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of procedures for the award of public works contracts, public supply contracts and public service contracts (repealed)

| | TITLE I |
|-------------------------------------|--|
| | DEFINITIONS AND GENERAL PRINCIPLES |
| Article 1 Article 2 Article 3 | Definitions Principles of awarding contracts Granting of special or exclusive rights: non-discrimination clause |
| | TITLE II |
| | RULES ON PUBLIC CONTRACTS |
| | CHAPTER I |
| | General provisions |
| Article 4 Article 5 | Economic operators Conditions relating to agreements concluded within the World Trade Organisation |
| Article 6 | Confidentiality |
| | CHAPTER II |
| | Scope |
| | Section 1 |
| | Thresholds |
| Article 7 Article 8 | Threshold amounts for public contracts Contracts subsidised by more than 50 % by contracting authorities |
| Article 9 | Methods for calculating the estimated value of public contracts, framework agreements and dynamic purchasing systems |
| | Section 2 |
| | Specific situations |
| Article 10 Article 11 | Contracts in the fields of defence and security Public contracts and framework agreements awarded by central |

purchasing bodies

Section 3

Excluded contracts

| | Encluded contracts |
|--|---|
| Article 12 | Contracts in the water, energy, transport and postal services sectors |
| Article 13 Article 14 Article 15 Article 16 Article 17 Article 18 | Specific exclusions in the field of telecommunications Secret contracts and contracts requiring special security measures Contracts awarded pursuant to international rules Specific exclusions Service concessions Service contracts awarded on the basis of an exclusive right |
| | Section 4 |
| | Special arrangement |
| Article 19 | Reserved contracts |
| | CHAPTER III |
| | Arrangements for public service contracts |
| Article 20 Article 21 Article 22 | Service contracts listed in Annex II A Service contracts listed in Annex II B Mixed contracts including services listed in Annex II A and services listed in Annex II B |
| | CHAPTER IV |
| | Specific rules governing specifications and contract documents |
| Article 23 Article 24 Article 25 Article 26 Article 27 | Technical specifications Variants Subcontracting Conditions for performance of contracts Obligations relating to taxes, environmental protection, employment protection provisions and working conditions |
| | CHAPTER V |
| | Procedures |
| Article 28 Article 29 Article 30 Article 31 Article 32 Article 33 | Use of open, restricted and negotiated procedures and of competitive dialogue Competitive dialogue Cases justifying use of the negotiated procedure with prior publication of a contract notice Cases justifying use of the negotiated procedure without publication of a contract notice Framework agreements Dynamic purchasing systems |

Article 43

Content of reports

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

Article 34 Public works contracts: particular rules on subsidised housing schemes

CHAPTER VI

Rules on advertising and transparency

Section 1

| | Publication of notices |
|--|---|
| Article 35 Article 36 Article 37 | Notices Form and manner of publication of notices Non-mandatory publication |
| | Section 2 |
| | Time limits |
| Article 38 | Time limits for receipt of requests to participate and for receipt of tenders |
| Article 39 | Open procedures: Specifications, additional documents and information |
| | Section 3 |
| | Information content and means of transmission |
| Article 40 | Invitations to submit a tender, participate in the dialogue or |
| Article 41 | negotiate Informing candidates and tenderers |
| | Section 4 |
| | Communication |
| Article 42 | Rules applicable to communication |
| | Section 5 |
| | Reports |

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

CHAPTER VII

Conduct of the procedure

Section 1

General provisions

Article 44 Verification of the suitability and choice of participants and award of contracts

Section 2

Criteria for qualitative selection

| Article 45 | Personal situation of the candidate or tenderer |
|------------|--|
| Article 46 | Suitability to pursue the professional activity |
| Article 47 | Economic and financial standing |
| Article 48 | Technical and/or professional ability |
| Article 49 | Quality assurance standards |
| Article 50 | Environmental management standards |
| Article 51 | Additional documentation and information |
| Article 52 | Official lists of approved economic operators and certification by |
| | bodies established under public or private law |
| | |

Section 3

Award of the contract

| Article 53 | Contract award criteria |
|------------|----------------------------|
| Article 54 | Use of electronic auctions |
| Article 55 | Abnormally low tenders |

TITLE III

RULES ON PUBLIC WORKS CONCESSIONS

CHAPTER I

Rules governing public works concessions

| Article 56 | Scope |
|------------|---|
| Article 57 | Exclusions from the scope |
| Article 58 | Publication of the notice concerning public works concessions |
| Article 59 | Time limit |
| Article 60 | Subcontracting |
| Article 61 | Awarding of additional works to the concessionaire |

