

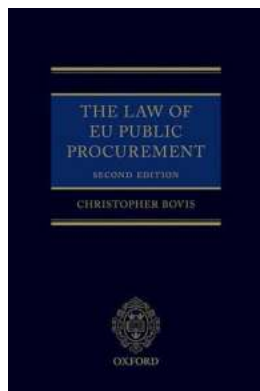
# The Essential Guide to EU Public Procurement Laws: Everything You Need to Know

Welcome, eager reader! If you're in search of comprehensive knowledge about EU public procurement laws, you've come to the right place. This article aims to demystify the intricacies of the legal framework governing public procurement in the European Union. From understanding the basics to exploring the nuances, we'll equip you with valuable insights into the subject matter.

## to EU Public Procurement

Public procurement refers to the process through which public authorities or government bodies acquire goods, services, or works, often through economic operators in the market. The European Union, as a supranational entity, has established a comprehensive regulatory framework to ensure the fair and efficient functioning of public procurement within its member states.

EU public procurement laws aim to promote competition, transparency, value for money, and nondiscrimination in the procurement processes. These regulations protect both the interests of the contracting authorities and economic operators participating in tendering procedures.



## The Law of EU Public Procurement

by Christopher Bovis (2nd Edition, Kindle Edition)

★★★★★ 5 out of 5

Language : English

File size : 4118 KB

Text-to-Speech : Enabled

Screen Reader : Supported

Enhanced typesetting : Enabled

Word Wise : Enabled  
Print length : 915 pages  
Lending : Enabled



## **The Legal Framework of EU Public Procurement**

The primary legislation governing EU public procurement is Directive 2014/24/EU on public procurement, which sets out the fundamental principles and procedures for public procurement in the EU. This directive provides specific rules for the award of public contracts relating to goods, services, and works, above certain financial thresholds.

Directive 2014/24/EU is accompanied by two additional directives, Directive 2014/23/EU on the award of concession contracts and Directive 2014/25/EU on procurement by entities operating in the water, energy, transport, and postal services sectors.

Each member state must transpose these directives into national law, ensuring uniformity and compliance with EU regulations. In addition to the directives, the Court of Justice of the European Union (CJEU) plays a vital role in interpreting and enforcing the EU public procurement rules.

## **The Key Principles of EU Public Procurement Laws**

1. **Non-Discrimination:** All potential economic operators must be treated equally and without discrimination during the procurement process. Discrimination based on nationality, origin, or location is strictly prohibited.

2. **Transparency:** The procurement process must be transparent, allowing all relevant information to be available to interested economic operators. This ensures fair competition and prevents favoritism or corruption.

3. **Proportionality:** The requirements imposed on economic operators must be proportionate to the subject matter of the contract. This principle prevents unnecessary barriers to participation and ensures fair access for all potential bidders.

4. **Equal Treatment and Mutual Recognition:** Economic operators from other EU member states must be treated equally to national operators. A company from one member state should not face more burdensome requirements than a domestic company.

5. **Best Value for Money:** The award of contracts must be based on the best value for money criterion, taking into account the quality, price, and cost-effectiveness of the offered goods, services, or works.

## **Exceptions and Exemptions in EU Public Procurement**

While EU public procurement laws aim for broad coverage, certain exceptions and exemptions exist. Situations where a contract may be awarded without a competitive tender include:

1. **Extreme Urgency:** When a situation requires immediate action due to unforeseen events.

2. **Limited Competition:** When competition is limited due to technical reasons or the exclusive nature of the goods or services being procured.

3. Subsidized Contracts: When the contract's value is below the thresholds and the project is financed mainly by subsidies.

## **The Role of the Court of Justice of the European Union**

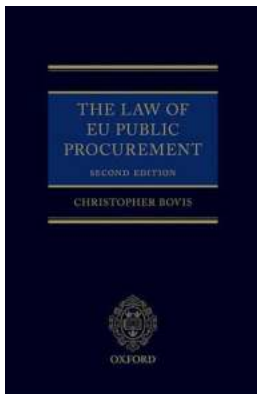
The Court of Justice of the European Union (CJEU) holds authority in interpreting and ensuring compliance with EU public procurement laws. This court hears cases related to violations of EU procurement rules and provides guidance on their interpretation.

Contracting authorities, economic operators, and affected parties can bring cases before the CJEU if they believe their rights have been violated. The court's decisions serve as precedents and contribute to the ongoing development of EU public procurement law.

Understanding the law of EU public procurement is crucial for both contracting authorities and economic operators. The EU's comprehensive regulatory framework ensures fairness, non-discrimination, and value for money in the procurement process.

This article has provided an overview of the legal framework, key principles, exceptions, and the role of the Court of Justice in EU public procurement laws. By familiarizing yourself with the regulations, you can navigate the procurement process with confidence, promoting fair competition and achieving the best outcomes for all parties involved.

Keep exploring the fascinating world of EU public procurement laws, and make informed decisions as you engage with this essential aspect of European economic governance!



