

Public Procurement And The Eu Competition Rules: An In-Depth Analysis

Public procurement is a critical aspect of the economic activities of any country. It involves the acquisition of goods, services, and construction works by public authorities. The European Union (EU) has established competition rules that govern public procurement processes to ensure fair and transparent competition among suppliers. In this article, we will explore the relationship between public procurement and EU competition rules, focusing on the comprehensive analysis provided by Hart Studies in Competition Law.

Understanding Public Procurement

Public procurement is the process by which public authorities acquire goods, services, and works from external suppliers. The procurement procedures must be transparent, fair, and non-discriminatory, ensuring equal treatment for all potential bidders. The EU plays a crucial role in ensuring the effectiveness and competitiveness of public procurement processes.

Hart Studies in Competition Law provides an in-depth analysis of public procurement and the EU competition rules. These studies examine various aspects of public procurement, including the legal framework, case laws, and the interplay between competition law and public procurement.

Public Procurement and the EU Competition Rules (Hart Studies in Competition Law)

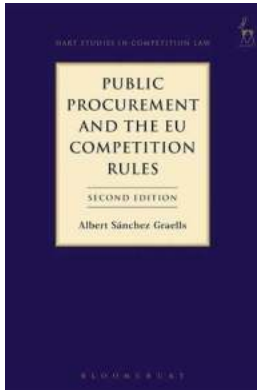
by Albert Sánchez Graells (2nd Edition, Kindle Edition)

★★★★★ 5 out of 5

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The EU Competition Rules

The EU's primary objective is to establish a level playing field for businesses operating within its member states. To achieve this, the EU has implemented competition rules that regulate market behaviors, preventing anti-competitive practices such as cartels and abuse of dominant positions. These rules extend to public procurement processes to ensure that public contracts are awarded in a fair and transparent manner.

Hart Studies in Competition Law delves into the complexities of the EU competition rules concerning public procurement. It offers valuable insights into how these rules operate, their interpretation by courts, and their impact on public procurement practices.

The Legal Framework

The legal framework governing public procurement and EU competition rules is multifaceted. It involves a combination of EU directives, national legislation, and case laws. Hart Studies in Competition Law thoroughly dissects this framework, providing an extensive analysis of the legal principles that govern public procurement processes.

The studies explore the various stages of the procurement process, from the preparation of tender documents to the awarding of contracts. They examine the obligations of contracting authorities, the rights of economic operators, and the remedies available in case of infringements or disputes.

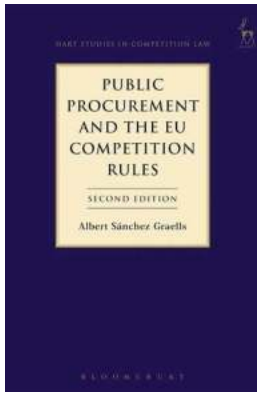
The Interplay Between Competition Law and Public Procurement

The interplay between competition law and public procurement is a complex and evolving field. The EU competition rules aim to ensure fair competition, while public procurement processes aim to achieve value for money and promote economic efficiency.

Hart Studies in Competition Law critically analyzes this interplay, shedding light on the challenges faced by both public authorities and economic operators. It examines issues such as bid-rigging, collusive behavior, and the use of market power in public procurement. The studies also explore the remedies available to prevent anti-competitive practices and ensure compliance with EU competition rules.

Public procurement and the EU competition rules are closely interconnected, aiming to promote fair competition and transparency in the awarding of public contracts. Hart Studies in Competition Law offers a comprehensive examination of this intricate relationship, providing valuable insights for legal practitioners, policymakers, and researchers.

By understanding the nuances of public procurement and EU competition rules, stakeholders can navigate this complex field with knowledge and confidence, ensuring that public procurement processes are conducted in adherence to EU competition standards.



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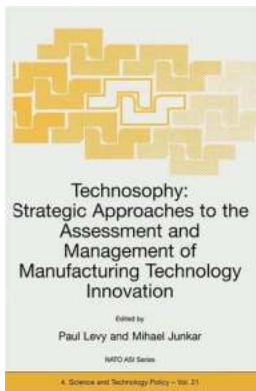
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Public procurement and competition law are both important fields of EU law and policy, intimately intertwined in the creation of the internal market. Hitherto their close connection has been noted, but not closely examined. This work is the most comprehensive attempt to date to explain the many ways in which these fields, often considered independent of one another, interact and overlap in the creation of the internal market.

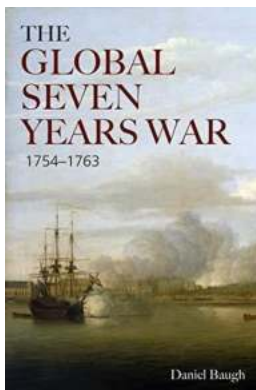
This process of convergence between competition and public procurement law is particularly apparent in the 2014 Directives on public procurement, which consolidate the principle of competition in terms very close to those advanced by the author in the first edition. This second edition builds upon this approach and continues to ask how competition law principles inform and condition public procurement rules, and whether the latter (in their revised form) are adequate to ensure that competition is not distorted. The second edition also deepens the analysis of the market behaviour of the public buyer from a competition perspective.

Proceeding through a careful assessment of the general rules of competition and public procurement, the book constantly tests the efficacy of these rules against a standard of the proper functioning of undistorted competition in the market for public procurement. It also traces the increasing relevance of competition considerations in the case law of the Court of Justice of the European Union and sets out criteria and recommendations to continue influencing the development of EU Economic Law.



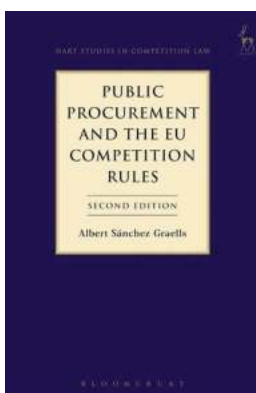
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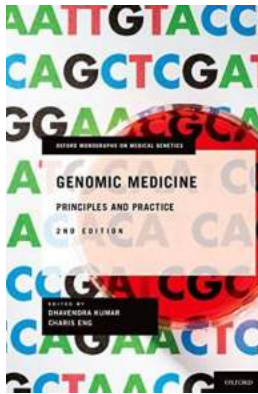
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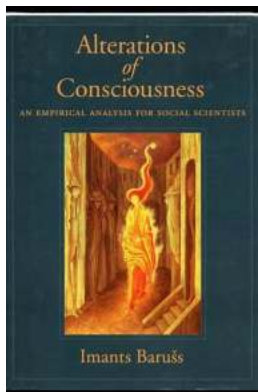
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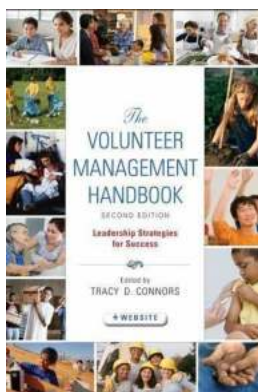
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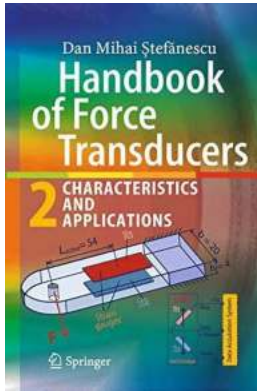
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