Procurement procedures water, energy, transport and telecommunications sectors (amend. Directive 93/38/EEC)

1995/0080(COD) - 13/05/1997

Commissioner Monti explained why he could not agree with Parliament’s position in all the cases where the amendments tabled diverged from the common position. This was because these amendments would either call into question the structure and logical basis of the Community arrangements or would be too mutually contradictory. For these reasons, he rejected Amendments Nos 3, 4 and 5 which violated the principle of equal treatment through which Community legislation avoided creating any forms of discrimination between Member States based on different administration models (whether or not public) in the same market sector. Furthermore, as regards the ‘technical dialogue’, the Commissioner also could not accept Amendments Nos 1 and 6 which tackled this issue in an inconsistent manner. He considered that the common position adopted an intermediate solution in between the irreconcilable texts of the two proposed amendments and specifically allowed a certain amount of consistency to be maintained between the texts of the four directives on the public contract sectors.