Basic information

1996/2278(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Public procurement in the European Union: exploring the way forward. Green paper **Subject** 2.10.02 Public procurement	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ECON Economic and Monetary Affairs, Industrial Policy	TAPPIN Michael (PSE)	23/01/1997

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs, Citizens' Rights	THORS Astrid (ELDR)	05/02/1997

Council of the European Union

Council configuration	Meetings	Date
Competitiveness (Internal Market, Industry, Research and Space)	2007	1997-05-21
Competitiveness (Internal Market, Industry, Research and Space)	1993	1997-03-13

Key events

Date	Event	Reference	Summary
27/11/1996	Non-legislative basic document published	COM(1996)0583	Summary
15/01/1997	Committee referral announced in Parliament		
13/03/1997	Debate in Council		
21/05/1997	Debate in Council		
09/10/1997	Vote in committee		Summary
09/10/1997	Committee report tabled for plenary	A4-0309/1997	
21/10/1997	Debate in Parliament		
22/10/1997	End of procedure in Parliament		
10/11/1997	Final act published in Official Journal		

Technical information	
Procedure reference	1996/2278(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	ECON/4/08528

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0309/1997 OJ C 339 10.11.1997, p. 0006	09/10/1997	
Text adopted by Parliament, single reading		T4-0498/1997 OJ C 339 10.11.1997, p. 0047-0065	22/10/1997	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1996)0583	27/11/1996	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0607/1997 OJ C 287 22.09.1997, p. 0092	29/05/1997	Summary
CofR	Committee of the Regions: opinion	CDR0081/1997 OJ C 244 11.08.1997, p. 0028	11/06/1997	

Public procurement in the European Union: exploring the way forward. Green paper

1996/2278(COS) - 29/05/1997 - Economic and Social Committee: opinion, report

The green paper initiative is all the more laudable because it enables an overall and long-term assessment to be made of what should be the true objectives of a European public procurement policy.. The Committee stresses that, as regards incorporating the directives on public procurement into national law, two factors play an important role: (i) the general conditions surrounding market access, with the survival of many obstacles and barriers, and (ii) the difficulties of gaining access to information, where small and medium-sized firms in particular are at a disadvantage. The Committee calls upon the contracting authorities to take more account of the quality of the bids submitted to them in terms of economic advantages, of which price may only be one factor among others. Other factors may be involved: quality, respect for deadlines, environmental protection, workability, safety, in short the overall cost of operations in the long term. A European policy on public works contracts should consolidate this concept of the "best bidder" by laying down concrete rules to be included by contracting authorities in their tender specifications, so as to encourage them to give precedence to the formula of "the most economically advantageous bid", as opposed to the cheapest bid. The Committee suggests that work be started on simplifying and clarifying the present texts at both Community and national level and that particular consideration be given to the eventual drafting of a single legal

framework, which could best be achieved through a regulation. The ESC submits the idea of an approximation of laws and exchange of best practices in the field of legal appeals procedures, within the framework of the Third Pillar of the European Union. The ESC recognizes the importance of opening up public procurement on an international scale under the World Trade Organization. The Committee recommends that the European Union concern itself as a priority with the conditions for access by EU firms to public procurement contracts in non-EU countries.

Public procurement in the European Union: exploring the way forward. Green paper

1996/2278(COS) - 22/10/1997 - Text adopted by Parliament, single reading

In adopting the report by Mr Michael TAPPIN (PSE, UK) the European Parliament calls for greater compliance with existing regulations. It also calls for the regulations to be clarified so that they can be more easily understood by the companies concerned. It calls on the Commission to encourage Member States to establish at least one national procurement centre along with regional sub-centres which will have to fulfill some of the mandatory requirements such as to disseminate and materials on procurement and clarify procedural rules. Parliament calls on the Commission to develop a policy to actively encourage public procurement in use of sustainability and urges that invitations to tender take account of social and environmental criteria. It is of the opinion that the Commission should be given the right to instigate an investigation and to act upon findings as is the case with competition in order to achieve effective enforcement. Parliament calls for more effective control and enforcement of directives, together with the uniform imposition of meaningful penalties for those who breach or seek to evade provisions of the directive as well as a more accessible level of judgment for the resolution of minor disputes or infringements. It calls on the Commission and the Member States to ensure respect for the recommendation on late payments. At international level, Parliament calls for third countries to be given access on a reciprocal basis to contract award procedures in the European Union. It urges the Commission to play an active role in setting up a harmonized code of practice on openness, fairness and transparency within procurement dealings at WTO level and applicable to all Member States.

Public procurement in the European Union: exploring the way forward. Green paper

1996/2278(COS) - 27/11/1996 - Non-legislative basic document

OBJECTIVE: this Green Paper is intended to provide a framework for a wide-ranging debate on public procurement in the European Union. SUBSTANCE: every year the European Union's public authorities and service undertakings spend about ECU 720 billion buying goods and services, i. e. 11% of EU gross domestic product. In this context the Commission document stresses the need for an effective public procurement policy which is fundamental to the success of the single market as a whole. The legal framework for open and competitive public procurement is in position, but its implementation in the Member States is partial and incomplete and the economic impact is relatively slight. To improve the situation in these two areas the Commission invites all interested parties (EU institutions, trade associations, contracting entities and suppliers) to respond in writing before 31 March 1997. On the basis of the contributions the Commission intends to organize a hearing and to draw up a communication on public procurement. The topics dealt with in the Green Paper are: 1) the transposition and effective implementation of the legislation: greater efforts must be made in this field so that all operators in the Union can participate on equal terms in the public procurement market; 2) the means of improving access to the market through information and training and through electronic tendering; 3) how the correct application of public procurement rules can be linked to the implementation of other Community policies, in particular those relating to SMEs, standards, trans-European networks, the Cohesion and Structural Funds, public procurement by European institutions, social aspects, the environment and defence. On this last point the Commission confirms its willingness to consider any move to introduce more competition into defence procurement; 4) access to procurement markets in other countries: the entry into force of a new WTO government procurement agreement (GPA) opens up a considerable number of new markets in third countries for EU companies. The Green Paper calls on all the interested parties to provide information on any problems arising in these markets. It also stresses the need to help the CEEC associated countries and the Mediterranean countries to develop their public procurement procedures.