

Basic information	
<p><b>2006/0249(COD)</b></p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Directive</p>	Procedure completed
<p>Public works contracts: abolition of restrictions on freedom to provide services and on the award of public works contracts to contractors acting through agencies or branches (repeal. Directive 71/304/EEC)</p> <p><b>Subject</b></p> <p>2.10.02 Public procurement</p>	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	 Internal Market and Consumer Protection		MCCARTHY Arlene (PSE)	19/12/2006
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	 Legal Affairs		The committee decided not to give an opinion.	
Council of the European Union	<b>Council configuration</b>	<b>Meetings</b>	<b>Date</b>	
	Agriculture and Fisheries	2793	2007-04-16	
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Financial Stability, Financial Services and Capital Markets Union		MCCREEVY Charlie	

Key events			
Date	Event	Reference	Summary
30/11/2006	Legislative proposal published	COM(2006)0748 	Summary
12/12/2006	Committee referral announced in Parliament, 1st reading		
24/01/2007	Vote in committee, 1st reading		Summary
30/01/2007	Committee report tabled for plenary, 1st reading	A6-0018/2007	
13/02/2007	Decision by Parliament, 1st reading	T6-0025/2007	Summary
13/02/2007	Results of vote in Parliament		

16/04/2007	Act adopted by Council after Parliament's 1st reading		
23/05/2007	Final act signed		
23/05/2007	End of procedure in Parliament		
14/06/2007	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2006/0249(COD)
<b>Procedure type</b>	COD - Ordinary legislative procedure (ex-codecision procedure)
<b>Procedure subtype</b>	Legislation
<b>Legislative instrument</b>	Directive
<b>Legal basis</b>	EC Treaty (after Amsterdam) EC 047-p2 EC Treaty (after Amsterdam) EC 095 EC Treaty (after Amsterdam) EC 055
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	IMCO/6/43485

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Committee draft report		<a href="#">PE382.602</a>	09/01/2007	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0018/2007</a>	30/01/2007	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0025/2007</a>	13/02/2007	<a href="#">Summary</a>
<b>Council of the EU</b>				
Document type	Reference	Date	Summary	
Draft final act	<a href="#">03606/1/2007</a>	23/05/2007		
<b>European Commission</b>				
Document type	Reference	Date	Summary	
Legislative proposal	<a href="#">COM(2006)0748</a> 	30/11/2006	<a href="#">Summary</a>	
<b>Other institutions and bodies</b>				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	<a href="#">CES0416/2007</a>	14/03/2007	

Additional information		
Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act	
<a href="#">Directive 2007/0024</a> <a href="#">OJ L 154 14.06.2007, p. 0022</a>	<a href="#">Summary</a>

## Public works contracts: abolition of restrictions on freedom to provide services and on the award of public works contracts to contractors acting through agencies or branches (repeal. Directive 71/304/EEC)

2006/0249(COD) - 13/02/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Arlene McCARTHY (PES, UK) approving the proposed directive repealing Council Directive 71/304/EEC on the abolition of restrictions on freedom to provide services in respect of public works contracts and on the award of public works contracts to contractors acting through agencies or branches. The report was adopted by 567 votes in favour to 18 against with 14 abstentions.

## Public works contracts: abolition of restrictions on freedom to provide services and on the award of public works contracts to contractors acting through agencies or branches (repeal. Directive 71/304/EEC)

2006/0249(COD) - 23/05/2007 - Final act

**PURPOSE:** to repeal Council Directive 71/304/EEC concerning the abolition of restrictions on freedom to provide services in respect of public works contracts and on the award of public works contracts to contractors acting through agencies or branches.

**CONTENT:** the Commission has scrutinised a number of legislative acts in order to identify those which have become obsolete and which should, as a result, be repealed. One of the acts examined includes Council Directive 71/304/EEC *concerning the abolition of restrictions on freedom to provide services in respect of public works contracts and on the award of public works contracts to contractors acting through agencies or branches*. Essentially, this Directive is made up of two parts. The first part concerns procurement procedures. The second part concerns non-discriminatory access to public works.

The first part, relating to procurement procedures, has been superseded by two new public procurement legislation, namely:

- Directive 2004/17/EC *coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors*; and
- Directive 2004/18/EC *on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts*.

The second part, namely non-discriminatory access to public works, is a principle already enshrined in the Article 49 of the Treaty on European Union. The second part of Directive 71/304/EEC is, as a result, also obsolete.

Based on the above reasoning Directive 71/304/EEC is hereby repealed.

ENTRY INTO FORCE: 14 June 2007.

# Public works contracts: abolition of restrictions on freedom to provide services and on the award of public works contracts to contractors acting through agencies or branches (repeal. Directive 71/304/EEC)

2006/0249(COD) - 30/11/2006 - Legislative proposal

PURPOSE: to repeal Council Directive 71/304/EEC.

PROPOSED ACT: Directive of the European Parliament and of the Council.

BACKGROUND: the Commission has scrutinised a number of legislative acts in order to identify those which have become obsolete and which should, as a result, be repealed. One of the acts examined includes Council Directive 71/304/EEC *concerning the abolition of restrictions on freedom to provide services in respect of public works contracts and on the award of public works contracts to contractors acting through agencies or branches*. Essentially, this Directive is made up of two parts. The first part concerns procurement procedures. The second part concerns non-discriminatory access to public works.

The first part, relating to procurement procedures, has been superseded by two new public procurement legislation, namely:

- Directive 2004/17/EC *coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors*; (For a summary refer to: [COD/2000/0117](#)); and
- Directive 2004/18/EC *on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts*. (For a summary refer to
- [COD/2000/0115](#)).

The second part, namely non-discriminatory access to public works, is a principle already enshrined in the Article 49 of the Treaty on European Union. The second part of Directive 71/304/EEC is, as a result, also obsolete.

CONTENT: based on the above reasoning the Commission is proposing to repeal Directive 71/304/EEC.