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**COUNCIL DIRECTIVE 93/36/EEC**  
**of 14 June 1993**  
**coordinating procedures for the award of public supply contracts**

(OJ L 199, 9.8.1993, p. 1)

Amended by:

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**COUNCIL DIRECTIVE 93/36/EEC**  
**of 14 June 1993**  
**coordinating procedures for the award of public supply contracts**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

In cooperation with the European Parliament <sup>(2)</sup>,

Having regard of the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas Council Directive 77/62/EEC of 21 December 1976 coordinating procedures for the award of public supply contracts <sup>(4)</sup> has been amended on a number of occasions; whereas, on the occasion of further amendments, the said Directive should, for reasons of clarity be recast;

Whereas it seems important in particular to align the drafting of the present Directive, as far as possible, on the provisions on public procurement as contained in Council Directive 93/37/EEC concerning the coordination of procedures for the award of public works contracts <sup>(5)</sup> and Council Directive 92/50/EEC of 18 June 1992, relating to the coordination of procedures on the award of public service contracts <sup>(6)</sup>;

Whereas the alignments to be introduced relate, in particular, to the introduction of the functional definition of contracting authorities, the option of recourse to the open or restricted procedure, the requirement to justify the refusal of candidates or tenderers, the rules for drawing up reports on the execution of the different award procedures, the conditions for referring to the common rules in the technical field, publication and participation, clarifications concerning award criteria and the introduction of the Advisory Committee procedure;

Whereas it is also necessary to introduce some drafting changes aimed at improving the clarity of existing provisions;

Whereas the attainment of freedom of movement of goods in respect of public supply contracts awarded in Member States on behalf of the State, or regional or local authorities or other bodies governed by public law entails not only the abolition of restrictions but also the coordination of national procedures for the award of public supply contracts;

Whereas such coordination should take into account as far as possible the procedures and administrative practices in force in each Member State;

Whereas the Community is a Party to the Agreement on government procurement <sup>(7)</sup>, hereinafter referred to as 'the GATT Agreement';

Whereas Annex I to this Directive sets out the lists of contracting authorities subject to the GATT Agreement; whereas it is necessary to update this Annex in accordance with amendments submitted by the Member States;

<sup>(1)</sup> OJ No C 277, 26. 10. 1992, p. 1.

<sup>(2)</sup> OJ No C 72, 15. 3. 1993, p. 73 and Decision of 26. 5. 1993 (not yet published in the Official Journal).

<sup>(3)</sup> OJ No C 332, 16. 12. 1992, p. 72.

<sup>(4)</sup> OJ No L 13, 15. 1. 1977, p. 1. Directive as last amended by Directive 92/50/EEC (OJ No L 209, 24. 7. 1992, p. 1).

<sup>(5)</sup> See p. 54 of this Official Journal.

<sup>(6)</sup> OJ No L 209, 24. 7. 1992, p. 1.

<sup>(7)</sup> OJ No L 71, 17. 3. 1980, p. 44 and OJ No L 345, 9. 12. 1987, p. 24.

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Whereas this Directive does not apply to certain supply contracts which are awarded in the water, energy, transport and telecommunication sectors covered by Directive 90/531/EEC <sup>(1)</sup>;

Whereas, without prejudice to the application of the threshold set out for supply contracts subject to the GATT Agreement, supply contracts of less than ECU 200 000 may be exempted from competition as provided under this Directive and it is appropriate to provide for their exemption from coordination measures;

Whereas provision must be made for exceptional cases where measures concerning the coordination of procedures may not necessarily be applied, but whereas such cases must be expressly limited;

Whereas the negotiated procedure should be considered to be exceptional and therefore applicable only in limited cases;

Whereas it is necessary to provide common rules in the technical field which take account of the Community policy on standards and specifications;

Whereas, to ensure development of effective competition in the field of public contracts, it is necessary that contract notices drawn up by the contracting authorities of Member States be advertised throughout the Community; whereas the information contained in these notices must enable suppliers established in the Community to determine whether the proposed contracts are of interest to them; whereas, for this purpose, it is appropriate to give them adequate information about the goods to be supplied and the conditions attached to their supply; whereas, more particularly, in restricted procedures advertisement is intended to enable suppliers of Member States to express their interest in contracts by seeking from the contracting authorities invitations to tender under the required conditions;

Whereas additional information concerning contracts must, as is customary in Member States, be given in the contract documents for each contract or else in an equivalent document;

Whereas it is necessary to provide common rules for participation in public supply contracts, including both qualitative selection criteria and criteria for the award of the contracts;

Whereas it would be appropriate to enable certain technical conditions concerning notices and statistical reports required by this Directive to be adapted in the light of changing technical requirements; whereas Annex II to this Directive refers to a nomenclature, whereas the Community may, as required, revise or replace its common nomenclature and whereas it is necessary to make provision for the possibility of adapting the reference made to the nomenclature accordingly;

Whereas this Directive should not affect the obligations of the Member States concerning the deadlines for transposition into national law and for application indicated in Annex V,

HAS ADOPTED THIS DIRECTIVE:

TITLE I

**GENERAL PROVISIONS**

*Article 1*

For the purpose of this Directive:

- (a) 'public supply contracts' are contracts for pecuniary interest concluded in writing involving the purchase, lease rental or hire purchase, with or without option to buy, of products between a supplier (a natural or legal person) and one of the contracting

<sup>(1)</sup> OJ No L 297, 29. 10. 1990, p. 1.

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authorities defined in (b) below. The delivery of such products may in addition include siting and installation operations;

- (b) ‘contracting authorities’ shall be the State, regional or local authorities, bodies governed by public law, associations formed by one or several of such authorities or bodies governed by public law;

‘a body governed by public law’ means any body:

- established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character, and — having legal personality, and
- having legal personality, and
- financed, for the most part, by the State, or regional or local authorities, or other bodies governed by public law, or subject to management supervision by those bodies, or having an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities or by other bodies governed by public law;

the lists of bodies or of categories of such bodies governed by public law which fulfil the criteria referred to in the second subparagraph are set out in Annex I to Directive 93/37/EEC. These lists shall be as exhaustive as possible and may be reviewed in accordance with the procedure laid down in Article 35 of Directive 93/37/EEC;

- (c) — a supplier who submits a tender shall be designated by the term ‘tenderer’, and one who has sought an invitation to take part in a restricted procedure by the term ‘candidate’;
- ‘open procedures’ are those national procedures whereby all interested suppliers may submit tenders; (e) ‘restricted procedures’ are those national procedures whereby only those suppliers invited by the contracting authorities may submit tenders;
- (d) ‘negotiated procedures’ are those national procedures whereby contracting authorities consult suppliers of their choice and negotiate the terms of the contract with one or more of them.
- (e) ‘negotiated procedures’ are those national procedures whereby contracting authorities consult suppliers of their choice and negotiate the terms of the contract with one or more of them.
- (f) ‘negotiated procedures’ are those national procedures whereby contracting authorities consult suppliers of their choice and negotiate the terms of the contract with one or more of them.

#### *Article 2*

1. This Directive shall not apply to:
- (a) contracts awarded in the fields referred to in Articles 2, 7, 8 and 9 of Directive 90/531/EEC or fulfilling the conditions in Article 6 (2) of that Directive;
- (b) supply contracts which are declared secret or the execution of which must be accompanied by special security measures in accordance with the laws, regulations or administrative provisions in force in the Member States concerned or when the protection of the basic interests of the Member State’s security so requires.
2. When a contracting authority within the meaning of Article 1 (b) grants to a body other than a contracting authority — regardless of its legal status — special or exclusive rights to engage in a public service activity, the instrument granting this right shall stipulate that the body in question must observe the principle of non-discrimination by nationality when awarding public supply contracts to third parties.

#### *Article 3*

Without prejudice to Articles 2, 4 and 5 (1), this Directive shall apply to all products to which Article 1 (a) relates, including those covered by contracts awarded by contracting authorities in the field of defence,

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except for the products to which Article 223 (1) (b) of the EEC Treaty applies.

*Article 4*

This Directive shall not apply to public supply contracts governed by different procedural rules and awarded:

- (a) in pursuance of an international agreement concluded in conformity with the Treaty, between a Member State and one or more non-member countries and covering supplies intended for the joint implementation or exploitation of a project by the signatory States; all agreements shall be communicated to the Commission, which may consult the Advisory Committee for Public Contracts set up by Decision 71/306/EEC <sup>(1)</sup>;
- (b) to undertakings in a Member State or a non-member country in pursuance of an international agreement relating to the stationing of troops;
- (c) pursuant to the particular procedure of an international organization.

