economic and technical conditions to be met by the contractor
7. Criteria which will be applied in the award of the contract
8. Date of dispatch of the notice

## ANNEX VII D

### INFORMATION WHICH MUST APPEAR IN DESIGN CONTEST NOTICES CONTEST NOTICES

1. Name, address, fax number and email address of the contracting authority and those of the service from which the additional documents may be obtained
2. Description of the project
3. Type of contest: open or restricted
4. In the event of an open contest: time limit for the submission of projects
5. In the event of a restricted contest:
  - (a) number of participants contemplated
  - (b) names of the participants already selected, if any
  - (c) criteria for the selection of participants
  - (d) time limit for requests to participate
6. If appropriate, indicate that the participation is restricted to a specified profession
7. Criteria which will be applied in the evaluation of the projects

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8. Names of any members of the jury who have already been selected
  9. Indicate whether the jury's decision is binding on the contracting authority
  10. Number and value of any prizes
  11. Payments to be made to all participants, if any
  12. Indicate whether any contracts following the contest will or will not be awarded to the winner or winners of the contest
  13. Date of dispatch of the notice
- NOTICE OF THE RESULTS OF A CONTEST

1. Name, address, fax number and email address of the contracting authority
2. Description of the project
3. Total number of participants
4. Number of foreign participants
5. Winner(s) of the contest
6. Any prizes
7. Reference of the contest notice
8. Date of dispatch of the notice

## ANNEX VIII

### FEATURES CONCERNING PUBLICATION

1. Publication of notices
  - (a) [<sup>F7</sup>Notices referred to in Articles 35, 58, 64 and 69 must be sent by the contracting authorities to the Office for Official Publications of the European Communities in the format established by implementing measures to be adopted by the Commission in accordance with the procedure referred to Article 77(2).] The prior information notices referred to in Article 35(1), first subparagraph, published on a buyer profile as described in point 2(b), must also use that format, as must the notice of such publication.

.....

**Textual Amendments**

**F7** Substituted by [Commission Directive 2005/51/EC of 7 September 2005 amending Annex XX to Directive 2004/17/EC and Annex VIII to Directive 2004/18/EC of the European Parliament and the Council on public procurement \(Text with EEA relevance\).](#)

- (b) Notices referred to in Articles 35, 58, 64 and 69 are published by the Office for Official Publications of the European Communities or by the contracting authorities in the event of a prior information notice published on a buyer profile in accordance with Article 35(1), first subparagraph.

In addition, contracting authorities may publish this information on the Internet on a ‘buyer profile’ as referred to in point 2(b).

(c) The Office for Official Publications of the European Communities will give the contracting authority the confirmation referred to in Article 36(8).

## 2. Publication of complementary or additional information

(a) Contracting authorities are encouraged to publish the specifications and the additional documents in their entirety on the Internet.

(b) The buyer profile may include prior information notices as referred to in Article 35(1), first subparagraph, 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. Format and procedures for sending notices electronically

The format and procedure for sending notices electronically are accessible at the Internet address ‘<http://simap.eu.int>’.

## ANNEX IX

### REGISTERS

#### ANNEX IX A<sup>(33)</sup>

### PUBLIC WORKS CONTRACTS

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

- in Belgium, the ‘Registre du commerce’/‘Handelsregister’;
- [<sup>F8</sup>in Bulgaria ‘Търговски регистър’;]
- in Denmark, the ‘Erhvervs-og Selskabsstyrelsen’;
- in Germany, the ‘Handelsregister’ and the ‘Handwerksrolle’;
- in Greece, the ‘Μητρώο Εργοληπτικών Επιχειρήσεων’ – ΜΕΕΠ of the Ministry for Environment, Town and Country Planning and Public Works (ΥΠΕΧΩΔΕ);
- in Spain, the ‘Registro Oficial de Empresas Clasificadas del Ministerio de Hacienda’;
- in France, the ‘Registre du commerce et des sociétés’ and the ‘Répertoire des métiers’;
- [<sup>F6</sup>in Croatia, ‘Sudski registar trgovačkih društava u Republici Hrvatskoj’ or ‘Obrtni registar Republike Hrvatske’;]
- in 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;
- in Italy, the ‘Registro della Camera di commercio, industria, agricoltura e artigianato’;
- in Luxembourg, the ‘Registre aux firmes’ and the ‘Rôle de la chambre des métiers’;
- in the Netherlands, the ‘Handelsregister’;

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- in Austria, the ‘Firmenbuch’, the ‘Gewerberegister’, the ‘Mitgliederverzeichnisse der Landeskammern’;
- in Portugal, the ‘Instituto dos Mercados de Obras Públicas e Particulares e do Imobiliário’ (IMOPPI)(CAEOPP);
- [<sup>F8</sup>in Romania ‘Registrul Comerțului’;]
- in Finland, the ‘Kaupparekisteri’/ ‘Handelsregistret’;
- in Sweden, ‘aktiebolags-, handels- eller föreningsregistren’;
- in the United Kingdom, the contractor may be requested to provide a certificate from the Registrar of Companies 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.

