

Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (Text with EEA relevance)

TITLE I

SUBJECT-MATTER, SCOPE, PRINCIPLES AND DEFINITIONS

CHAPTER I

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Section I

Subject-matter, scope, general principles, definitions and threshold

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- Article 3 Principle of equal treatment, non-discrimination and transparency
- Article 4 Freedom to define services of general economic interest
- Article 5 Definitions
- Article 6 Contracting authorities
- Article 7 Contracting entities
- Article 8 Threshold and methods for calculating the estimated value of concessions
- Article 9 Revision of the threshold

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TITLE II

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TITLE III

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ANNEX I

ANNEX II

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As far as gas and heat are concerned: the provision...

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ANNEX V

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1. Name, identification number (where provided for in national legislation), address,...
2. Type of contracting authority or entity and main activity exercised....
3. If the applications are to contain tenders, e-mail or internet...
4. Description of the concession: nature and extent of works, nature...
5. CPV codes. Where the concession is divided into lots, this...
6. NUTS code for the main location of works in case...
7. Conditions for participation, including:
8. Time limit for the submission of applications or receipt of...
9. Criteria which will be applied in the award of the...
10. Date of dispatch of the notice.
11. Name and address of the body responsible for appeal and,...
12. Where appropriate, particular conditions to which performance of the concession...
13. Address where applications or tenders shall be transmitted.
14. Where appropriate, indication of requirements and conditions related to the...
15. Information as to whether the concession is related to a...
16. For works concessions, indication as to whether the concession is...

ANNEX VI

INFORMATION TO BE INCLUDED IN PRIOR INFORMATION
NOTICES CONCERNING CONCESSIONS FOR SOCIAL AND
OTHER SPECIFIC SERVICES, AS REFERRED TO IN ARTICLE 31(3)

Name, identification number (where provided for in national legislation), address...

ANNEX VII

INFORMATION TO BE INCLUDED IN CONCESSION AWARD NOTICES, AS REFERRED TO IN ARTICLE 32

1. Name, identification number (where provided for in national legislation), address...
2. Type of contracting authority or entity and main activity exercised....
3. CPV codes.
4. NUTS code for the main location of works in case...
5. Description of the concession: nature and extent of works, nature...
6. Description of award procedure used, in the case of award...
7. Criteria referred to in Article 41 which were used for...
8. Date of concession award decision or decisions.
9. Number of tenders received with respect of each award, including:...
10. For each award, name, address including NUTS code and, where...
11. Value and main financial terms of the awarded concession, including:...
12. Information whether the concession is related to a project and/or...
13. Name and address of the body responsible for review and,...
14. Date(s) and reference(s) of previous publications in the Official Journal...
15. Date of dispatch of the notice.
16. Method used to calculate the estimated value of the concession,...
17. Any other relevant information.

ANNEX VIII

INFORMATION TO BE INCLUDED IN CONCESSION AWARD NOTICES CONCERNING CONCESSIONS FOR SOCIAL AND OTHER SPECIFIC SERVICES, AS REFERRED TO IN ARTICLE 32

1. Name, identification number (where provided for in national legislation), address...
2. Type of contracting authority or entity and main activity exercised....
3. CPV codes; where the contract is divided into lots, this...
4. Summary indication of the subject of the concession.

5. Number of tenders received.
6. Value of the successful tender, including fees and prices.
7. Name and address including NUTS code, telephone, fax number, e-mail...
8. Any other relevant information.

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ILO Convention 87 on Freedom of Association and the
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1. Name, identification number (where provided for in national legislation), address...
2. CPV codes.
3. NUTS code for the main location of works in case...
4. Description of the concession before and after the modification: nature...
5. Where applicable, modification of value of the concession, including increase...
6. Description of the circumstances which have rendered necessary the modification....
7. Date of concession award decision.
8. Where applicable, the name, address including NUTS code telephone, fax...
9. Information whether the concession is related to a project and/or...
10. Name and address of the body responsible for review and,...
11. Date(s) and reference(s) of previous publications in the Official Journal...

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12. Date of dispatch of the notice.
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- (1) [OJ C 191, 29.6.2012, p. 84.](#)
- (2) [OJ C 391, 18.12.2012, p. 49.](#)
- (3) Position of the European Parliament of 15 January 2014 (not yet published in the Official Journal) and decision of the Council of 11 February 2014.
- (4) 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 ([OJ L 134, 30.4.2004, p. 114](#)).
- (5) Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market ([OJ L 376, 27.12.2006, p. 36](#)).
- (6) Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC ([OJ L 211, 14.8.2009, p. 94](#)).
- (7) Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC ([OJ L 211, 14.8.2009, p. 55](#)).
- (8) Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service ([OJ L 15, 21.1.1998, p. 14](#)).
- (9) Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons ([OJ L 164, 30.6.1994, p. 3](#)).
- (10) Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 ([OJ L 315, 3.12.2007, p. 1](#)).
- (11) 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 ([OJ L 216, 20.8.2009, p. 76](#)).
- (12) Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC ([OJ L 182, 29.6.2013, p. 19](#)).
- (13) 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 (see page 243 of this Official Journal).
- (14) 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 ([OJ L 134, 30.4.2004, p. 1](#)).
- (15) 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 ([OJ L 18, 21.1.1997, p. 1](#)).
- (16) 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 ([OJ L 395, 30.12.1989, p. 33](#)).
- (17) Council Directive 92/13/EEC of 25 February 1992 coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors ([OJ L 76, 23.3.1992, p. 14](#)).
- (18) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ([OJ L 281, 23.11.1995, p. 31](#)).
- (19) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13](#)).