*Article 5*

1. (a) Titles II, III and IV and Articles 6 and 7 shall apply to public supply contracts:

- awarded by the contracting authorities referred to in Article 1 (b), including contracts awarded by the contracting authorities listed in Annex I in the field of defence in so far as the products not covered by Annex II are concerned, provided that the estimated value net of VAT is not less than ECU 200 000,
- awarded by the contracting authorities listed in Annex I and whose estimated value net of VAT is not less than the threshold fixed pursuant to the GATT Agreement; in the case of contracting authorities in the field of defence, this shall apply only to contracts involving products covered by Annex II;

(b) this Directive shall apply to public supply contracts for which the estimated value equals or exceeds the threshold concerned at the time of publication of the notice in accordance with Article 9 (2);

(c) the value of the thresholds in national currencies and the threshold of the GATT Agreement expressed in ecus shall in principle be revised every two years with effect from 1 January 1988. The calculation of these values shall be based on the average daily values of these currencies expressed in ecus and of the ecu expressed in SDRs over the 24 months terminating on the last day of August immediately preceding the 1 January revision;

the method of calculation laid down in the present subparagraph shall be reviewed, on the Commission's initiative, by the Advisory Committee for Public Contracts, in principle two years after its initial application;

(d) the threshold laid down in subparagraph (c) and the value of the thresholds in national currencies and, as regards the threshold fixed by the GATT Agreement, its threshold expressed in ecus shall be published in the *Official Journal of the European Communities* at the beginning of the month of November which follows the revision laid down in the first part of subparagraph (c).

2. In the case of contracts for the lease, rental or hire purchase of products, the basis for calculating the estimated contract value shall be:

- in the case of fixed-term contracts, where their term is 12 months or less the total contract value for its duration, or, where their term exceeds 12 months, its total value including the estimated residual value;

<sup>(1)</sup> OJ No L 185, 16. 8. 1971, p. 15. Decision amended by Decision 77/63/EEC (OJ No L 13, 15. 1. 1977, p. 15).

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— in the case of contracts for an indefinite period or in cases where there is doubt as to the duration of the contracts the monthly value multiplied by 48.

3. In the case of regular contracts or of contracts which are to be renewed within a given time, the estimated contract value shall be established on the basis of:

- either the actual aggregate value of similar contracts concluded over the previous fiscal year or 12 months, adjusted where possible, for anticipated changes in quantity or value over the 12 months following the initial contract;
- or the estimated aggregate value during the 12 months following the first delivery or during the term of the contract, where this is greater than 12 months.

The selection of the valuation method shall not be used with the intention of avoiding the application of this Directive.

4. If a proposed procurement of supplies of the same type may lead to contracts being awarded at the same time in separate parts, the estimated value of the total sum of these parts must be taken as the basis for the application of paragraphs 1 and 2.

5. In the case where a proposed procurement specifies option clauses, the basis for calculating the estimated contract value shall be the highest possible total of the purchase, lease, rental, or hire-purchase permissible, inclusive of the option clauses.

6. No procurement requirement for a given quantity of supplies may be split up with the intention of avoiding the application of this Directive.

#### *Article 6*

1. In awarding public supply contracts the contracting authorities shall apply the procedures defined in Article 1 (d), (e) and (f), in the cases set out below.

2. The contracting authorities may award their supply contracts by negotiated procedure in the case of irregular tenders in response to an open or restricted procedure or in the case of tenders which are unacceptable under national provisions that are in accordance with provisions of Title IV, in so far as the original terms for the contract are not substantially altered. The contracting authorities shall in these cases publish a tender notice unless they include in such negotiated procedures all the enterprises satisfying the criteria of Articles 20 to 24 which, during the prior open or restricted procedure, have submitted tenders in accordance with the formal requirements of the tendering procedure.

3. The contracting authorities may award their supply contracts by negotiated procedure without prior publication of a tender notice, in the following cases:

- (a) in the absence of tenders or appropriate tenders in response to an open or restricted procedure insofar as the original terms of the contract are not substantially altered and provided that a report is communicated to the Commission;
- (b) when the products involved are manufactured purely for the purpose of research, experiment, study or development, this provision does not extend to quantity production to establish commercial viability or to recover research and development costs;
- (c) when, for technical or artistic reasons, or for reasons connected with protection of exclusive rights, the products supplied may be manufactured or delivered only by a particular supplier;
- (d) in so far as is strictly necessary when, for reasons of extreme urgency brought about by events unforeseeable by the contracting authorities in question, the time limit laid down for the open, restricted or negotiated procedures referred to in paragraph 2 cannot be kept. The circumstances invoked to justify extreme urgency must not in any event be attributable to the contracting authorities;

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- (e) for additional deliveries by the original supplier which are intended either as a partial replacement of normal supplies or installations or as the extension of existing supplies or installations where a change of supplier would oblige the contracting authority to acquire material having different technical characteristics which would result in incompatibility or disproportionate technical difficulties in operation and maintenance. The length of such contracts as well as that of recurrent contracts may, as a general rule, not exceed three years.
4. In all other cases, the contracting authorities shall award their supply contracts by the open procedure or by the restricted procedure.

*Article 7*

1. The contracting authority shall, within 15 days of the date on which the request is received, inform any eliminated candidate or tenderer who so requests of the reasons of rejection of his application or his tender, and, in the case of a tender, the name of the successful tenderer.
2. The contracting authority shall inform candidates or tenderers who so request of the grounds on which it decided not to award a contract in respect of which a prior call for competition was made, or to recommence the procedure. It shall also inform the Office for Official Publications of the European Communities of that decision.
3. For each contract awarded the contracting authorities shall draw up a written report which shall include at least the following:
- the name and address of the contracting authority, the subject and value of the contract,
  - the names of the candidates or tenderers admitted and the reasons for their selection,
  - the names of the candidates or tenderers rejected and the reasons for their rejection,
  - the name of the successful tenderer and the reasons for his tender having been selected and, if known, any share of the contract the successful tenderer may intend to subcontract to a third party,
  - for negotiated procedures, the circumstances referred to in Article 6 which justify the use of these procedures.

This report, or the main features of it, shall be communicated to the Commission at its request.

## TITLE II

**COMMON RULES IN THE TECHNICAL FIELD***Article 8*

1. The technical specifications defined in Annex III shall be given in the general or contractual documents relating to each contract.
2. Without prejudice to the legally binding national technical rules, in so far as these are compatible with Community law, the technical specifications mentioned in paragraph 1 shall be defined by the contracting authorities by reference to national standards implementing European standards, or by reference to European technical approvals or by reference to common technical specifications.
3. A contracting authority may depart from paragraph 2 if:
- (a) the standards, European technical approvals or common technical specifications do not include any provision for establishing conformity or technical means do not exist for establishing satisfactorily the conformity of a product to these standards, European technical approvals or common technical specifications;
  - (b) the application of paragraph 2 would prejudice the application of Council Directive 86/361/EEC of 24 July 1986 on the initial stage of the mutual recognition of type approval for telecommunications terminal equipment<sup>(1)</sup> or Council Decision 87/95/EEC of 22 December 1986 on standardization in the field of information tech-

<sup>(1)</sup> OJ No L 217, 5. 8. 1986, p. 21. Directive as amended by Directive 91/263/EEC (OJ No L 128, 23. 5 1991, p. 1).

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nology and telecommunications<sup>(1)</sup> or other Community instruments in specific service or product areas;

- (c) use of these standards, European technical approvals or common technical specifications would oblige the contracting authority to acquire supplies incompatible with equipment already in use or would entail disproportionate costs or disproportionate technical difficulties, but only as part of a clearly defined and recorded strategy with a view to change-over, within a given period, to European standards, European technical approvals or common technical specifications;
- (d) the project concerned is of a genuinely innovative nature for which use of existing European standards, European technical approvals or common technical specifications would not be appropriate.

4. Contracting authorities invoking paragraph 3 shall record, wherever possible, the reasons for doing so in the tender notice published in the *Official Journal of the European Communities* or in the contract documents and in all cases shall record these reasons in their internal documentation and shall supply such information on request to Member States and to the Commission.

5. In the absence of European standards, European technical approvals or common technical specifications, the technical specifications:

- (a) shall be defined by reference to the national technical specifications recognized as complying with the basic requirements listed in the Community directives on technical harmonization, in accordance with the procedures laid down in those directives, and in particular in accordance with the procedures laid down in Directive 89/106/EEC<sup>(2)</sup>;
- (b) may be defined by reference to national technical specifications relating to design and method of calculation and execution of works and use of materials;
- (c) may be defined by reference to other documents. In this case, it is appropriate to make reference in order of preference to:
  - (i) national standards implementing international standards accepted by the country of the contracting authority;
  - (ii) other national standards and national technical approvals of the country of the contracting authority;
  - (iii) any other standard.