#### Textual Amendments

- F8** Inserted by [Council Directive 2006/97/EC of 20 November 2006 adapting certain Directives in the field of free movement of goods, by reason of the accession of Bulgaria and Romania.](#)

## ANNEX IX B

### PUBLIC SUPPLY CONTRACTS

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

- in Belgium, the ‘Registre du commerce/Handelsregister’;
- [<sup>F8</sup>in Bulgaria ‘Търговски регистър’;]
- in Denmark, ‘Erhvervs- og Selskabsstyrelsen’;
- in Germany, the ‘Handelsregister’ and ‘Handwerksrolle’;
- in Greece, the ‘Βιοτεχνικό ή Εμπορικό ή Βιομηχανικό Επιμελητήριο’;
- in Spain, the ‘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, the ‘Registre du commerce et des sociétés’ and ‘Répertoire des métiers’;
- [<sup>F6</sup>in Croatia, ‘Sudski registar trgovačkih društava u Republici Hrvatskoj’ or ‘Obrtni registar Republike Hrvatske’;]
- in 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;
- in Italy, the ‘Registro della Camera di commercio, industria, agricoltura e artigianato’, and ‘Registro delle commissioni provinciali per l'artigianato’;
- in Luxembourg, the ‘Registre aux firmes’ and ‘Rôle de la chambre des métiers’;
- in the Netherlands, the ‘Handelsregister’;
- in Austria, the ‘Firmenbuch’, the ‘Gewerberegister’, the ‘Mitgliederverzeichnisse der Landeskammern’;
- in Portugal, the ‘Registo Nacional das Pessoas Colectivas’;



- [<sup>F8</sup>in Romania ‘Registrul Comerțului’;]
- in Finland, the ‘Kaupparekisteri’ and ‘Handelsregistret’;
- in Sweden, ‘aktiebolags-, handels- eller föreningsregistren’;
- in the United Kingdom, the supplier may be requested to provide a certificate from the Registrar of Companies stating 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 C

### 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’;
- [<sup>F8</sup>in Bulgaria ‘Търговски регистър’;]
- in Denmark, ‘Erhvervs- og Selskabsstyrelsen’;
- in Germany, the ‘Handelsregister’, the ‘Handwerksrolle’, the ‘Vereinsregister’, ‘Partnerschaftsregister’ and the ‘Mitgliedsverzeichnisse der Berufskammern der Ländern’;
- 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 Oficial de Empresas Clasificadas del Ministerio de Hacienda’;
- in France, the ‘Registre du commerce’ and the ‘Répertoire des métiers’;
- [<sup>F6</sup>in Croatia, ‘Sudski registar trgovačkih društava u Republici Hrvatskoj’ or ‘Obrtni registar Republike Hrvatske’;]
- in 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 and under a specific trading name;
- 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’, the ‘Mitgliederverzeichnisse der Landeskammern’;
- in Portugal, the ‘Registo nacional das Pessoas Colectivas’;
- [<sup>F8</sup>in Romania ‘Registrul Comerțului’;]
- in Finland, the ‘Kaupparekisteri’ and ‘Handelsregistret’;
- in Sweden, ‘aktiebolags-, handels- eller föreningsregistren’;

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- in the United Kingdom, the service provider may be requested to provide a certificate from the Registrar of Companies 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 X

### REQUIREMENTS RELATING TO DEVICES FOR THE ELECTRONIC RECEIPT OF TENDERS, REQUESTS FOR PARTICIPATION AND PLANS AND PROJECTS IN CONTESTS

Devices for the electronic receipt of tenders, requests for participation and plans and projects in contests must at least guarantee, through technical means and appropriate procedures, that:

- (a) electronic signatures relating to tenders, requests to participate and the forwarding of plans and projects comply with national provisions adopted pursuant to Directive 1999/93/EC;
- (b) the exact time and date of the receipt of tenders, requests to participate and the submission of plans and projects can be determined precisely;
- (c) it may be reasonably ensured that, before the time limits laid down, no-one can have access to data transmitted under these requirements;
- (d) if that access prohibition is infringed, it may be reasonably ensured that the infringement is clearly detectable;
- (e) only authorised persons may set or change the dates for opening data received;
- (f) during the different stages of the contract award procedure or of the contest access to all data submitted, or to part thereof, must be possible only through simultaneous action by authorised persons;
- (g) simultaneous action by authorised persons must give access to data transmitted only after the prescribed date;
- (h) data received and opened in accordance with these requirements must remain accessible only to persons authorised to acquaint themselves therewith.

