



# EU Directive on Public Procurement

# Novelties Directive Public Procurement European

**Sanja Bogojevic, Xavier  
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## **Novelties Directive Public Procurement European:**

Public Procurement and the EU Competition Rules Albert Sánchez Graells, 2015-06-25 Public procurement and competition law are both important fields of EU law and policy intimately intertwined in the creation of the internal market. Hitherto their close connection has been noted but not closely examined. This work is the most comprehensive attempt to date to explain the many ways in which these fields often considered independent of one another interact and overlap in the creation of the internal market. This process of convergence between competition and public procurement law is particularly apparent in the 2014 Directives on public procurement which consolidate the principle of competition in terms very close to those advanced by the author in the first edition. This second edition builds upon this approach and continues to ask how competition law principles inform and condition public procurement rules and whether the latter in their revised form are adequate to ensure that competition is not distorted. The second edition also deepens the analysis of the market behaviour of the public buyer from a competition perspective. Proceeding through a careful assessment of the general rules of competition and public procurement the book constantly tests the efficacy of these rules against a standard of the proper functioning of undistorted competition in the market for public procurement. It also traces the increasing relevance of competition considerations in the case law of the Court of Justice of the European Union and sets out criteria and recommendations to continue influencing the development of EU Economic Law.

**Research Handbook on EU Public Procurement Law** Christopher Bovis, 2016-07-27 Public procurement law is a necessary component of the single market because it attempts to regulate the public markets of Member States and represents a key priority for the European Union. This Research Handbook makes a major contribution to the understanding of the current EU public procurement regime its interface with the law of the internal market and the pivotal role that this will play in the delivery of the European 2020 Growth Strategy.

*Reformation or Deformation of the EU Public Procurement Rules* Grith Skovgaard Ølykke, Albert Sanchez-Graells, 2016-11-25 Using an innovative law and political science methodology this timely book carries out a critical assessment of the reform of the EU public procurement rules. It provides a rich account of the policy directions and the spaces for national regulatory decisions in the transposition of the 2014 Public Procurement Package as well as areas of uncertainty and indications on how to interpret the rules in order to make them operational in practice. Most EU law research focuses on the content of rules and the impact of case law on their interpretation and application. It rarely discusses how the CJEU's case law influences the creation of new rules or the way EU law makers enact them issues which conversely are a staple for political scientists. By blending both approaches this book finds that political science provides a useful framework to describe the law making process and shows that the influence of the CJEU was significant. Though the specific case studies identify many reforms the ultimate assessment is that EU public procurement law was deformed. Offering a clear contribution to the emerging scholarship on flexible EU law making this book's novel methodology will appeal to scholars and students of

both law and political science Law and policy makers as well as legal practitioners will also find its practical approach compelling R sum de l diteur **European Public Procurement** Caranta, Roberto, Sanchez-Graells, Albert, 2021-10-26 This detailed Commentary provides an authoritative interpretation of each provision in the main EU Directive on public procurement Directive 2014/24/EU and is rich in its critical analysis of the provisions of the 2014 Directive and the case law The Commentary also highlights the application problems and interpretative issues being raised in EU Member States which in due time will make their way up to the CJEU or even require further legislative interventions **EU Public Procurement Law** Christopher Bovis, 2008-01-01 This book will serve as an essential resource for anyone interested in the legal regime of public procurement It offers a comprehensive and topical analysis of EU law and its interaction with national law and policies in an area of growing economic importance Ruth Nielsen Copenhagen Business School Denmark EU Public Procurement Law addresses one of the most important areas of European integration With a magnitude approaching 1 trillion euros in supplies works and services and representing almost 12 percent of the European Union's GDP public procurement regulation represents a key objective of the vision of the European Union in becoming the most competitive economy in the world by 2010 In this book Christopher Bovis offers a clear and lucid assessment of the new public procurement legal framework and its interplay with policy within the European Union and the member states The new regime is based on three principles simplification modernization and flexibility and the book considers the new directives which are intended to simplify and modernize a regulatory regime that aims to gradually establish a public market in the European Union The book exposes the instrumental role of the European Court of Justice in shaping many of the newly introduced concepts in public procurement regulation Finally the author provides for the most comprehensive taxonomy and codification of case law on public procurement This comprehensive overview of enforcement and compliance of public procurement at European and national levels will be of great interest to academic researchers and lawyers within the EU USA Canada and other continents It will also appeal to postgraduate students in law policy and management judges at the European Court of Justice and national courts and policy makers at European international and national levels Discretion in EU Public Procurement Law Sanja Bogojevic, Xavier Groussot, Jörgen Hettne, 2019-05-30 The EU public procurement regime has recently undergone an overhaul and now allows Member States and their contracting authorities to pursue strategic goals via public procurement including environmental and social objectives The extent to which such interests may be accommodated in the procurement process is ultimately determined by the broader legal context in which the EU public procurement regime exists which raises pressing questions regarding the scope and limits of Member States discretion This volume scrutinises these new legal acts particularly Directive 2014/24/EU focusing on discretion and engaging with questions central to the public procurement regime against the EU legal backdrop including internal market law and environment law as well as law beyond the EU