6. Unless such specifications are justified by the subject of the contract, Member States shall prohibit the introduction into the contractual clauses relating to a given contract of technical specifications which mention goods of specific make or source or of a particular process and which therefore favour or eliminate certain suppliers or products. In particular, the indication of trade marks, patents, types or of a specific origin or production shall be prohibited. However, if such indication is accompanied by the words 'or equivalent' it shall be authorized in cases where the contracting authorities are unable to give a description of the subject of the contract using specifications which are sufficiently precise and fully intelligible to all parties concerned.

## TITLE III

## COMMON ADVERTISING RULES

*Article 9*

1. The contracting authorities shall make known, as soon as possible after the beginning of their budgetary year, by means of an indicative notice, the total procurement by product area which they envisage awarding during the subsequent 12 months where the total estimated

<sup>(1)</sup> OJ No L 36, 7. 2. 1987, p. 31.

<sup>(2)</sup> OJ No L 40, 11. 2. 1989, p. 12.



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value, taking into account the provisions of Article 5, is equal to or greater than ECU 750 000.

The product area shall be established by the contracting authorities by means of reference to the nomenclature 'Classification of Products According to Activities (CPA)'. The Commission shall determine the conditions of reference in the notice to particular positions of the nomenclature in accordance with the procedure laid down in Article 32 (2).

2. Contracting authorities who wish to award a public supply contract by open, restricted or negotiated procedure in the cases referred to in Article 6 (2), shall make known their intention by means of a notice.

3. Contracting authorities who have awarded a contract shall make known the result by means of a notice. However, certain information on the contract award may, in certain cases, not be published where release of such information would impede law enforcement or otherwise be contrary to the public interest, would prejudice the legitimate commercial interests of particular enterprises, public or private, or might prejudice fair competition between suppliers.

4. The notices shall be drawn up in accordance with the models given in Annex IV and shall specify the information requested in those models. The contracting authorities may not require any conditions other than those specified in Article 22 and 23 when requesting information concerning the economic and technical standards which they require of suppliers for their selection (Section 11 of Annex IV B, Section 9 of Annex IV C and Section 8 of Annex IV D).

5. The contracting authorities shall send the notices as rapidly as possible and by the most appropriate channels to the Office for Official Publications of the European Communities. In the case of the accelerated procedure referred to in Article 12, the notice shall be sent by telex, telegram or telefax.

The notice referred to in paragraph 1 shall be sent as soon as possible after the beginning of each budgetary year.

The notice referred to in paragraph 3 shall be sent at the latest 48 days after the award of the contract in question.

6. The notices referred to in paragraphs 1 and 3 shall be published in full in the *Official Journal of the European Communities* and in the TED data bank in the official languages of the Communities, the text in the original language alone being authentic.

7. The notice referred to in paragraph 2 shall be published in full in the *Official Journal of the European Communities* and in the TED data bank in their original language. A summary of the important elements of each notice shall be published in the official languages of the Communities, the text in the original language alone being authentic.

8. The Office for Official Publications of the European Communities shall publish the notices not later than 12 days after their dispatch. In the case of the accelerated procedure referred to in Article 12, this period shall be reduced to five days.

9. The notices shall not be published in the Official Journals or in the press of the country of the contracting authority before the date of dispatch to the Office for Official Publications of the European Communities; they shall mention that date. They shall not contain information other than that published in the *Official Journal of the European Communities*.

10. The contracting authorities must be able to supply proof of the date of dispatch.

11. The cost of publication of the notices in the *Official Journal of the European Communities* shall be borne by the Communities. The length of the notice shall not be greater than one page of the Journal, or approximately 650 words. Each edition of the Journal containing one or

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more notices shall reproduce the model notice or notices on which the published notice or notices are based.

*Article 10*

1. In open procedures the time limit for the receipt of tenders, fixed by the contracting authorities, shall not be less than 52 days from the date of dispatch of the notice.
2. Provided they have been requested in good time, the contract documents and supporting documents must be sent to the suppliers by the contracting authorities or competent departments within six days of receiving their application.
3. Provided it has been requested in good time, additional information relating to the contract documents shall be supplied by the contracting not later than six days before the final date fixed for receipt of tenders.
4. Where the contract documents, supporting documents or additional information are too bulky to be supplied within the time limits laid down in paragraph 2 or 3 or where tenders can be made only after a visit to the site or after on-the-spot inspection of the documents supporting the contract documents, the time limit laid down in paragraph 1 shall be extended accordingly.

*Article 11*

1. In restricted procedures and negotiated procedures as described in Article 6 (2), the time limit for receipt of requests to participate fixed by the contracting authorities shall not be less than 37 days from the date of dispatch of the notice.
2. The contracting authorities shall simultaneously and in writing invite the selected candidates to submit their tenders. The letter of invitation shall be accompanied by the contract documents and supporting documents. It shall include at least the following information:
  - (a) where appropriate, the address of the service from which the contract documents and supporting documents can be requested and the final date for making such a request; also the amount and terms of payment of any sum to be paid for such documents;
  - (b) the final date for receipt of tenders, the address to which they must be sent and the language or languages in which they must be drawn up;
  - (c) a reference to the contract notice published;
  - (d) an indication of any documents to be annexed, either to support the verifiable statements furnished by the candidate in accordance with Article 9 (4), or to supplement the information provided for in that Article under the same conditions as those laid down in Articles 22 and 23;
  - (e) the criteria for the award of the contract if these are not given in the notice.
3. In restricted procedures, the time limit receipt of tenders fixed by the contracting authorities may not be less than 40 days from the date of dispatch of the written invitation.
4. Requests to participate in procedures for the award of contracts may be made by letter, by telegram, telex, telefax or by telephone. If by one of the last four, they must be confirmed by letter dispatched before the end of the period laid down in paragraph 1.
5. Provided it has been requested in good time, additional information relating to the contract documents must be supplied by the contracting authorities not later than six days before the final date fixed for receipt of tenders.
6. Where tenders can be made only after a visit to the site or after on-the-spot inspection of the documents supporting the contract docu-

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ments, the time limit laid down in paragraph 3 shall be extended accordingly.

*Article 12*

1. In cases where urgency renders impracticable the time limits laid down in Article 11, the contracting authorities may fix the following time limits:

- (a) a time limit for the receipt of requests to participate which shall not be less than 15 days from the date of dispatch of the notice;
- (b) a time limit for the receipt of tenders which shall not be less than 10 days from the date of the invitation to tender.

2. Provided it has been requested in good time, additional information relating to the contract documents must be supplied by the contracting authorities not less than four days before the final date fixed for the receipt of tenders.

3. Requests for participation in contracts and invitations to tender must be made by the most rapid means of communication possible. When requests to participate are made by telegram, telex, telefax or telephone, they must be confirmed by letter dispatched before the expiry of the time limit referred to in paragraph 1.

*Article 13*

Contracting authorities may arrange for the publication in the *Official Journal of the European Communities* of notices announcing public supply contracts which are not subject to the publication requirement laid down in this Directive.

*Article 14*

The conditions for the drawing up, transmission, receipt, translation, collection and distribution of the notices referred to in Article 9 and of the statistical reports provided for in Article 31 as well as the nomenclature provided for in Article 9 and in Annexes II and IV may be modified in accordance with the procedure laid down in Article 32 (2). The conditions for referring in the notices to particular positions in the nomenclature may be determined pursuant to the same procedure.

## TITLE IV

## Chapter 1

**Common rules on participation***Article 15*

1. Contracts shall be awarded on the basis for the criteria laid down in Chapter 3 of this Title, taking into account Article 16, after the suitability of the suppliers not excluded under Article 20 has been checked by the contracting authorities in accordance with the criteria of economic and financial standing and of technical capacity referred to in Articles 22, 23 and 24.

2. The contracting authorities shall respect fully the confidential nature of any information furnished by the suppliers.

*Article 16*

1. Where the criterion for the award of the contract is that of the most economically advantageous tender, contracting authorities may take account of variants which are submitted by a tenderer and meet the minimum specifications required by the contracting authorities.

The contracting authorities shall state in the contract documents the minimum specifications to be respected by the variants and any specific requirements for their presentation. They shall indicate in the tender notice if variants are not permitted.

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Contracting authorities may not reject the submission of a variant of the sole grounds that it has been drawn up with technical specifications defined by reference to national standards transposing European standards, to European technical approvals or to common technical specifications referred to in Article 8 (2), or again by reference to national technical specifications to in Article 8 (5) (a) and (b).