## ANNEX XI

### DEADLINES FOR TRANSPOSITION AND APPLICATION (Article 80)

Directives	Deadlines for transposition and application
92/50/CEE (OJ L 209, 24.7.1992, p. 1) Austria, Finland, Sweden <sup>a</sup>	1 July 1993 1 January 1995
93/36/EEC (OJ L 199, 09.08.93, p. 1)	13 June 1994

<sup>a</sup> EEA: 1 January 1994.

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Austria, Finland, Sweden <sup>a</sup>	1 January 1995
93/37/EEC (OJ L 199, 09.08.93, p. 54) consolidation of directives:	
— 71/305/EEC (OJ L 185, 16.08.71, p. 5):	
— EC of 6	30 July 1972
— DK, IRL, UK	1 January 1973
— Greece	1 January 1981
— Spain, Portugal	1 January 1986
— Austria, Finland, Sweden <sup>a</sup>	1 January 1995
— 89/440/EEC (OJ L 210, 21.07.1989, p. 1):	
— EC of 9	19 July 1990
— Greece, Spain, Portugal	1 March 1992
— Austria, Finland, Sweden <sup>a</sup>	1 January 1995
97/52/EC (OJ L 328, 28.11.97, p. 1)	13 October 1998
<sup>a</sup> EEA: 1 January 1994.	

## ANNEX XII

CORRELATION TABLE<sup>(34)</sup>

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/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, point (a)	Art. 1, point (a), first part of sentence	Art. 1, point (a), first and last parts of first sentence	Art. 1, point a)		Amended
Art. 1, par. 2, point (b)	Art. 1, point (a) and point (c), adapted	—	—		

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Art. 1, par. 2, point (c), first subparagraph	—	Art. 1, point (a), second part of the first sentence and second sentence, adapted	—		
Art. 1, par. 2, point (c), second subparagraph	—	Art. 1, point (a), adapted	—		
Art. 1, par. 2, point (d), first subparagraph	—	—	—		New
Art. 1, par. 2, point (d), second subparagraph	—	—	Art. 2, adapted		
Art. 1, par. 2, point (d), third subparagraph	—	—	16th recital adapted		
Art. 1, par. 3	Art. 1, point (d)	—	—		
Art. 1, par. 4	—	—	—		New
Art. 1, par. 5	—	—	—		New
Art. 1, par. 6	—	—	—		New
Art. 1, par. 7	—	—	—		New
Art. 1, par. 8, first subparagraph	—	—	Art. 1, point (c), first sentence adapted		
Art. 1, par. 8, second subparagraph	—	—	—		New
Art. 1, par. 8, third subparagraph	Art. 1, point h)	Art. 1, point (c)	Art. 1, point (c), second sentence		Amended
Art. 1, par. 9	Art. 1, point (b), adapted	Art. 1 point (b), adapted	Art. 1, point (b), adapted		
Art. 1, par. 10	—	—	—		New
Art. 1, par. 11, first subparagraph	Art. 1, point (e), adapted	Art. 1, point (d), adapted	Art. 1, point (d), adapted		

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Art. 1, par. 11, second subparagraph	Art. 1, point (f), adapted	Art. 1, point (e), adapted	Art. 1, point (e), adapted		
Art. 1, par. 11, third subparagraph	—	—	—		New
Art. 1, par. 11, fourth subparagraph	Art. 1, point g), adapted	Art. 1, point (f), adapted	Art. 1, point (f), adapted		
Art. 1, par. 11, fifth subparagraph	—	—	Art. 1, point g), adapted		
Art. 1, par. 12	—	—	—		New
Art. 1, par. 13	—	—	—		New
Art. 1, par. 14	—	—	—		New
Art. 1, par. 15	—	—	—		New
Art. 2	Art. 6, par. 6	Art. 5, par. 7	Art. 3, par. 2		Amended
Art. 3	—	Art. 2, par. 2	—		
Art. 4, par. 1	New	New	Art. 26, par. 2 and 3, adapted		
Art. 4, par. 2	Art. 21 amended	Art. 18 adapted	Art. 26, par. 1 amended		
Art. 5	Art. 33a adapted	Art. 28 amended	Art. 38a adapted		
Art. 6	—	Art. 15, par. 2	—		Amended
Art. 7, points (a) and (b)	—	Art. 5, par. 1, point (a), adapted	Art. 7, par. 1, point (a), adapted		
Art. 7, point (c)	Art. 6, par. 1, point (a), adapted	—	—		
Art. 8	Art. 2 and Art. 6, par. 1, point (b), adapted	—	Art. 3, par. 3 and Art. 7, par. 1, point (a), adapted		
Art. 9, par. 1, first subparagraph	—	Art. 5, par. 5	Art. 7, par. 2 and 7		Amended
Art. 9, par. 1, second subparagraph	—	—	—		New