**EU Public Procurement and Innovation** Pedro Cerqueira Gomes, 2021-01-29 This insightful book provides readers

with a practical and theoretical explanation of the ways in which the new tailor made Innovation Partnership Procedure can be used throughout all Member States in the European Union With a focus on the Procurement Directive for the public sector Directive 2014/24/EU Pedro Cerqueira Gomes argues that innovation is a crucial policy of the EU that must be extended to public procurement implying interesting harmonisation challenges mostly regarding the use of the Innovation Partnership Procedure and the national administrative law traditions of the Member States *Sustainable Public Procurement Under EU Law* Beate Sjøfjell, Anja Wiesbrock, 2015-12-03 This book evaluates the 2014 EU public procurement law reform from a sustainability perspective Deepening EU-Ukrainian Relations Michael Emerson, Veronika Movchan, 2016-08-12 The signing of the Association Agreement and DCFTA between Ukraine and the European Union in 2014 was an act of strategic geopolitical significance in the history of Ukraine and Europe itself Emblematic of a struggle to replace a corrupt oligarch controlled regime at home and to resist attempts by Russia to deny Ukraine its European choice the Association Agreement is a defiant statement of the country's determination to become a democratic independent state The purpose of the Handbook is to make the content of this complex treaty clearly comprehensible The first edition of this book has become an acknowledged bible for all practitioners and scholars engaged in east European affairs This second edition carries the story forward with a systematic assessment of the achievements and problems that implementation of the treaty has been witnessing over the subsequent years **Mandatory Sustainability Requirements in EU Public Procurement Law** Willem Janssen, Roberto Caranta, 2023-10-05 This book provides the first comprehensive appraisal of the paradigm shift towards mandatory sustainability requirements in EU public procurement law Traditionally EU public procurement law focused on how to buy dictating procedural rules so that public buyers in the Member States did not discriminate against suppliers and service providers from other Member States Mandatory green and social requirements mean that with a view to achieving sustainable development goals and mitigating climate change the EU will limit this discretionary power for public buyers pushing them to acquire more sustainable goods and services Based on legal analysis informed by economic perspectives the book aims to contribute to an understanding and critical discussion of the EU legislator's move towards regulating what to buy The book discusses the role of the Public Procurement Directives in relation to this paradigm shift as well as various other sectoral legislative instruments that have been revamped or newly introduced in light of the European Green Deal The paradigm shift is analysed from different perspectives including subsidiarity alternative regulation economics and public purchasing The book includes novel sectoral studies on transport food clothing and construction discussing how change is taking place and what its major challenges are for the future Chapters on Italy the Netherlands Spain and more offer case studies of Member States that have already introduced mandatory requirements and highlight lessons learnt This is an essential book for professionals working with public procurement law in academia and practice and to those engaged in achieving public policy objectives in light of climate change and social injustice **Sustainability in Public Procurement,**

**Corporate Law and Higher Education** Lela Melon, 2023-12-12 Contemporary changes in law and policy at the global level to efficiently answer to environmental and social issues correspond to the traditional approach of limiting the regulatory and policy changes to a singular field or discipline tackling the inherent unsustainability of corporate laws or incentivising the offering of sustainable finance to stimulate the transition towards sustainable practices This book provides a new viewpoint and approach of simultaneously regulating seemingly non connected fields in order to provide a fertile ground for a truly organic change towards sustainable outcomes It addresses diverse questions of sustainable transition of the three specific fields to support sustainable practices in public procurement private market transaction and in educating future business leaders and legal experts by incorporating sustainable concerns as the underlying guiding principles of their conduct It translates scientific findings into a practical format that can be used by diverse stakeholders searching for information and solutions in their respective professional fields The underlying assumption is that a simultaneous action in the three respective fields of public procurement corporate law and higher education brings about more coherent and interconnected results that incentivise further action and changes towards sustainable practices The book furthers the idea of policy coherence by building upon the findings in the field of public procurement corporate law and practice and higher education curricula By identifying the barriers in the three respective fields for sustainable action and proposing solutions for either eliminating or minimising those barriers at the EU level the book calls for further changes in the respective fields as well as for considering the spillover effects of these policies on other fields