## The Law of EU Public Procurement

by Christopher Bovis (2nd Edition, Kindle Edition)

★★★★★ 5 out of 5

Language : English  
File size : 4118 KB  
Text-to-Speech : Enabled  
Screen Reader : Supported  
Enhanced typesetting : Enabled  
Word Wise : Enabled  
Print length : 915 pages  
Lending : Enabled



Public procurement is an important and rapidly evolving area of practice in the European commercial legal environment, and the Court of Justice of the European Union (CJEU) has been instrumental in shaping the current regime. The size of the market, the volume of transactions between public and private sectors, and new developments in the interface between sectors has created a need for a comprehensive conceptual framework to assess important law, policy, and jurisprudence.

This book offers a lucid and authoritative guide to the development and application of public procurement law in the European Union (EU) and its Member States, with a core focus on the principles and case law of the CJEU. It evaluates the policies which underpin public procurement regulation in the EU and the characteristics of public procurement litigation before the CJEU, and closely examines the Court's approach to different areas of public procurement, with insightful and in-depth analysis

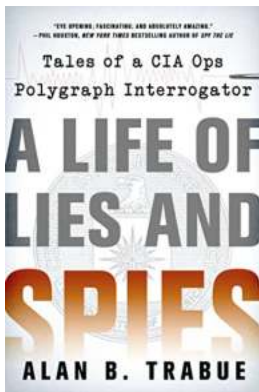
of the legislation and case law, and the themes that emerge in relation to the Fundamental Principles of EU Treaties.

The book's holistic approach, comparing EU acquis on public procurement with the Member States' stance on both application and enforcement, make it an important and innovative reference for legal practitioners, judges, policy makers and academics.



## **Americannon: The Last America Christopher Bovis - An Explosive Literary Journey into a Post-Apocalyptic United States**

Imagine a world where America is no longer the land of freedom and opportunity. A world where chaos and destruction reign supreme, and the last hope for redemption lies in the...



## **The Intriguing Life Of Lies And Spies: Unveiling the Secrets of Espionage**

Discover the captivating world of spies and their clandestine lives filled with deception, danger, and extraordinary skills. From intelligence agencies to covert...



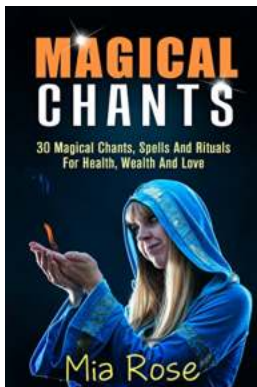
## **Oh No Alex Norris - The Master of Comic Strip Humor**

Looking for a good laugh? Look no further! In the world of webcomics, Oh No Alex Norris reigns supreme. Not only is he an incredibly talented artist, but his work is...



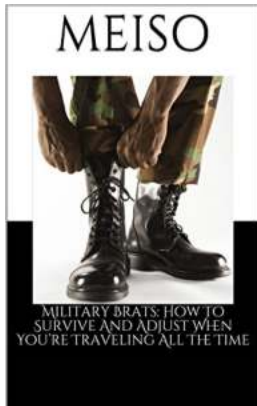
## The Surprisingly Short History Of Heterosexuality

In today's world, heterosexuality is considered the norm - the default sexual orientation, if you will. From a young age, society teaches us that a man and a woman fall in...



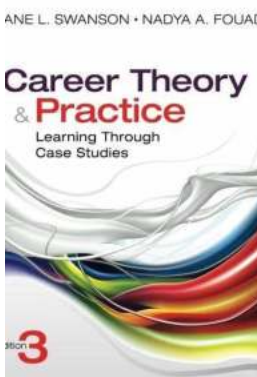
## 30 Magical Chants, Spells, and Rituals for Health, Wealth, and Love: Unlocking the Divine Power Within

Are you ready to tap into the extraordinary power of chants, spells, and rituals to attract health, wealth, and love into your life? Embarking on a magical journey can be a...



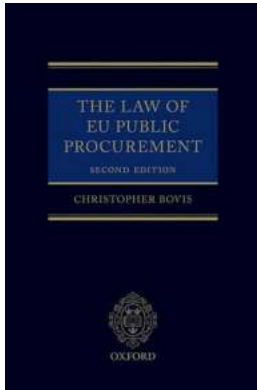
## How To Survive And Adjust When You Re Traveling All The Time Age Fortress

Traveling all the time can be exhilarating and adventurous, but it also comes with its own set of challenges. Constantly being on the move can take a toll on your physical...



## Career Theory and Practice: Learning Through Case Studies

When it comes to career development and guidance, theories play a vital role in understanding the complexities of the job market and personal growth. Case studies, on the...



## **The Essential Guide to EU Public Procurement Laws: Everything You Need to Know**

Welcome, eager reader! If you're in search of comprehensive knowledge about EU public procurement laws, you've come to the right place. This article aims to demystify the...