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Art. 9, par. 2	—	Art. 5, par. 1, point (b)	—		Amended
Art. 9, par. 3	Art. 6, par. 4	Art. 5, par. 6	Art. 7, par. 3, second clause		
Art. 9, par. 4	Art. 6, par. 5, adapted				
Art. 9, par. 5, point (a)	Art. 6, par. 3, adapted	—	Art. 7, par. 4, third subparagraph, adapted		
Art. 9, par. 5, point (b)	—	Art. 5, par. 4	—		Amended
Art. 9, par. 6	—	Art. 5, par. 2	—		
Art. 9, par. 7	—	Art. 5, par. 3	Art. 7, par. 6		
Art. 9, par. 8, point (a)	—	—	Art. 7, par. 4,		Amended
Art. 9, par. 8, point (b)	—	—	Art. 7, par. 5,		Amended
Art. 9, par. 9	—	—	—		New
Art. 10	New	Art. 3 adapted	Art. 4, par. 1 adapted		
Art. 11	—	—	—		New
Art. 12	Art. 4, point (a)	Art. 2, point (a)	Art. 1, point (a) (ii)		Amended
Art. 13	—	—	—		New
Art. 14	Art. 4, point (b)	Art. 2, par. 1, point (b)	Art. 4, par. 2		
Art. 15, point (a)	Art. 5, point (a) adapted	Art. 4, point (a) adapted	Art. 5, point (a) adapted		
Art. 15, points (b) and (c)	Art. 5, points (b) and (c)	Art. 4, points (b) and (c)	Art. 5, points (b) and (c)		
Art. 16	—	—	Art. 1, point (a), (iii) to (ix), adapted		
Art. 17	—	—	—		New
Art. 18	—	—	Art. 6		Amended
Art. 19	—	—	—		New
Art. 20	—	—	Art. 8		
Art. 21			Art. 9		

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Art. 22	—	—	Art. 10		
Art. 23	Art. 10	Art. 8	Art. 14		Amended
Art. 24, par. 1 to 4, first subparagraph	Art. 19	Art. 16, par. 1,	Art. 24, par. 1		Amended
Art. 24, par. 4, second subparagraph	—	Art. 16, par. 2, adapted	Art. 24, par. 2, adapted		
Art. 25, first paragraph	Art. 20, first paragraph	Art. 17, first paragraph	Art. 25, first paragraph		Amended
Art. 25, second paragraph	Art. 20, second paragraph	Art. 17, second paragraph	Art. 25, second paragraph		
Art. 26	—	—	—		New
Art. 27, first paragraph	Art. 23, par. 1	—	Art. 28, par. 1		Amended
Art. 27, second and third paragraphs	Art. 23, par. 2	—	Art. 28, par. 2		
Art. 28, first paragraph	Art. 7, par. 1 adapted	Art. 6, par. 1 adapted	Art. 11, par. 1 adapted		
Art. 28, second paragraph	Art. 7, par. 4	Art. 6, par. 4	Art. 11, par. 4		Amended
Art. 29	—	—	—		New
Art. 30, par. 1, point (a)	Art. 7, par. 2, point (a)	Art. 6, par. 2	Art. 11, par. 2, point (a)		
Art. 30, par. 1, point (b)	Art. 7, par. 2, point (c)	New	Art. 11, par. 2, point (b)		
Art. 30, par. 1, point (c)		—	Art. 11, par. 2, point (c)		
Art. 30, par. 1, point (d)	Art. 7, par. 2, point (b)	—	—		
Art. 30, paragraphs 2, 3 and 4	—	—	—		New
Art. 31, point (1), point (a)	Art. 7, par. 3 point (a)	Art. 6, par. 3, point (a)	Art. 11, par. 3, point (a)		
Art. 31, point (1), point (b)	Art. 7, par. 3, point (b)	Art. 6, par. 3, point (c)	Art. 11, par. 3, point (b)		