2. Contracting authorities which have admitted variants pursuant to paragraph 1 may not reject a variant on the sole grounds that it would lead, if successful, to a service contract rather than a public supply contract within the meaning of this Directive.

*Article 17*

In the contract documents, the contracting authority may ask the tenderer to indicate in his tender any share of the contract he may intend to subcontract to third parties.

This indication shall be without prejudice to the question of the principal supplier's liability.

*Article 18*

Tenders may be submitted by groups of suppliers. These groups may not be required to assume a specific legal form in order to submit the tender; however, the group selected may be required to do so when it has been awarded the contract, to the extent that this change is necessary for the satisfactory performance of the contract.

*Article 19*

1. In restricted and negotiated procedures the contracting authorities shall, on the basis of information given relating to the supplier's personal position as well as to the information and formalities necessary for the evaluation of the minimum conditions of an economic and technical nature to be fulfilled by him, select from among the candidates with the qualifications required by Articles 20 to 24 those whom they will invite to submit a tender or to negotiate.

2. Where the contracting authorities award a contract by restricted procedure, they may prescribe the range within which the number of suppliers which they intend to invite will fall. In this case the range shall be indicated in the contract notice. The range shall be determined in the light of the nature of the goods to be supplied. The range must number at least five suppliers and may be up to 20.

In any event, the number of candidates invited to tender shall be sufficient to ensure genuine competition.

3. Where the contracting authorities award a contract by negotiated procedure as referred to in Article 6 (2), the number of candidates admitted to negotiate may not be less than three provided that there is a sufficient number of suitable candidates.

4. Each Member State shall ensure that contracting authorities issue invitations without discrimination to those nationals of other Member States who satisfy the necessary requirements and under the same conditions as to its own nationals.

## Chapter 2

**Criteria for qualitative selection***Article 20*

1. Any supplier may be excluded from participation in the contract who:

- (a) is bankrupt or is being wound up, whose affairs are being administered by the court, who has entered into an arrangement with creditors, who has suspended business activities or who is in any analogous situation arising from a similar procedure under national laws and regulations;

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- (b) is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or for an arrangement with creditors or of any other similar proceedings under national laws and regulations;
- (c) has been convicted of an offence concerning his professional conduct by a judgment which has the force of *res judicata*;
- (d) has been guilty of grave professional misconduct proven by any means which the contracting authorities can justify;
- (e) has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- (f) has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or those of the country of the contracting authority;
- (g) is guilty of serious misrepresentation in supplying the information required under this Chapter.

2. Where the contracting authority requires to the supplier proof that none of the cases quoted in (a), (b), (c), (e) or (f) of paragraph 1 applies to him, it shall accept as sufficient evidence:

- for points (a), (b) or (c), the production of an extract from the 'judicial record' or, failing this, of an equivalent document issued by a competent judicial or administrative authority in the country of origin in the country whence that person comes showing that these requirements have been met,
- for points (e) or (f), a certificate issued by the competent authority in the Member State concerned.

3. Where the country in question does not issue the documents or certificates referred to in paragraph 2 or where these do not cover all the cases quoted in (a), (b) or (c) of paragraph 1, they may be replaced by a declaration on oath or, in Member States where there is no provision for declarations on oath, by a solemn declaration made by the person concerned before a competent judicial or administrative authority, a notary or a competent professional or trade body, in the country of origin in the country whence that person comes.

4. Member States shall designate the authorities and bodies competent to issue the documents, certificates or declarations referred to in paragraphs 2 and 3 and shall forthwith inform the other Member States and the Commission thereof.

#### Article 21

1. Any supplier wishing to take part in a public supply contract may be requested to prove his enrolment, as prescribed in his country of establishment, in one of the professional or trade registers or to provide a declaration on oath or certificate as described in paragraph 2 below.

2. The relevant professional and trade registers or declarations or certificates are:

- in Belgium: 'Registre du commerce/Handelsregister',
- in Denmark: 'Aktieselskabsregistret', 'Foreningsregistret' and 'Handelsregistret',
- in Germany: 'Handelsregister' and 'Handwerksrolle',
- in Greece: 'Βιοτεχνικό ή Βιομηχανικό ή Εμπορικό Επιμελητήριο';
- in Spain: 'Registro Mercantil' or, in the case of non-registered individuals, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question,
- in France: 'Registre du commerce' and 'répertoire des métiers',
- in Italy: 'Registro della Camera di commercio, industria, agricoltura e artigianato', and 'Registro delle Commissioni provinciali per l'artigianato',

- ▼ B
  - in Luxembourg: ‘Registre aux firmes’ and ‘Rôle de la chambre des métiers’,
  - in the Netherlands: ‘Handelsregister’,
- ▼ A1
  - in Austria, the Firmenbuch, the Gewerberegister, the Mitgliederverzeichnisse der Landeskammern,
- ▼ B
  - in Portugal: ‘Registo Nacional das Pessoas Colectivas’,
- ▼ A1
  - in Finland, Kaupparekisteri — Handelsregistret,
  - in Sweden, aktiebolags-, handels- eller föreningsregistren.
- ▼ B
  - in the United Kingdom and Ireland, the supplier may be requested to provide a certificate from the Registrar of Companies or the Registrar of Friendly Societies, that he is certified as incorporated or registered or, if he is not so certified, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question in the country in which he is established in a specific place under a given business name and under a specific trading name.

#### *Article 22*

1. Evidence of the supplier’s financial and economic standing may, as a general rule, be furnished by one or more of the following references:
  - (a) appropriate statements from bankers;
  - (b) the presentation of the supplier’s balance-sheets or extracts from the balance-sheets, where publication of the balance-sheet is required under the law of the country in which the supplier is established;
  - (c) a statement of the supplier’s overall turnover and its turnover in respect of the products to which the contract relates for the three previous financial years.
2. The contracting authorities shall specify in the notice or in the invitation to tender which reference or references mentioned in paragraph 1 they have chosen and which references other than those mentioned under paragraph 1 are to be produced.
3. If, for any valid reason, the supplier is unable to provide the references requested by the contracting authority, he may prove his economic and financial standing by any other document which the contracting authority considers appropriate.

#### *Article 23*

1. Evidence of the supplier’s technical capacity may be furnished by one or more of the following means according to the nature, quantity and purpose of the products to be supplied:
  - (a) a list of the principal deliveries effected in the past three years, with the sums, dates and recipients, public or private, involved:
    - where effected to public authorities, evidence to be in the form of certificates issued or countersigned by the competent authority;
    - where effected to private purchasers, delivery to be certified by the purchaser or, failing this, simply declared by the supplier to have been effected;
  - (b) a description of the supplier’s technical facilities, its measures for ensuring quality and its study and research facilities;
  - (c) indication of the technicians or technical bodies involved, whether or not belonging directly to the supplier, especially those responsible for quality control;

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- (d) samples, description and/or photographs of the products to be supplied, the authenticity of which must be certified if the contracting authority so requests;
  - (e) certificates drawn up by official quality control institutes or agencies of recognized competence attesting conformity to certain specifications or standards of products clearly identified by references to specifications or standards;
  - (f) where the products to be supplied are complex or, exceptionally, are required for a special purpose, a check carried out by the contracting authorities or on their behalf by a competent official body of the country in which the supplier is established, subject to that body's agreement, on the production capacities of the supplier and if necessary on his study and research facilities and quality control measures.
2. The contracting authority shall specify, in the notice or in the invitation to tender, which references it wishes to receive.
  3. The extent of the information referred to in Article 22 and in paragraph 1 and 2 of this Article must be confined to the subject of the contract; the contracting authority shall take into consideration the legitimate interests of the suppliers as regards the protection of their technical or trade secrets.

*Article 24*

Within the limits of Articles 20 to 23 the contracting authority may invite the suppliers to supplement the certificates and documents submitted or to clarify them.

*Article 25*

1. Member States who have official lists of recognized suppliers must adapt them to the provisions of points (a) to (d) and (g) of Article 20 (1) and of Articles 21, 22 and 23.
2. Suppliers registered in the official lists may, for each contract, submit to the contracting authority a certificate of registration issued by the competent authority. This certificate shall state the reference which enabled them to be registered in the list and the classification given in that list.
3. Certified registration in official lists of suppliers by the competent bodies shall, for the contracting authorities of other Member States, constitute a presumption of suitability corresponding to the suppliers classification only as regards Article 20 (1) (a) to (d) and (g), Article 21, Article 22 (1) (b) (e) Article 23 (1) (a).

Information which can be deduced from registration in official lists may not be questioned. However, with regard to the payment of social security contributions, an additional certificate may be required of any registered suppliers whenever a contract is offered.

The contracting authorities of other Member States shall apply the first and second subparagraph only in favour of suppliers established in the Member States holding the official list.