Document Generated: 2023-09-13

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

CHAPTER II

Rules on contracts awarded by concessionaires which are contracting authorities

Article 62 Applicable rules

CHAPTER III

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

| Article 63 | Advertising rules: threshold and exceptions |
|------------|--|
| Article 64 | Publication of the notice |
| Article 65 | Time limit for the receipt of requests to participate and receipt of tenders |

TITLE IV

RULES GOVERNING DESIGN CONTESTS

| Article 66 | General provisions |
|------------|---|
| Article 67 | Scope |
| Article 68 | Exclusions from the scope |
| Article 69 | Notices |
| Article 70 | Form and manner of publication of notices of contests |
| Article 71 | Means of communication |
| Article 72 | Selection of competitors |
| Article 73 | Composition of the jury |
| Article 74 | Decisions of the jury |
| | |

TITLE V

STATISTICAL OBLIGATIONS, EXECUTORY POWERS AND FINAL PROVISIONS

| Article 75 Article 76 Article 77 Article 78 Article 79 Article 80 Article 81 Article 82 Article 83 | Statistical obligations Content of statistical report Committee procedure Revision of the thresholds Amendments Implementation Monitoring mechanisms Repeals Entry into force |
|--|---|
| | Entry into force Addressees |
| Article 84 | Addressees |

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

| | AND ITSY I |
|---|--|
| | ANNEX I |
| | LIST OF THE ACTIVITIES REFERRED TO IN ARTICLE 1(2), POINT (b) |
| | |
| | |
| | ANNEX II |
| | SERVICES REFERRED TO IN ARTICLE 1(2)(d) |
| | |
| | |
| | ANNEX II A |
| | |
| | |
| | ANNEX II B |
| | |
| | ············ |
| | ANNEX III |
| | LIST OF BODIES AND CATEGORIES OF BODIES GOVERNED BY PUBLIC LAW AS REFERRED TO IN THE SECOND SUBPARAGRAPH OF ARTICLE 1(9) |
| I | — BELGIUM |
| | Bodies A |
| | В |
| | C D |
| | E |
| | F G |
| | Н |
| | I J |
| | K |
| | L M |
| | O P |
| | r |

R

S T U Document Generated: 2023-09-13

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

V

II — BULGARIA

Bodies

Categories

III — CZECH REPUBLIC

IV — DENMARK

Bodies

Categories

V — GERMANY

Categories

Legal persons governed by private law

VI — ESTONIA

Categories

VII — IRELAND

Bodies

Categories

VIII — GREECE

Categories

IX — SPAIN

Categories

X — FRANCE

Bodies

Categories

- (1) National public bodies:
- (2) Administrative public bodies at regional, departmental and local level:
- (3) Groupings of territorial authorities:

XI — CROATIA

XII — ITALY

Bodies

Categorie

XIII — CYPRUS

XIV — LATVIA

XV — LITHUANIA

XVI — LUXEMBOURG

XVII — HUNGARY

Bodies

Categories

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

XVIII — MALTA

XIX — NETHERLANDS

Bodies

— AUSTRIA XX

XXI -POLAND

- Public universities and academic schools (1)
- Cultural institutions of regional and local self-government (2)
- National parks (3)
- **(4)** Public primary and secondary schools
- Public radio and TV broadcasters (5)
- Public museums, theatres, libraries and other public cultural institutions (6)
- Public research institutions, research and development institutions and other **(7)** research...
- Public Autonomous Health Care Management Units whose founding body is... (8)
- Other (9)

XXII — PORTUGAL

XXIII — ROMANIA

XXIV — SLOVENIA

XXV — SLOVAKIA

XXVI — FINLAND

XXVII — SWEDEN

XXVIII— UNITED KINGDOM

Bodies Categories

ANNEX IV

CENTRAL GOVERNMENT AUTHORITIES

BELGIUM

BULGARIA

CZECH REPUBLIC

DENMARK

GERMANY

ESTONIA

IRELAND

Document Generated: 2023-09-13

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

GREECE

SPAIN

FRANCE

- 1) Ministries
- 2) Institutions, independent authorities and jurisdictions
- 3) National public establishments
- 4) Other national public body

CROATIA

ITALY

- 1) Purchasing bodies
- 2) Other national public bodies:

CYPRUS

LATVIA

- 1) Ministries, secretariats of ministers for special assignments, and their subordinate...
- 2) Other state institution

LITHUANIA

LUXEMBOURG

HUNGARY

MALTA

NETHERLANDS

AUSTRIA

POLAND

PORTUGAL

ROMANIA

SLOVENIA

SLOVAKIA

FINLAND

SWEDEN

Α

В

C

D

Е

Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on...