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Art. 31, point (1), point (c)	Art. 7, par. 3, point (c)	Art. 6, par. 3, point (d)	Art. 11, par. 3, point (d)		
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 (2), point (c)	—	New	—		
Art. 31, point (2), point (d)	—	New	—		
Art. 31, point (3)	—	—	Art. 11, par. 3, point (c)		
Art. 31, point (4), point (a)	Art. 7, par. 3, point (d)	—	Art. 11, par. 3, point (e)		
Art. 31, point (4), point (b)	Art. 7, par. 3, point (e)	—	Art. 11, par. 3, point (f)		
Art. 32	—	—	—		New
Art. 33	—	—	—		New
Art. 34, first and second paragraphs	Art. 9, first and second paragraphs	—	—		
Art. 34, third paragraph	Art. 9, third paragraph				Amended
Art. 35, par. 1, first subparagraph, point (a), first subparagraph	—	Art. 9, par. 1, first subparagraph	—		
Art. 35, par. 1, first subparagraph, point (a), second subparagraph	—	Art. 9, par. 1, second subparagraph, first sentence	—		Amended
Art. 35, par. 1, first subparagraph, point (b)	—	—	Art. 15, par. 1		
Art. 35, par. 1, first subparagraph, point (c)	Art. 11, par. 1	—	—		



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Art. 35, par. 1, second subparagraph	—	Art. 9, par. 5, second subparagraph	Art. 17, par. 2, second subparagraph		Amended
Art. 35, par. 1, third subparagraph	Art. 11, par. 7, second subparagraph	—	—		Amended
Art. 35, par. 1, fourth, fifth and sixth subparagraphs	—	—	—		New
Art. 35, par. 2	Art. 11, par. 2	Art. 9, par. 2	Art. 15, par. 2		Amended
Art. 35, par. 3	—	—	—		New
Art. 35, par. 4, first subparagraph	Art. 11, par. 5, first sentence	Art. 9, par. 3, first sentence	Art. 16, par. 1		Amended
Art. 35, par. 4, second and third subparagraphs	—	—	—		New
Art. 35, par. 4, fourth subparagraph			Art. 16, par. 3 and 4		
Art. 35, par. 4, fifth subparagraph	Art. 11, par. 5, second sentence	Art. 9, par. 3, second sentence	Art. 16, par. 5		Amended
Art. 36, par. 1	Art. 11, par. 6, first subparagraph, adapted	Art. 9, par. 4, first sentence, adapted	Art. 17, par. 1, first sentence, adapted		
Art. 36, par. 2, first subparagraph	Art. 11, par. 7, first sentence	Art. 9, par. 5, first subparagraph	Art. 17, par. 2, first subparagraph		Amended
Art. 36, par. 2, second subparagraph	—	—	—		New
Art. 36, par. 3	Art. 11, par. 10	Art. 9, par. 8	Art. 17, par. 5		Amended
Art. 36, par. 4	Art. 11, par. 8 and 13	Art. 9, par. 6 and 11	Art. 17, par. 4 and 8		Amended
Art. 36, par. 5	Art. 11, par. 11, adapted	Art. 9, par. 9, adapted	Art. 17, par. 6, adapted		
Art. 36, par. 6	Art. 11, par. 13, second sentence	Art. 9, par. 11, second sentence	Art. 17, par. 8, second sentence		Amended

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Art. 36, par. 7, first subparagraph	Art. 11, par. 12	Art. 9, par. 10	Art. 17, par. 7		
Art. 36, par. 7, second subparagraph	—	—	—		New
Art. 37	Art. 17	Art. 13	Art. 21		Amended
Art. 38, par. 1	—	—	—		New
Art. 38, par. 2	Art. 12, par. 2, adapted	Art. 10, par. 1, adapted	Art. 18, par. 1, adapted		
Art. 38, par. 3	Art. 13, par. 1 and 3, adapted	Art. 11, par. 1 and 3, adapted	Art. 19, par. 1 and 3, adapted		Amended
Art. 38, par. 4	Art. 12, par. 2 and Art. 13, par. 4, adapted	Art. 10, par. 1a and Art. 11, par. 3a, adapted	Art. 18, par. 2 and Art. 19, par. 4, adapted		
Art. 38, par. 5 and 6	—	—	—		New
Art. 38, par. 7	Art. 12, par. 5	Art. 10, par. 4	Art. 18, par. 5		Amended
Art. 38, par. 8	Art. 14, par. 1	Art. 12, par. 1	Art. 20, par. 1		Amended
Art. 39	Art. 12, par. 3 and 4, Art. 13, par. 6, and Art. 14, par. 2 adapted	Art. 10, par. 2 and 3, Art. 11, par. 5, and Art. 12, par. 2 adapted	Art. 18, par. 3 and 4, Art. 19, par. 6 and Art. 20, par. 2 adapted		
Art. 40	Art. 13, par. 2, and Art. 14, par. 3	Art. 11, par. 2, and Art. 12, par. 3	Art. 19, par. 2, and Art. 20, par. 3		Amended
Art. 41, par. 1	Art. 8, par. 2, first sentence, adapted	Art. 7, par. 2, first sentence, adapted	Art. 12, par. 2, first sentence, adapted		
Art. 41, par. 2	Art. 8, par. 1, first subparagraph, adapted	Art. 7, par. 1, first subparagraph, adapted	Art. 12, par. 1, first subparagraph, adapted		
Art. 41, par. 3	Art. 8, par. 1, second subparagraph, adapted	Art. 7, par. 1, second subparagraph, adapted	Art. 12, par. 1, second subparagraph, adapted		
	Art. 8, par. 2, last sentence	Art. 7, par. 2, last sentence	Art. 12, par. 2, last sentence		Deleted