4. For the registration of suppliers of other Member States in an official list, no further proof or statements can be required other than those requested of national suppliers and, in any event, only those provided for under Articles 20 to 23.
5. Member States holding an official list shall communicate the address of the body to which requests for registration may be made to other Member States and to the Commission which shall ensure distribution.

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## Chapter 3

**Criteria for the award of contracts***Article 26*

1. The criteria on which the contracting authority shall base the award of contracts shall be:

- (a) either the lowest price only;
- (b) or, when award is made to the most economically advantageous tender, various criteria according to the contract in question: e. g. price, delivery date, running costs, cost-effectiveness, quality, aesthetic and functional characteristics, technical merit, after-sales service and technical assistance.

2. In the case referred to in point (b) of paragraph 1, the contracting authority shall state in the contract documents or in the contract notice all the criteria they intend to apply to the award, where possible in descending order of importance.

*Article 27*

If, for a given contract, tenders appear to be abnormally low in relation to the goods to be supplied, the contracting authority shall, before it may reject those tenders, request in writing details of the constituent elements of the tender which it considers relevant and shall verify those constituent elements taking account of the explanations received.

The contracting authority may take into consideration explanations relating to the economics of the manufacturing process, or to the technical solutions chosen, or to the exceptionally favourable conditions available to the tenderer for the supply of the goods, or to the originality of the suppliers proposed by the tenderer.

If the documents relating to the contract provide for its award at the lowest price tendered, the contracting authority must communicate to the Commission the rejection of tenders which it considers to be too low.

## TITLE V

**FINAL PROVISIONS***Article 28*

For the purposes of the award of public contracts by the contracting authorities referred to in Annex I, and, to the extent that rectifications, modifications or amendments have been made thereto, by their successor authorities, Member States shall apply in their relations conditions as favourable as those which they grant to third countries in implementation of the GATT Agreement, in particular those in Articles V and VI of that Agreement, on the restricted procedure, information and review. The Member States shall to this end consult each other within the Advisory Committee for Public Contracts on the measures to be taken pursuant to the Agreement.

*Article 29*

1. The Commission shall examine the application of this Directive in consultation with the Advisory Committee for Public Contracts and where appropriate shall submit new proposals to the Council with the aim in particular of harmonizing the measures taken by the Member States for the implementation of this Directive.

2. The Commission shall review this Directive and any new measures which may be adopted by virtue of paragraph 1, having regard to the results of the further negotiations provided for in Article IX (6) of the GATT Agreement and shall, if necessary, submit appropriate proposals to the Council.



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3. The Commission shall update Annex I on the basis of any rectifications, modifications or amendments referred to in Article 28 and shall have the updated version published in the *Official Journal*.

*Article 30*

The calculation of time limits shall be made in accordance with Council Regulation (EEC, Euratom) No 1182/71 of 3 June 1971 determining the rules applicable to periods, dates and time limits <sup>(1)</sup>.

*Article 31*

1. In order to permit assessment of the results of applying this Directive, Member States shall forward to the Commission a statistical report relative to supply contract awards:

- (a) not later than 31 October of each year for the preceding year in respect of the contracting authorities listed in Annex I;
- (b) not later than 31 October 1991 and for the Hellenic Republic, the Kingdom of Spain and the Portuguese Republic 31 October 1995 and thereafter 31 October of each second year for the preceding year in respect of the other contracting authorities within the meaning of Article 1.

2. The statistical report shall detail at least:

- (a) the number and value of contracts awarded by each contracting authority above the threshold and, in the case of contracting authorities mentioned in Annex I, the value below the threshold;
- (b) the number and value of contracts awarded by each contracting authority above the threshold, subdivided by procedure, product and the nationality of the supplier to whom the contract has been awarded, and in the case of negotiated procedures, subdivided in accordance with Article 6, listing the number and value of the contracts awarded to each Member State and to third countries, and in the case of contracting authorities referred to in Annex I, the number and value of the contracts awarded to each signatory to the GATT Agreement.

3. The Commission shall determine in accordance with the procedure laid down in Article 32 (2) the nature of any additional statistical information, which is required in accordance with this Directive.

*Article 32*

1. The Commission shall be assisted by the Advisory Committee for Public Contracts set up by Decision 71/306/EEC.

2. Where reference is made to the procedure laid down in this paragraph, the representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account to the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

3. The Committee mentioned in paragraph 1 shall examine, on the initiative of the Commission or at the request of a Member State, any question relating to the application of this Directive.

<sup>(1)</sup> OJ No L 124, 8. 6. 1971, p. 1.

**▼B***Article 33*

Directive 77/62/EEC <sup>(1)</sup> is hereby repealed, without prejudice to the obligation of the Member States concerning the deadlines for transposition into national law and for application indicated in Annex V.

References to the repealed Directives shall be construed as reference to this Directive and should be read in accordance with the correlation table set out in Annex VI.

*Article 34*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 14 June 1994. They shall immediately inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods for making such a reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

*Article 35*

This Directive is addressed to the Member States.

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<sup>(1)</sup> Including the provisions which amended this Directive, namely:

- Directive 80/767/EEC (OJ No L 215, 18. 8. 1980, p. 1),
- Directive 88/295/EEC (OJ No L 127, 20. 5. 1988, p. 1),
- Article 35 (1) of Directive 90/531/EEC (OJ No L 297, 29. 10. 1990, p. 1),
- Article 42 (1) of Directive 92/50/EEC (OJ No L 209, 24. 7. 1992, p. 1).



## ANNEX I

LIST OF CONTRACTING AUTHORITIES SUBJECT TO THE GATT  
AGREEMENT ON GOVERNMENT PROCUREMENT

## BELGIUM

<p>A. L'État, exception faite pour les marchés passés dans le cadre de coopération au développement qui, en vertu d'accords internationaux conclus avec des pays tiers et se rapportant à la passation de marchés, sont soumis à d'autres dispositions, incompatibles avec les dispositions du présent arrêté <sup>(1)</sup>:</p> <ul style="list-style-type: none"> <li>— la Régie des postes <sup>(2)</sup>,</li> <li>— la Régie des bâtiments;</li> <li>— le Fonds des routes.</li> </ul> <p>B. Le Fonds général des bâtiments scolaires de l'État</p> <p>Le Fonds de construction d'institutions hospitalières et médico-sociales</p> <p>La Société nationale terrienne</p> <p>L'Office national de sécurité sociale</p> <p>L'Institut national d'assurances sociales pour travailleurs indépendants</p> <p>L'Institut national d'assurance maladie-invalidité</p> <p>L'Institut national de crédit agricole</p> <p>L'Office national des pensions</p> <p>L'Office central de crédit hypothé</p> <p>L'Office national du du croire</p> <p>La Caisse auxiliaire d'assurance maladie-invalidité</p> <p>Le Fonds des maladies professionnelles</p> <p>La Caisse nationale de crédit professionnel</p> <p>L'Office national des débouchés agricoles et horticoles</p> <p>L'Office national du lait et de ses dérivés</p> <p>L'Office national de l'emploi</p> <p>La Régie des voies aériennes</p>	<p>De Staat, met uitzondering van de opdrachten inzake ontwikkelingssamenwerking die, krachtens internationale overeenkomsten met derde landen inzake het plaatsen van opdrachten, andere bepalingen behelzen die niet verenigbaar zijn met de bepalingen van dit besluit <sup>(1)</sup>:</p> <ul style="list-style-type: none"> <li>— de Regie der Posterijen <sup>(2)</sup>;</li> <li>— de Regie der Gebouwen;</li> <li>— het Wegenfonds</li> </ul> <p>Het Algemeen Gebouwenfonds voor de rijks-scholen</p> <p>Het Fonds voor de bouw van ziekenhuizen en medisch-sociale inrichtingen</p> <p>De Nationale Landmaatschappij</p> <p>De Rijksdienst voor sociale zekerheid</p> <p>Het Rijksinstituut voor de sociale verzekeringen der zelfstandigen</p> <p>Het Rijksinstituut voor ziekte- en invaliditeitsverzekering</p> <p>Het Nationaal Instituut voor landbouwkrediet</p> <p>De Rijksdienst voor pensioenen</p> <p>Het Centraal Bureau voor hypothecair krediet</p> <p>De Nationale Delcrederedienst</p> <p>De Hulpkas voor ziekte- en invaliditeitsverzekering</p> <p>Het Fonds voor de beroepsziekten</p> <p>De Nationale Kas voor beroepskrediet</p> <p>De Nationale Dienst voor afzet van land- en tuinbouwprodukten</p> <p>De Nationale Zuiveldienst</p> <p>De Rijksdienst voor arbeidsvoorziening</p> <p>De Regie der Luchtwegen</p>
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<sup>(1)</sup> Non-warlike materials contained in Annex II.<sup>(2)</sup> Postal business only.