**Cost and EU Public Procurement Law** Marta Andhov, Roberto Caranta, Anja Wiesbrock, 2019-09-19 Public institutions companies and governments in the EU and around the world are increasingly engaging in sustainable public procurement a broad concept that must consider the three pillars of economic equality social welfare and public health and environmental responsibility when designing public tenders and finalizing government contracts This book contributes to the development of life cycle criteria tools and methodologies for public procurement in the EU It collects both sector crossing contributions analysing the most relevant theoretical and legal aspects including both EU law and contract theory and sector specific contributions relating to some of the most important sustainable goods and services markets The book starts with a chapter that discusses the different approaches to including sustainability considerations in buying decisions by both private and public purchasers and then goes on to examine the EU law on LCC and how it is implemented in different Member States These chapters address the challenges in balancing economic and sustainability objectives under EU internal market law One chapter develops the analysis with specific reference to public private partnership Another chapter elaborates how multi stakeholders cooperation is necessary to develop LCC based on a case study of a lighting services procurement Three sector specific studies relating to social housing textile and clothing and IT close the book With contributors from a range of backgrounds including law business management engineering and policy development this interdisciplinary book provides the first comprehensive study on LCC

within the framework of EU public procurement law      *Services of General Economic Interest as a Constitutional Concept of EU Law* Caroline Wehlander, 2016-06-23 This book offers a legal understanding regarding the core elements of SGEI Services of General Interest and of how the post Lisbon constitutional framework on SGEI affects the application of the EU market rules by the EU Court of Justice including procurement rules to public services It is built up of three parts namely Part I No Exit from EU Market Law for Public Services Part II SGEI as a Constitutional Voice for Public Services in EU Law and Part III The cost of loyalty the relationship between EU procurement and state aid legislation on social services and the Treaty rules on SGEI ending with a case study of Swedish systems of choice Analyses are also provided on how the EU legislator engages in the Europeanisation of social services through EU procurement and state aid rules that have an ambiguous relationship to the Treaty framework on SGEI Some explanation to this ambiguity is proposed by studying how the application of EU state aid rules could hinder the development of Swedish systems of choice liberalizing publicly funded elderly care and school education Included are propositions on crucial but yet unsettled legal questions in particular what the legal meaning and relevance of the notion of economic activity in EU market law are and which core elements characterize SGEI This book is therefore mainly aimed at legal academics and practitioners but may also be of interest to political scientists Caroline Wehlander studied at Ume University and holds the title of Doctor of Laws She lives and works in Sweden      **The**

**Challenges of Public Procurement Reforms** Annalisa Castelli, Gustavo Piga, Stéphane Saussier, Tünde Tátrai, 2020-08-31 Public procurement affects a substantial share of world trade flows amounting to 1000 billion euros per year In the EU the public purchase of works goods and services has been estimated to account on average for 16 percent of GDP The novelty of this book is that it focuses on the new European Union Directives approved in 2014 by the EU Parliament The book consists of original contributions related to four specific themes of interest to the procurers day to day role in modern public purchasing organizations both economists and lawyers allowing for relevant exchanges of views and real time interaction The four sections which characterize the book are Life cycle Costing in Public Procurement Calculating Costs and Savings of Public Procurement Corruption and Probity in Public Procurement and Public Procurement and International Trade Agreements CETA TTIP and beyond These themes have been chosen for their current relevance in relation to the new European Public Procurement Directives and beyond The original format features as is the case with the first three volumes an introductory exchange between leading academics and practitioners from differing disciplines It offers a series of sequential interactions between economists lawyers and technical experts who supplement one another so as to enrich the liveliness of the debate and improve the mutual understanding between the various professions This essential guide will be of interest to policymakers academics students and researchers as well as practitioners working in the field of EU public procurement      Global Corporate Social Responsibility Initiatives for Reluctant Businesses Khan, Syed Abdul Rehman, Yu, Zhang, Panait, Mirela, Janjua, Laeeq Razzak, Shah, Adeel, 2021-06-25 Undeniably the concept of corporate social responsibility

CSR is not new but there is a huge difference between understanding the concept of CSR in developed and developing nations In developing countries firms have little interest in adopting CSR as a strategy in their business goals The best practices techniques and empirical studies conducted around the globe must be discussed in detail in order to encourage the incorporation of the best CSR strategies for regionally diverse businesses Global Corporate Social Responsibility Initiatives for Reluctant Businesses is a critical reference source that covers the scope of global corporate social responsibility which has continued to increase in the last couple of decades The book includes core aspects of corporate social responsibility philosophy and practices in different European North American and Asian countries This authored book helps readers to understand the corporate social responsibility practices in different countries and also provides a holistic picture of global CSR and emerging trends with the support of empirical studies Covering topics including internationalization Islamic CSR green public procurement CSR strategy and sustainability this book is essential for managers executives human resources managers policymakers academicians researchers students and practitioners Public Procurement and Labour Rights

