Basic information

2006/2084(INI) INI - Own-initiative procedure	Procedure completed
Public Procurement: transposition and implementation of the legislation in relation to the Lisbon Agenda **Subject** 2.10.02 Public procurement	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
IMCO Internal Market and Consumer Protection	MCCARTHY Arlene (PSE)	21/02/2006

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs	LIPIETZ Alain (Verts/ALE)	30/05/2006

Council of the European Union

Council configuration	Meetings	Date
General Affairs	2779	2007-02-12

European Commission

Commission DG	Commissioner
Financial Stability, Financial Services and Capital Markets Union	MCCREEVY Charlie

Key events

Date	Event	Reference	Summary
06/04/2006	Committee referral announced in Parliament		
12/02/2007	Resolution/conclusions adopted by Council		
05/06/2007	Vote in committee		
11/06/2007	Committee report tabled for plenary	A6-0226/2007	
19/06/2007	Debate in Parliament		
20/06/2007	Decision by Parliament	T6-0273/2007	Summary
20/06/2007	Results of vote in Parliament		
20/06/2007	End of procedure in Parliament		

Technical information	
Procedure reference	2006/2084(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/6/35383

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE388.489	20/04/2007	
Amendments tabled in committee		PE388.708	14/05/2007	
Committee report tabled for plenary, single reading		A6-0226/2007	11/06/2007	
Committee opinion	JURI	PE384.293	11/06/2007	
Text adopted by Parliament, single reading		T6-0273/2007	20/06/2007	Summary

Public Procurement: transposition and implementation of the legislation in relation to the Lisbon Agenda

2006/2084(INI) - 20/06/2007 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report drafted by Arlene **McCARTHY** (PSE, UK) on specific problems in the transposition and implementation of public procurement legislation and its relation to the Lisbon Agenda.

MEPs welcomed the recent modernisation and simplification of the EU public procurement rules, which had significantly boosted efficiency in EU public procurement processes. They felt, however, that Member States should make full use of the Commission's assistance in the transposition process, and that the Commission should be given the human resources to police late and incorrect transposition more effectively. Member States should actively exchange knowledge and best practice with each other on transposing public procurement legislation and improve cooperation with the Commission in this field.

Parliament stated that the inconsistent transposition of the optional elements of the public sector Directive could have an adverse effect on the internal market, and it called on the Commission to conduct a study to evaluate the impact of non-harmonised transposition of the optional elements of the public sector Directive on cross-border tendering in the EU.

It strongly believed that breaches of the rules could be reduced if Member States and the Commission introduced more collaborative practices. It also called for the introduction of national advisory agencies on public procurement to assist contracting authorities in the correct implementation of the public procurement rules, and to assist tenderers, in particular small and medium enterprises, in bidding for public contracts. Member States must focus on detecting and sanctioning illegal practices and ensuring that all relevant national court judgments and rulings of the European Court of Justice are respected.

Member States should also devote more capacity to raising the level of procurement professionalism and sharing best practice at the national level to ensure consistent and even application of the public procurement rules by all contracting authorities and in areas of the rules where there is less clarity, particularly procurements falling outside the full scope of the public procurement Directives. Systematic training of procurement professionals across the EU would enhance the transparency of national implementation measures and procedures in public procurement across the EU. A change is needed to move away from a budget-based approach to an outcome-focussed approach in public procurement, looking at whole project-cycle costs and requiring purchasing professionals to develop sound management and economic skills. Parliament encouraged the development of national

procurement 'showcase conferences' displaying best-in-class public procurement projects and the development and coordination of the work of European networks for the exchange of best practice in public procurement.

In conclusion, the report recommended that the Commission propose an action plan to encourage Member States to fulfil their obligation to tackle persistent and emerging transposition and implementation problems in public procurement, focusing on illegal direct awards and late or incorrect transposition.