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Art. 42, par. 1, 3 and 6	Art. 13, par. 5, and Art. 18, par. 2	Art. 11, par. 4, and Art. 15, par. 3	Art. 19, par. 5, and Art. 23, par. 2		Amended
Art. 42, par. 2, 4 and 5	—	—	—		New
Art. 43	Art. 8, par. 3	Art. 7, par.3	Art.12, par. 3		Amended
Art. 44, par. 1	Art. 18, par. 1 adapted	Art. 15, par. 1 adapted	Art. 23, par. 1 adapted		Amended
Art. 44, par. 2	—	—	—		New
Art. 44, par. 3	Art. 22	Art. 23, par. 3	Art. 32, par. 4		Amended
Art. 44, par. 4	—	—	—		New
Art. 45, par. 1	—	—	—		New
Art. 45, par. 2, first subparagraph	Art. 24, first paragraph, adapted	Art. 20, par. 1, adapted	Art. 29, first paragraph, adapted		
Art. 45, par. 2, second subparagraph	—	—	—		New
Art. 45, par. 3	Art. 24, second and third paragraphs, adapted	Art. 20, par. 2 and 3 adapted	Art. 29, second and third paragraphs, adapted		
Art. 45, par. 4	Art. 24, fourth paragraph	Art. 20, par. 4	Art. 29, fourth paragraph		Amended
Art. 46, first paragraph	Art. 25, first sentence amended	Art. 21, par. 1 and par. 2, first sentence, adapted	Art. 30, par. 1 and 3, first sentence, adapted		
Art. 46, second paragraph	—	—	Art. 30, par. 2		
Art. 47, par. 1, points (a) and (b)	Art. 26, par. 1, points (a) and (b), adapted	Art. 22, par. 1, points (a) and (b), adapted	Art. 31, par. 1, points (a) and (b), adapted		
Art. 47, par. 1, point (c)	Art. 26, par. 1, point (c)	Art. 22, par. 1, point (c)	Art. 31, par. 1, point (c)		Amended
Art. 47, par. 2 and 3	—	—	—		New

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Art. 47, par. 4 and 5	Art. 26, par. 2 and 3, adapted	Art. 22, par. 2 and 3, adapted	Art. 31, par. 2 and 3, adapted		Amended
Art. 48, par. 1 and par. 2, points (a) to (e) and (g) to (j)	Art. 27, par. 1, adapted	Art. 23, par. 1, adapted	Art. 32, par. 2, adapted		
Art. 48, par. 2, point (f)	—		—		New
Art. 48, par. 3 and 4	—	—	—		New
Art. 48, par. 5	New	New	Art. 32, par. 1, adapted		
Art. 48, par. 6	Art. 27, par. 2	Art. 23, par. 2	Art. 32, par. 3		
Art. 49	New	New	Art. 33		Amended
Art. 50	—	—	—		New
Art. 51	Art. 28	Art. 24	Art. 34		
Art. 52	Art. 29	Art. 25	Art. 35		Amended
Art. 53, par. 1	Art. 30, par. 1 adapted	Art. 26, par. 1 adapted	Art. 36, par. 1 adapted		
Art. 53, par. 2	Art. 30, par. 2	Art. 26, par. 2	Art. 36, par. 2		Amended
	Art. 30, par. 3	—	—		Deleted
Art. 54	—	—	—		New
Art. 55	Art. 30, par. 4, first and second subparagraphs	Art. 27, first and second paragraphs	Art. 37, first and second paragraphs		Amended
—	Art. 30, par. 4, third subparagraph	Art. 27, third paragraph	Art. 37, third paragraph		Deleted
—	Art. 30, par. 4, fourth subparagraph	—	—		Deleted
—	Art. 31	—	—		Deleted
—	Art. 32	—	—		Deleted
Art. 56	Art. 3, par. 1, adapted				
Art. 57	—				New