## DENMARK

<ol style="list-style-type: none"> <li>1. Statsministeriet</li> <li>2. Arbejdsministeriet</li> <li>3. Udenrigsministeriet (tre departementer)</li> <li>4. Boligministeriet</li> <li>5. Energiministeriet</li> <li>6. Finansministeriet (to departementer)</li> </ol> <p>7. Ministeriet for Skatter og Afgifter (to departementer)</p> <p>8. Fiskeriministeriet</p> <p>9. Industriministeriet (Fulde navn: Ministeriet for Industri, Handel, Håndværk og Skibsfart)</p>	<ul style="list-style-type: none"> <li>— to departementer</li> <li>— fem direktater og institutioner</li> <li>— fem direktater og institutioner</li> <li>— ét direktat og Forsøgsanlæg Risø</li> <li>— fire direktater og institutioner inklusive Direktoratet for Statens Indkøb</li> <li>— fem andre institutioner</li> <li>— fem direktater og institutioner</li> <li>— fire institutioner</li> <li>— ni direktater og institutioner</li> </ul>
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10. Indenrigsministeriet	— Civilforsvarsstyrelsen — ét direktoratet
11. Justitsministeriet	— Rigspolitechefen — fem andre direktorater og institutioner
12. Kirkeministeriet	
13. Landbrugsministeriet	— 19 direktorater og institutioner
14. Miljøministeriet	— fem direktorater
15. Kultur- og Kommunikationsministeriet <sup>(1)</sup>	— tre direktorater og adskillige statsejede museer og højere uddannelsesinstitutioner
16. Socialministeriet	— fire direktorater
17. Undervisningsministeriet	— seks direktorater — 12 universiteter og andre højere læreanstalter
18. Økonomiministeriet (tre departementer)	
19. Ministeriet for Offentlige Arbejder <sup>(2)</sup>	— statshavne og statslufthavne — fire direktorater og adskillige institutioner
20. Forsvarsministeriet <sup>(3)</sup>	
21. Sundhedsministeriet	— adskillige institutioner inklusive Statens Seruminstitut og Rigshospitalet

<sup>(1)</sup> With the exception of telecommunications services of the 'Post og Telegrafvæsenet'.

<sup>(2)</sup> With the exception of the 'Danske Statsbaner'.

<sup>(3)</sup> Non-warlike materials contained in Annex II.

## FEDERAL REPUBLIC OF GERMANY

1. Auswärtiges Amt
2. Bundesministerium für Arbeit und Sozialordnung
3. Bundesministerium für Bildung und Wissenschaft
4. Bundesministerium für Ernährung, Landwirtschaft und Forsten
5. Bundesministerium der Finanzen
6. Bundesministerium für Forschung und Technologie
7. Bundesministerium des Inneren (nur ziviles Material)
8. Bundesministerium für Gesundheit
9. Bundesministerium für Frauen und Jugend
10. Bundesministerium für Familie und Senioren
11. Bundesministerium der Justiz
12. Bundesministerium für Raumordnung, Bauwesen und Städtebau
13. Bundesministerium für Post- und Telekommunikation <sup>(1)</sup>
14. Bundesministerium für Wirtschaft
15. Bundesministerium für wirtschaftliche Zusammenarbeit
16. Bundesministerium der Verteidigung <sup>(2)</sup>
17. Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit

*NB:* According to existing national obligations, the entities contained in this list must, in conformity with special procedure, award contracts to certain groups in order to remove difficulties caused by the last war.

<sup>(1)</sup> With the exception of telecommunications equipment.

<sup>(2)</sup> Non-warlike materials contained in Annex II.

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## FRANCE

## 1. Main purchasing entities

## A. General budget

- Premier ministre
- Ministère d'État, ministère de l'éducation nationale de la jeunesse et des sports
- Ministère d'État, ministère de l'économie, des finances et du budget
- Ministère d'État, ministère de l'équipement, du logement, des transports et de la mer
- Ministère d'État, ministère des affaires étrangères
- Ministère de la justice
- Ministère de la défense <sup>(1)</sup>
- Ministère de l'intérieur et de la centralisation
- Ministère de l'industrie et de l'aménagement du territoire
- Ministère des affaires européennes
- Ministère d'État, ministère de la fonction publique et des réformes administratives
- Ministère du travail, de l'emploi et de la formation professionnelle
- Ministère de la coopération et du développement
- Ministère de la culture, de la communication, des grands travaux et du bicentenaire
- Ministère des départements et territoires d'outre-mer
- Ministère de l'agriculture et de la forêt
- Ministère des postes, des télécommunications et de l'espace <sup>(2)</sup>
- Ministère chargé des relations avec le Parlement
- Ministère de la solidarité, de la santé et de la protection sociale
- Ministère de la recherche et de la technologie
- Ministère du commerce extérieur
- Ministère délégué auprès du ministère d'État, ministère de l'économie, des finances et du budget, chargé du budget
- Ministère délégué auprès du ministère d'État, ministère des affaires étrangères, chargé de la francophonie
- Ministère délégué auprès du ministère d'État, ministère des affaires étrangères
- Ministère délégué auprès du ministère de l'industrie et de l'aménagement du territoire, chargé de l'aménagement du territoire et des reconversions
- Ministère délégué auprès du ministère de l'industrie et de l'aménagement du territoire, chargé du commerce et de l'artisanat
- Ministère délégué auprès du ministère de l'industrie et de l'aménagement du territoire, chargé du tourisme
- Ministère délégué auprès du ministère de l'équipement, du logement, des transports et de la mer, chargé de la mer
- Ministère délégué auprès du ministère de la culture, de la communication, des grands travaux et du Bicentenaire, chargé de la communication
- Ministère délégué auprès du ministère de la solidarité, de la santé et de la protection sociale, chargé des personnes âgées
- Secrétariat d'État chargé des droits des femmes
- Secrétariat d'État chargé des anciens combattants et des victimes de guerre
- Secrétariat d'État chargé de la prévention des risques technologiques et naturels majeurs,
- Secrétariat d'État auprès du premier ministre, chargé du plan
- Secrétariat d'État auprès du premier ministre, chargé de l'environnement
- Secrétariat d'État auprès du premier ministre
- Secrétariat d'État auprès du premier ministre, chargé de l'action humanitaire

<sup>(1)</sup> Non-warlike materials contained in Annex II.<sup>(2)</sup> Postal business only.

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- Secrétariat d'État auprès du ministère d'État, ministère de l'éducation nationale de la jeunesse et des sports, chargé de l'enseignement technique
- Secrétariat d'État auprès du ministère d'État, ministère de l'éducation nationale de la jeunesse et des sports, chargé de la jeunesse et des sports
- Secrétariat d'État auprès du ministère d'État, ministère de l'économie, des finances et du budget, chargé de la consommation
- Secrétariat d'État auprès du ministère des affaires étrangères, chargé des relations culturelles internationales
- Secrétariat d'État auprès du ministère de l'intérieur, chargé des collectivités territoriales
- Secrétariat d'État auprès du ministère de l'équipement, du logement, des transports et de la mer, chargé des transports routiers et fluviaux
- Secrétariat d'État auprès du ministère du travail, de l'emploi et de la formation professionnelle, chargé de la formation professionnelle
- Secrétariat d'État auprès du ministère de la culture, de la communication, des grands travaux et du bicentenaire, chargé des grands travaux
- Secrétariat d'État auprès du ministère de la solidarité, de la santé et de la protection sociale, chargé de la famille
- Secrétariat d'État auprès du ministère de la solidarité, de la santé et de la protection sociale, chargé des handicapés et des accidentés de la vie

**B. Budget Annex**

In particular:

- Imprimerie nationale

**C. Special Treasury accounts**

In particular:

- Fonds forestier national
- Soutien financier de l'industrie cinématographique et de l'industrie des programmes audiovisuels
- Fonds national d'aménagement foncier et d'urbanisme
- Caisse autonome de la reconstruction