Document Generated: 2023-09-13

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After

IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

| F G H I J K L M N O P R S T U V Å Ö | |
|--|---|
| UNITED K | INGDOM |
| OMILDIC | II (ODOIN |
| | ANNEX V |
| | TS REFERRED TO IN ARTICLE 7 WITH REGARD TO CONTRACTS Y CONTRACTING AUTHORITIES IN THE FIELD OF DEFENCE |
| - | · · · · · · · · · · · · · · · · · · · |
| | ANNEX VI |
| DEF | INITION OF CERTAIN TECHNICAL SPECIFICATIONS |
| - | |
| | |
| | ANNEX VII |
| | INFORMATION TO BE INCLUDED IN NOTICES |
| | |
| | ANNEX VII A |
| INFORMATION | WHICH MUST BE INCLUDED IN PUBLIC CONTRACT NOTICES |
| NOTICE O | F THE PUBLICATION OF A PRIOR INFORMATION NOTICE ON |
| 1 | |
| 2 3 | |
| 4 | |

Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on...

Document Generated: 2023-09-13

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

| | PRIOR INFORMATION NOTICE | | |
|-------|--------------------------|--|--|
| | 1. | | |
| | 2. | | |
| | 3. | In the case of public works contracts: the nature and | |
| | 4. | | |
| | 5. | | |
| | 6. | | |
| | 7. | | |
| | 8. | | |
| | 0. | | |
| | CONT | RACT NOTICES | |
| | SYSTE | IFIED CONTRACT NOTICE FOR USE IN A DYNAMIC PURCHASING EM | |
| | 1. | | |
| | 2. | | |
| | 3. | | |
| | 4. | | |
| | 5. | | |
| | 6. | | |
| | | | |
| | CONTRACT AWARD NOTICES | | |
| | 1. | | |
| | 2. | D.11. | |
| | 3. | Public works contracts: nature and extent of the contract, general | |
| | 4. | | |
| | 5. | | |
| | 6. | | |
| | 7. | | |
| | 8. | | |
| | 9. | | |
| | 10. | | |
| | 11. | | |
| | 12. | | |
| | 13. | | |
| | 13. | | |
| | | ANNEX VII B | |
| | | | |
| INFOR | MATIO | N WHICH MUST APPEAR IN PUBLIC WORKS CONCESSION NOTICES | |
| 1. | | · · · · ···· | |
| 2. | | | |
| 3. | | | |
| 4. | | · · · · ···· | |
| 5. | | | |
| 6. | | | |

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

| 7. | | |
|----|-------|--|
| 8. | | |
| | | |
| | | ANNEX VII C |
| | | IATION WHICH MUST APPEAR IN WORKS CONTRACT NOTICES CESSIONNAIRES WHO ARE NOT CONTRACTING AUTHORITIES |
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | · · · · ···· |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |
| | | ANNIEW WILD |
| | INFOR | ANNEX VII D MATION WHICH MUST APPEAR IN DESIGN CONTEST NOTICES |
| | | EST NOTICES |
| | 1. | |
| | 2. | |
| | 3. | |
| | 4. | |
| | 5. | In the event of a restricted contest: |
| | 6. | |
| | 7. | |
| | 8. | |
| | 9. | |
| | 10. | |
| | 11. | |
| | 12. | |
| | 13. | |
| | 15. | |
| | | CE OF THE RESULTS OF A CONTEST |
| | 1. | |
| | 2. | |
| | 3. | |
| | 4. | |
| | 5. | |
| | 6. | |
| | 7. | |

Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on...

Document Generated: 2023-09-13

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

| | 8. | |
|----|----------------------|--|
| | | ANNEX VIII |
| | | FEATURES CONCERNING PUBLICATION |
| 1. | Publi | cation of notices |
| | (a) (b) (c) | Notices referred to in Articles 35, 58, 64 and 69 |
| 2. | Public (a) (b) | cation of complementary or additional information |
| 3. | Form | at and procedures for sending notices electronically |
| | | ANNEX IX |
| | | REGISTERS |
| | | |
| | | ANNEX IX A |
| | | PUBLIC WORKS CONTRACTS |
| | | |
| | | ANNEX IX B |
| | | PUBLIC SUPPLY CONTRACTS |
| | | |
| | | ANNEX IX C |
| | | PUBLIC SERVICE CONTRACTS |
| | | |

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

ANNEX X

REQUIREMENTS RELATING TO DEVICES FOR THE ELECTRONIC RECEIPT OF TENDERS, REQUESTS FOR

| PARTICIPATION AND PLANS AND PROJECTS IN CONTESTS |
|---|
| |
| |
| AND ITY VI |
| ANNEX XI |
| DEADLINES FOR TRANSPOSITION AND APPLICATION (Article 80 |
| |
| |
| ANNEX XII |
| |
| CORRELATION TABLE |
| |
| |