Maria Anna Corvaglia, 2017-09-21 This book investigates patterns of fragmentation and coherence in the international regulatory architecture of public procurement In the context of the major international instruments of procurement regulation the book studies the achievement of social and labour policies the most controversial and problematic instrumental uses of public procurement practices This work offers an innovative comparative approach discussing the ways in which the different international instruments namely the EU Procurement Directives the WTO Agreement on Government Procurement the UNCITRAL Model Law and the World Bank's Procurement Framework are able to implement labour and social purposes and at the same time ensure a regulatory balance with the principles of efficiency and non discrimination Scholarly rigorous and timely this will be important reading for international trade lawyers and procurement practitioners

**Open Markets, Free Trade and Sustainable Development** Mahendra Pal Singh, Wolfram Cremer, Niraj Kumar, 2019-07-27 This book explores the dilemmas posed by globalisation in various aspects of law It covers diverse themes ranging from the impact of different legislative measures bilateral and regional agreements in the context of trade investment and mobility of labour to concerns about sustainability equity regional balance and social security in the light of globalisation Although it focuses mainly on India and the European Union the issues raised and challenges discussed are of a general nature and as such relevant in the broader context The chapters address contemporary problems in trade investment and labour mobility which have emerged through the complex interaction of market state policies and socio environmental concerns and are expressed on national and global platforms in the context of evolving legal system The book is a valuable resource for students researchers and academics engaged in comparative legal studies particularly those interested in studying the interplay of globalisation with various areas and aspects of law at national as well as international levels It also appeals to anyone interested in law and policy studies *Public-Private Partnerships in European Union Law and Member*



*States* Jugoslava Vojnovic, 2023-11-25 This book investigates public private partnerships with special reference to the law of the European Union and the Member States It deals in detail with what public private partnerships are whether and how they are regulated and whether the concept carries meaning outside the regulatory framework Based on detailed analysis the author offers conclusions on how public private partnerships should develop and be regulated in practice and provides a solid basis including a comprehensive review of the relevant literature for further research This book will be important to researchers and students in political law and regulation as well as practitioners and policy makers Although the examples studied are from the European Union the conclusions will be applicable worldwide

### **Modernising Public Procurement**

Steen Treumer, Mario Comba, 2018-10-26 This topical book offers an in depth analysis of the recent implementation of the Public Procurement Directive based on the experiences of 12 Member States including France Germany Italy Poland Spain and the United Kingdom The contributions from first class public procurement law experts offer an informed and comparative analysis of the recent implementation of the Public Procurement Directive as well as focussing on so called gold plating overimplementation and issues where the legality of the implemented legislation is questionable Vitally the chapters also consider national preparatory works as a legal source and their interesting role in the implementation of the Directive including its Preamble Attention is also given to the implementation of some of the most important novelties in the Directive such as the exclusion grounds the competitive procedure with negotiation and contract changes Modernising Public Procurement will be important reading for practitioners and civil servants involved in the implementation of public procurement law Academics researchers politicians judges and members of complaints boards in the field of public procurement law will also find this book a stimulating read Contributors include R gren P Bogdanowicz M Burgi R Caranta M Comba D Dragos P Ferk K H rginen F Lich re B Neamtu S Richetto A Sanchez Graells M A Simovart A Sundstrand S Treumer P Valc rcel Fern ndez D Wolff

### Corporate Responsibility in Europe Thomas Beschorner, Thomas Hajduk, Samuil

Simeonov, 2013-05-13 The sector specific approach to Corporate Responsibility CR has attracted little attention so far although the industrial sector is a key variable in any company s economic environment Therefore this book introduces sector specific CR as a way to increase the success and impact of business engagement It focuses on sector specific initiatives with government involvement as appropriate governance mechanisms to address sustainability challenges through public private collaboration What is the state of sector specific CR across Europe How do sector specific initiatives work and what are criteria for their good performance What roles do governments play in such initiatives To answer these questions the book draws on rich empirical evidence from five industries across eight European countries as well as on the expertise of numerous CR and industry experts In doing so its target audience is both researchers and practitioners Academics will find a starting point for further research in this emerging field whereas practitioners are offered empirical and effective models for promoting sector specific CR

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