**2. National administrative public bodies**

- Académie de France à Rome
- Académie de marine
- Académie des sciences d'outre-mer
- Agence centrale des organismes de sécurité sociale (ACOSS)
- Agences financières de bassins
- Agence nationale pour l'amélioration des conditions de travail (ANACT)
- Agence nationale pour l'amélioration de l'habitat (ANAH)
- Agence nationale pour l'emploi (ANPE)
- Agence nationale pour l'indemnisation des français d'outre-mer (ANIFOM)
- Assemblée permanente des chambres d'agriculture (APCA)
- Bibliothèque nationale
- Bibliothèque nationale et universitaire de Strasbourg
- Bureau d'études des postes et télécommunications d'outre-mer (BEPTOM)
- Caisse d'aide à l'équipement des collectivités locales (CAECL)
- Caisse des dépôts et consignations
- Caisse nationale des allocations familiales (CNAF)
- Caisse nationale d'assurance maladie des travailleurs salariés (CNAM)
- Caisse nationale d'assurance vieillesse des travailleurs salariés (CNAVTS)
- Caisse nationale des autoroutes (CNA)
- Caisse nationale militaire de sécurité sociale (CNMSS)
- Caisse nationale des monuments historiques et des sites
- Caisse nationale des télécommunications<sup>(17)</sup>
- Caisse de garantie du logement social
- Casa de Velasquez
- Centre d'enseignement zootechnique de Rambouillet

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- Centre d'études du milieu et de pédagogie appliquée du ministère de l'agriculture
- Centre d'études supérieures de sécurité sociale
- Centres de formation professionnelle agricole
- Centre national d'art et de culture Georges Pompidou
- Centre national de la cinématographie française
- Centre national d'études et de formation pour l'enfance inadaptée
- Centre national d'études et d'expérimentation du machinisme agricole, du génie rural, des eaux et des forêts
- Centre national et de formation pour l'adaptation scolaire et l'éducation spécialisée (CNEFASES)
- Centre national de formation et de perfectionnement des professeurs d'enseignement ménager agricole
- Centre national des lettres
- Centre national de documentation pédagogique
- Centre national des œuvres universitaires et scolaires (CNOUS)
- Centre national d'ophtalmologie des quinze-vingts
- Centre national de préparation au professorat de travaux manuels éducatifs et d'enseignement ménager
- Centre national de promotion rurale de Marmilhat
- Centre national de la recherche scientifique (CNRS)
- Centre régional d'éducation populaire d'Île-de-France
- Centres d'éducation populaire et de sport (CREPS)
- Centres régionaux des œuvres universitaires (CROUS)
- Centres régionaux de la propriété forestière
- Centre de sécurité sociale des travailleurs migrants
- Chancelleries des universités
- Collèges d'État
- Commission des opérations de bourse
- Conseil supérieur de la pêche
- Conservatoire de l'espace littoral et des rivages lacustres
- Conservatoire national des arts et métiers
- Conservatoire national supérieur de musique
- Conservatoire national supérieur d'art dramatique
- Domaine de Pompadour
- École centrale — Lyon
- École centrale des arts et manufactures
- École française d'archéologie d'Athènes
- École française d'Extrême-Orient
- École française de Rome
- École des hautes études en sciences sociales
- École nationale d'administration
- École nationale de l'aviation civile (ENAC)
- École nationale des Chartes
- École nationale d'équitation
- École nationale du génie rural des eaux et des forêts (ENGREF)
- Écoles nationales d'ingénieurs
- École nationale d'ingénieurs des industries des techniques agricoles et alimentaires
- Écoles nationales d'ingénieurs des travaux agricoles
- École nationale des ingénieurs des travaux ruraux et des techniques sanitaires
- École nationale des ingénieurs des travaux des eaux et forêts (ENITEF)
- École nationale de la magistrature
- Écoles nationales de la marine marchande
- École nationale de la santé publique (ENSP)
- École nationale de ski et d'alpinisme
- École nationale supérieure agronomique — Montpellier
- École nationale supérieure agronomique — Rennes
- École nationale supérieure des arts décoratifs
- École nationale supérieure des arts et industries — Strasbourg
- École nationale supérieure des arts et industries textiles — Roubaix
- Écoles nationales supérieures d'arts et métiers

**▼B**

- École nationale supérieure des beaux-arts
- École nationale supérieure des bibliothécaires
- École nationale supérieure de céramique industrielle
- École nationale supérieure de l'électronique et de ses applications (ENSEA)
- École nationale supérieure d'horticulture
- École nationale supérieure des industries agricoles alimentaires
- École nationale supérieure du paysage (rattachée à l'école nationale supérieure d'horticulture)
- École nationale supérieure des sciences agronomiques appliquées (ENSSA)
- Écoles nationales vétérinaires
- École nationale de voile
- Écoles normales d'instituteurs et d'institutrices
- Écoles normales nationales d'apprentissage
- Écoles normales supérieures
- École polytechnique
- École technique professionnelle agricole et forestière de Meymac (Corrèze)
- École de sylviculture — Croigny (Aube)
- École de viticulture et d'œnologie de la Tour Blanche (Gironde)
- École de viticulture — Avize (Marne)
- Établissement national de convalescents de Saint-Maurice
- Établissement national des invalides de la marine (ENIM)
- Établissement national de bienfaisance Koenigs-Wazter
- Fondation Carnegie
- Fondations Singer-Polignac
- Fonds d'action sociale pour les travailleurs immigrés et leurs familles
- Hôpital-hospice national Dufresne-Sommeiller
- Institut de l'élevage et de médecine vétérinaire des pays tropicaux (IEMVPT)
- Institut français d'archéologie orientale du Caire
- Institut géographique national
- Institut industriel du Nord
- Institut international d'administration publique (IIAP)
- Institut national agronomique de Paris-Grignon
- Institut national des appellations d'origine des vins et eaux-de-vie (INAOVEV)
- Institut national d'astronomie et de géophysique (INAG)
- Institut national de la consommation (INC)
- Institut national d'éducation populaire (INEP)
- Institut national d'études démographiques (INED)
- Institut national des jeunes aveugles — Paris
- Institut national des jeunes sourds — Bordeaux
- Institut national des jeunes sourds — Chambéry
- Institut national des jeunes sourds — Metz
- Institut national des jeunes sourds — Paris
- Institut national de physique nucléaire et de physique des particules (I.N2.P3)
- Institut national de promotion supérieure agricole
- Institut national de la propriété industrielle
- Institut national de la recherche agronomique (INRA)
- Institut national de recherche pédagogique (INRP)
- Institut national de la santé et de la recherche médicale (INSERM)
- Institut national des sports
- Instituts nationaux polytechniques
- Instituts nationaux des sciences appliquées
- Institut national supérieur de chimie industrielle de Rouen
- Institut national de recherche en informatique et en automatique (INRIA)
- Institut national de recherche sur les transports et leur sécurité (INRETS)
- Instituts régionaux d'administration
- Institut supérieur des matériaux et de la construction mécanique de Saint-Ouen



**▼B**

- Lycées d'État
- Musée de l'armée
- Musée Gustave Moreau
- Musée de la marine
- Musée national J.J. Henner
- Musée national de la Légion d'honneur
- Musée de la poste
- Muséum national d'histoire naturelle
- Musée Auguste Rodin
- Observatoire de Paris
- Office de coopération et d'accueil universitaire
- Office français de protection des réfugiés et apatrides
- Office national des anciens combattants
- Office national de la chasse
- Office national d'information sur les enseignements et les professions (ONISEP)
- Office national d'immigration (ONI)
- ORSTOM — Institut français de recherche scientifique pour le développement en coopération
- Office universitaire et culturel français pour l'Algérie
- Palais de la découverte
- Parcs nationaux
- Réunion des musées nationaux
- Syndicat des transports parisiens
- Thermes nationaux — Aix-les-Bains
- Universités

**3. Other national public bodies**

- Union des groupements d'achats publics (UGAP)

## IRELAND

**1. Main purchasing entities**

- Office of Public Works

**2. Other departments**

- President's Establishment
- Houses of the Oireachtas (Parliament)
- Department of the Taoiseach (Prime Minister)
- Central Statistics Office
- Department of the Gaeltacht (Irish-speaking areas)
- National Gallery of Ireland
- Department of Finance
- State Laboratory
- Office of the Comptroller and Auditor General
- Office of the Attorney general
- Office of the Director of Public Prosecutions
- Valuation Office
- Civil Service Commission
- Office of the Ombudsman
- Office of the Revenue Commissioners
- Department of Justice
- Commissioners of Charitable Donations and Bequests for Ireland
- Department of the Environment
- Department of Education
- Department of the Marine
- Department of Agriculture and Food
- Department of Labour
- Department of Industry and Commerce
- Department of Tourism and Transport
- Department of Communications
- Department of Defence <sup>(16)</sup>

**▼B**

- Department of Foreign Affairs
- Department of Social Welfare
- Department of Health
- Department of Energy

## ITALY

1. Ministero del tesoro <sup>(1)</sup>
2. Ministero delle finanze <sup>(2)</sup>
3. Ministero di grazia e giustizia
4. Ministero degli affari esteri
5. Ministero della pubblica istruzione
6. Ministero dell'interno
7. Ministero dei lavori pubblici
8. Ministero dell'agricoltura e delle foreste
9. Ministero dell'industria, del commercio e dell'artigianato
10. Ministero del lavoro e della previdenza sociale
11. Ministero della sanità
12. Ministero per i beni culturali e ambientali
13. Ministero della difesa <sup>(3)</sup>
14. Ministero del bilancio e della programmazione economica
15. Ministero delle partecipazioni statali
16. Ministero del turismo e dello spettacolo
17. Ministero del commercio con l'estero
18. Ministero delle poste e delle telecomunicazioni <sup>(4)</sup>
19. Ministero dell'ambiente
20. Ministero dell'università e della ricerca scientifica e tecnologica

*NB:* This Agreement shall not prevent the implementation of provisions contained in Italian Law No 835 of 6 October 1950 (Official Gazette N° 245 of 24 October 1950 of the Italian Republic) and in modifications thereto in force on the date on which this Agreement is adopted.

