



EUROPEAN COMMISSION
Internal Market and Services DG

PUBLIC PROCUREMENT POLICY
The Director

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NOTE TO THE MEMBERS OF THE ADVISORY COMMITTEE ON PUBLIC CONTRACTS

As you are aware, the time period initially foreseen for the temporary anti-crisis measures in the field of public procurement expires at the end of this year. This concerns the more generalized justification for the accelerated procedure as indicated in Commission press release IP 08/2040, as well as certain national measures¹. Some of you have informed us that you consider necessary to keep these measures in force beyond 2010.

As agreed with Commissioner Barnier, we acknowledge that there might still be a need for further flexibility beyond 2010. Hence, Member States that wish to keep using the temporary anti-crisis measures can do so for one more year (until end 2011). We will however require that those Member States provide us, in May and October 2011, with relevant statistical information on the contracts for which these specific procedures have been used.

Such information should include an overview over the contract values, types of contracts (works, services, or supplies), business sectors/ types of purchased goods or services and, for the direct awards below certain thresholds, the geographical areas where the contracts were awarded. This data will help us to assess the impact of the measures in question for the Internal Market, in view of taking an informed decision end of 2011.

Bertrand CARSIN

¹ In particular: Direct awards of contracts below certain national sub-thresholds below the thresholds of the EU public procurement Directives without any ex-ante transparency/ guarantees of non-discrimination even where cross-border interest may exist; cutbacks on remedies. General simplification measures in line with EU rules, even if put in place in the context of the crisis, are not concerned.