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Art. 58	Art. 11 par. 3, par. 6 to 11 and par. 13				Amended
Art. 59	Art. 15	—	—		
Art. 60	Art. 3, par. 2	—	—		
Art. 61	New	—	—		
Art. 62	Art. 3, par. 3				
Art. 63	Art. 3, par. 4				Amended
Art. 64	Art. 11, par. 4, par. 6, first subparagraph, par. 7, first subparagraph, and par. 9	—	—		Amended
Art. 65	Art. 16				
Art. 66	—	—	Art. 13, par. 3 and 4		
Art. 67, par 1	—	—	Art. 13, par. 1, first subparagraph and par. 2, first subparagraph		
Art. 67, par.2			Art. 13, par. 1, indents 1 to 3 and par. 2, indents 1 to 3		Amended
Art. 68	—	—	New		
Art. 69, par. 1	—	—	Art. 15, par. 3		
Art. 69, par. 2, first subparagraph	—	—	Art. 16, par. 1 and par. 2, second indent		Amended
Art. 69, par. 2, second subparagraph and par. 3	—	—	New		
Art. 70	—	—	Art. 17, par. 1, par. 2, first and third subparagraphs, par. 3 to 6 and par. 8		Amended
Art. 71	—	—	New		

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Art. 72	—	—	Art. 13, par. 5		
Art. 73	—	—	Art. 13, par. 6, first subparagraph		
Art. 74	—	—	Art. 13, par. 6, second subparagraph		Amended
	Art. 33	Art. 30	Art. 38		Deleted
Art. 75	Art. 34, par. 1, adapted	Art. 31, par. 1, adapted	Art. 39, par. 1, adapted		
Art. 76	Art. 34, par. 2	Art. 31, par. 2	Art. 39, par. 2		Amended
			Art. 39, par. 2, point (d), second subparagraph		Deleted
Art. 77, par. 1	—	Art. 32, par. 1	Art. 40, par. 1		
Art. 77, par. 2	Art. 35, par. 3	Art. 32, par. 2	Art. 40, par. 3		Amended
	—	—	Art. 40, par. 2		Deleted
Art. 77, par. 3	—	Art. 32, par. 3	Art. 40, par. 4		Amended
Art. 78, par. 1 and 2					New
Art. 78, par. 3 and 4	Art. 6, par. 2, point (a),	Art. 5, par. 1, point (d)	Art. 7, par. 1, point (c)		Amended
Art. 79, point (a)	Art. 6, par. 1, point (b), adapted	Art. 5, par. 1, point (c), second subparagraph, adapted	Art. 7, par. 1, point (b), second subparagraph, adapted		
Art. 79, point (b)	Art. 35, par. 2	—	Art. 16, par. 4		Amended
Art. 79, point (c)	—	—	—		New
Art. 79, point (d)	Art. 35, par. 1, adapted	—	—		
Art. 79, point (e)		Art. 29, par. 3, adapted	—		
Art. 79, point (f)	Art. 35, par. 2 adapted	—	—		New
Art. 79, point (g)	—	—	—		

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Art. 79, points (h) and (i)	—	—	—		New
Art. 80					
Art. 81					
Art. 82					
Art. 83					
Art. 84					
Annex I	Annex II				Amended
Annexes II A and II B	—	—	Annexes IA and IB		Amended
Annex III	Annex I	—	—	Acts on the accession of Austria, Finland and Sweden	Adapted
Annex IV	—	Annex I	—	Acts on the accession of Austria, Finland and Sweden	Adapted
Annex V	—	Annex II	—		Amended
Annex VI	Annex III	Annex III	Annex II		Amended
Annex VII A, B, C and D	Annexes IV, V and VI	Annex IV	Annexes III and IV		Amended
Annex VIII	—	—	—		New
Annex IX					Adapted
Annex IX A	—	Art. 21, par. 2	—	Acts on the accession of Austria, Finland and Sweden	Adapted
Annex IX B	—	—	Art. 30, par. 3	Acts on the accession of Austria, Finland and Sweden	Adapted
Annex IX C	Art. 25, adapted	—	—	Acts on the accession of Austria, Finland and Sweden	Adapted
Annex X					New

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Annex XI					New
Annex XII					New



