

ANNEX III

INFORMATION TO BE CONTAINED IN NOTICES OF REQUESTS CONCERNING THE APPLICABILITY OF ARTICLE 34 OF DIRECTIVE 2014/25/EU — EXTENSION OR SUSPENSION OF PERIODS FOR THE ADOPTION OF IMPLEMENTING ACTS OR WITHDRAWAL OF A REQUEST

A. Extension of the period for adoption of implementing acts

Request [from a Member State/made by a contracting entity⁽¹⁾] — extension of deadline

On [...] the Commission received a request pursuant to Article 35 of Directive 2014/25/EU of the European Parliament and of the Council⁽²⁾.

This request, made by [name of the Member State concerned/name of the relevant contracting entity]⁽³⁾, concerns [brief mention of the relevant sector or activity] in [that country/indicate the Member State concerned]. The relevant notice was published on page number [...] of OJEU C number [...] of [...]. The [initial/prolonged]⁽⁴⁾ deadline was [...].

Pursuant to the fourth subparagraph of paragraph 1 to Annex IV of Directive 2014/25/EU, the deadline may be extended by the Commission with the agreement of those having made the request for exemption concerned. Given that [brief justification for the extension] and with the agreement of [name of the Member State concerned/name of the relevant contracting entity]⁽⁵⁾, the period available to the Commission for deciding on this request is hereby extended by [...] working days.

The final deadline therefore expires on [...].

B. Suspension of the period for adoption of implementing acts

On [...] the Commission received a request pursuant to Article 35 of Directive 2014/25/EU⁽⁶⁾. The first working day following receipt of the request was [...] and the initial period available to the Commission for deciding on this request was of [90/105/130/145]⁽⁷⁾ working days.

This request, made by [name of the Member State concerned/name of the relevant contracting entity]⁽⁸⁾, concerns [brief mention of the relevant sector or activity] in [that country/indicate the Member State concerned]. The relevant notice was published on page number [...] of OJEU C number [...] of [...]. The [initial/prolonged]⁽⁹⁾ deadline was [...].

Pursuant to Annex IV, paragraph 2, of Directive 2014/25/EU, the Commission may require the Member State or the contracting entity concerned or the competent independent national authority or any other competent national authority to provide all necessary information or to supplement or clarify information given within an appropriate time limit. On [...] the Commission asked [...] to provide additional information by [...] at the latest.

In the event of late or incomplete answers⁽¹⁰⁾, the initial deadline shall be suspended for the period between the expiry of the time limit set in the request for information, and the receipt of the complete and correct information.

The final deadline will therefore expire after [...⁽¹¹⁾] working days after the receipt of the complete and correct information.

C. End of the suspension of the period for adoption of implementing acts

On [...] the Commission received a request pursuant to Article 35 of Directive 2014/25/EU of the European Parliament and of the Council⁽¹²⁾.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2016/1804, ANNEX III. (See end of Document for details)

This request, made by [name of the Member State concerned/name of the relevant contracting entity]⁽¹³⁾, concerns [brief mention of the relevant sector or activity] in [that country/indicate the Member State concerned]. The relevant notice was published on page number [...] of OJEU C number [...] of [...].

On [...] the Commission asked [...] to provide additional information by [...] at the latest. As announced in the notice that was published on page number [...] of OJEU C number [...] of [...], the final deadline was prolonged by [...] working days after the receipt of the complete and correct information. Complete and correct information was received on [...].

The final deadline therefore expires on [...].

D. Withdrawal of a request concerning the applicability of Article 34 of Directive 2014/25/EU

On [...] the Commission received a request pursuant to Article 35 of Directive 2014/25/EU of the European Parliament and of the Council⁽¹⁴⁾.

This request, made by [name of the Member State concerned/name of the relevant contracting entity]⁽¹⁵⁾, concerns [brief mention of the relevant sector or activity] in [that country/indicate the Member State concerned]. The relevant notice was published on page number [...] of OJEU C number [...] of [...]. The [initial/prolonged]⁽¹⁶⁾ deadline was [...].

On [...], the applicant withdrew the request, which is to be considered null and void. There is consequently no reason to decide whether Article 34 of Directive 2014/25/EU applies to [brief mention of the relevant sector or activity] in [that country/indicate the Member State concerned]. Directive 2014/25/EU therefore continues to apply in accordance with its own provisions when contracting entities award contracts for the pursuit of [brief mention of the relevant sector or activity] in [indicate the Member State concerned] and when they organise design contests for the pursuit of this activity in that geographical area.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2016/1804, ANNEX III. (See end of Document for details)

- (1) Delete as appropriate.
- (2) Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).
- (3) Delete as appropriate.
- (4) Delete as appropriate.
- (5) Delete as appropriate.
- (6) Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).
- (7) Delete as appropriate.
- (8) Delete as appropriate.
- (9) Delete as appropriate.
- (10) See the second sentence of said Annex IV, paragraph 2.
- (11) Initial number of working days available minus the number of working days between the first working day following the receipt of the request for exemption and the expiration of the deadline for providing the additional information.
- (12) Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).
- (13) Delete as appropriate.
- (14) Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).
- (15) Delete as appropriate.
- (16) Delete as appropriate.

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2016/1804, ANNEX III.