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- (1) [OJ C 29 E, 30.1.2001, p. 11](#) and [OJ C 203 E, 27.8.2002, p. 210](#).
- (2) [OJ C 193, 10.7.2001, p. 7](#).
- (3) [OJ C 144, 16.5.2001, p. 23](#).
- (4) Opinion of the European Parliament of 17 January 2002 ([OJ C 271 E, 7.11.2002, p. 176](#)), Council Common Position of 20 March 2003 ([OJ C 147 E, 24.6.2003, p. 1](#)) and Position of the European Parliament of 2 July 2003 (not yet published in the Official Journal). Legislative Resolution of the European Parliament of 29 January 2004 and Decision of the Council of 2 February 2004.
- (5) [OJ L 209, 24.7.1992, p. 1](#). Directive as last amended by Commission Directive 2001/78/EC ([OJ L 285, 29.10.2001, p. 1](#)).
- (6) [OJ L 199, 9.8.1993, p. 1](#). Directive as last amended by Commission Directive 2001/78/EC.
- (7) [OJ L 199, 9.8.1993, p. 54](#). Directive as last amended by Commission Directive 2001/78/EC.
- (8) [OJ L 336, 23.12.1994, p. 1](#).
- (9) See p. 1 of this Official Journal.
- (10) [OJ L 199, 9.8.1993, p. 84](#). Directive as last amended by Commission Directive 2001/78/EC ([OJ L 285, 29.10.2001, p. 1](#)).
- (11) [OJ L 18, 21.1.1997, p. 1](#).
- (12) [OJ L 340, 16.12.2002, p.1](#).
- (13) [OJ L 13, 19.1.2000, p. 12](#).
- (14) [OJ L 178, 17.7.2000, p. 1](#).
- (15) Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation ([OJ L 303, 2.12.2000, p. 16](#)).
- (16) Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions ([OJ L 39, 14.2.1976, p. 40](#)). Directive amended by Directive 2002/73/EC of the European Parliament and of the Council ([OJ L 269, 5.10.2002, p. 15](#)).
- (17) Regulation (EC) No 761/2001 of the European Parliament and of the Council of 19 March 2001 allowing a voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) ([OJ L 114, 24.4.2001, p. 1](#)).
- (18) [OJ L 184, 17.7.1999, p. 23](#).
- (19) [OJ L 124, 8.6.1971, p. 1](#).
- (20) [<sup>F2</sup>[OJ L 217, 20.8.2009, p. 76](#).]
- (21) [OJ L 351, 29.12.1998, p. 1](#).
- (22) [OJ C 195, 25.6.1997, p. 1](#).
- (23) [OJ L 358, 31.12.1998, p.2](#).
- (24) [OJ C 316, 27.11.1995, p. 48](#).
- (25) [OJ L 166, 28.6.1991, p. 77](#). Directive as amended by Directive 2001/97/EC of the European Parliament and of the Council of 4 December 2001 ([OJ L 344, 28.12.2001, p. 76](#)).
- (26) [<sup>F3</sup>[OJ L 185, 16.8.1971, p. 15](#).]
- (27) [OJ L 395, 30.12. 1989, p. 33](#). Directive as amended by Directive 92/50/EEC.
- (28) In the event of any difference of interpretation between the CPV and the NACE, the NACE nomenclature will apply.
- (29) In the event of any difference of interpretation between the CPV and the CPC, the CPC nomenclature will apply.
- (30) [In the event of any difference of interpretation between the CPV and the CPC, the CPC nomenclature will apply.]

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- (31) [<sup>F5</sup>For the purposes of this Directive ‘central government authorities’ means the authorities that are listed by way of indication in this Annex and, insofar as corrections or amendments have been made at national level, their successor entities.]
- (32) The only text applicable for the purpose of this Directive is that within Annex 1, point 3 of the Agreement.
- (33) For the purposes of Article 46, ‘professional and trade registers’ means those listed in this Annex and, where changes have been made at national level, the registers which have replaced them.
- (34) ‘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 affects only one or two of these directives, the term ‘amended’ is included in the column of the directives concerned.

#### **Textual Amendments**

- F2** Substituted by Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC (Text with EEA relevance).
- F3** Substituted by Regulation (EC) No 596/2009 of the European Parliament and of the Council of 18 June 2009 adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny Adaptation to the regulatory procedure with scrutiny — Part Four.
- F5** Substituted by Commission Decision of 9 December 2008 amending the Annexes to Directives 2004/17/EC and 2004/18/EC of the European Parliament and of the Council on public procurement procedures, as regards their lists of contracting entities and contracting authorities (notified under document number C(2008) 7871) (Text with EEA relevance) (2008/963/EC).