## LUXEMBOURG

1. Ministère d'État: service central des imprimés et des fournitures de l'État
2. Ministère de l'agriculture: administration des services techniques de l'agriculture
3. Ministère de l'éducation nationale: lycées d'enseignement secondaire et d'enseignement secondaire technique
4. Ministère de la famille et de la solidarité sociale: maisons de retraite
5. Ministère de la force publique: armée <sup>(3)</sup> — gendarmerie — police
6. Ministère de la justice: établissements pénitentiaires
7. Ministère de la santé publique: hôpital neuropsychiatrique
8. Ministère des travaux publics: bâtiments publics — ponts et chaussées
9. Ministère des communications: postes et télécommunications <sup>(4)</sup>
10. Ministère de l'énergie: centrales électriques de la Haute et Basse Sûre
11. Ministère de l'environnement: commissariat général à la protection des eaux

<sup>(1)</sup> Acting as the central purchasing entity for most of the other Ministries or entities.

<sup>(2)</sup> Not including purchases made by the tobacco and salt monopolies

<sup>(3)</sup> Non-warlike materials contained in Annex II.

<sup>(4)</sup> Postal business only.

**▼B**

## THE NETHERLANDS

**A. Ministries and central government bodies**

1. Ministerie van Algemene Zaken
2. Ministerie van Buitenlandse Zaken
3. Ministerie van Justitie
4. Ministerie van Binnenlandse Zaken
5. Ministerie van Financiën
6. Ministerie van Economische Zaken
7. Ministerie van Onderwijs en Wetenschappen
8. Ministerie van volkshuisvesting, Ruimtelijke Ordening en Milieubeheer
9. Ministerie van Verkeer en Waterstaat
10. Ministerie van Landbouw, Natuurbeheer en Visserij
11. Ministerie van Sociale Zaken en Werkgelegenheid
12. Ministerie van Welzijn, Volksgezondheid en Cultuur
13. Kabinet voor Nederlands Antilliaanse en Arubaanse Zaken
14. Hogere Colleges van Staat

**B. Central procurement offices**

Entities listed above under A generally make their own specific purchases; other general purchases are effected through the entities listed below:

1. Directoraat-generaal Rijkswaterstaat
2. Directoraat-generaal voor de Koninklijke Landmacht <sup>(1)</sup>
3. Directoraat-generaal voor de Koninklijke Luchtmacht <sup>(1)</sup>
4. Directoraat-generaal voor de Koninklijke Marine <sup>(1)</sup>

## UNITED KINGDOM

## Cabinet Office

Civil Service College  
 Civil Service Commission  
 Civil Service Occupational Health Service  
 Office of the Minister for the Civil Service  
 Parliamentary Counsel Office

## Central Office of Information

## Charity Commission

## Crown Prosecution Service

## Crown Estate Commissioners

## Customs and Excise Department

## Department for National Savings

## Department of Education and Science

University Grants Committee

## Department of Employment

Employment Appeals Tribunal

Industrial Tribunals

Office of Manpower Economics

## Department of Energy

## Department of Health

Central Council for Education and Training in Social Work

<sup>(1)</sup> Non-warlike materials contained in Annex II.

**▼B**

Dental Estimates Board  
 English National Board for Nursing, Midwifery and Health Visitors  
 Medical Boards and Examining Medical Officers (War Pensions)  
 National Health Service Authorities  
 Prescriptions Pricing Authority  
 Public Health Laboratory Service Board  
 Regional Medical Service  
 United Kingdom Central Council for Nursing, Midwifery and Health Visiting  
 Department of Social Security  
   Attendance Allowance Board  
   Occupational Pensions Board  
   Social Security Advisory Committee  
   Supplementary Benefits Appeal Tribunals  
 Department of the Environment  
   Building Research Establishment  
   Commons Commissioners  
   Countryside Commission  
   Fire Research Station (Boreham Wood)  
   Historic Buildings and Monuments Commission  
   Local Valuation Panels  
   Property Services Agency  
   Rent Assessment Panels  
   Royal Commission on Environmental Pollution  
   Royal Commission on Historical Monuments of England  
   Royal Fine Art Commission (England)  
 Department of the Procurator General and Treasury Solicitor  
   Legal Secretariat to the Law Officers  
 Department of Trade and Industry  
   Laboratory of the Government Chemist  
   National Engineering Laboratory  
   National Physical Laboratory  
   Warren Spring Laboratory  
   National Weights and Measures Laboratory  
   Domestic Coal Consumers' Council  
   Electricity Consultative Councils for England and Wales  
   Gas Consumers' Council  
   Transport Users Consultative Committee  
   Monopolies and Mergers Commission  
   Patent Office  
 Department of Transport  
   Coastguard Services  
   Transport and Road Research Laboratory  
   Transport Tribunal  
 Export Credits Guarantee Department  
 Foreign and Commonwealth Office  
   Government Communications Headquarters  
   Wilton Park Conference Centre  
 Government Actuary's Department  
 Home Office  
   Boundary Commission for England  
   Gaming Board for Great Britain  
   Inspectors of Constabulary  
   Parole Board and Local Review Committees

**▼B**

House of Commons  
 House of Lords  
 Inland Revenue, Board of  
 Intervention Board for Agricultural Produce  
 Lord Chancellor's Department  
     Council on Tribunals  
     County Courts (England and Wales)  
     Immigration Appellate Authorities  
         Immigration Adjudicators  
         Immigration Appeals Tribunal  
     Judge Advocate-General and Judge Advocate of the Fleet  
     Lands Tribunal  
     Law Commission  
     Legal Aid Fund (England and Wales)  
     Pensions Appeals Tribunals  
     Public Trustee Office  
     Office of the Social Security Commissioners  
     Special Commissioners for Income Tax (England and Wales)  
     Supreme Court (England and Wales)  
         Court of Appeal: Civil and Criminal Divisions  
         Courts Martial Appeal Court  
         Crown Court  
         High Court  
     Value Added Tax Tribunals  
 Ministry of Agriculture, Fisheries and Food  
     Advisory Services  
     Agricultural Development and Advisory Service  
     Agricultural Dwelling House Advisory Committees  
     Agricultural Land Tribunals  
     Agricultural Science Laboratories  
     Agricultural Wages Board and Committees  
     Cattle Breeding Centre  
     Plant Variety Rights Office  
     Royal Botanic Gardens, Kew  
 Ministry of Defence <sup>(16)</sup>  
     Meteorological Office  
     Procurement Executive  
 National Audit Office  
 National Investment Loans Office  
 Northern Ireland Court Service  
     Coroners Courts  
     County Courts  
     Crown Courts  
     Enforcement of Judgements Office  
     Legal Aid Fund  
     Magistrates Court  
     Pensions Appeals Tribunals  
     Supreme Court of Judicature and Courts of Criminal Appeal  
 Northern Ireland, Department of Agriculture  
 Northern Ireland, Department for Economic Development  
 Northern Ireland, Department of Education  
 Northern Ireland, Department of the Environment  
 Northern Ireland, Department of Finance and Personnel

**▼B**

Northern Ireland, Department of Health and Social Services

Northern Ireland Office

- Crown Solicitor's Office
- Department of the Director of Public Prosecutions for Northern Ireland
- Northern Ireland Forensic Science Laboratory
- Office of Chief Electoral Officer for Northern Ireland
- Police Authority for Northern Ireland
- Probation Board for Northern Ireland
- State Pathologist Service

Office of Arts and Libraries

- British Library
- British Museum
- British Museum (Natural History)
- Imperial War Museum
- Museums and Galleries Commission
- National Gallery
- National Maritime Museum
- National Portrait Gallery
- Science Museum
- Tate Gallery
- Victoria and Albert Museum
- Wallace Collection

Office of Fair Trading

Office of Population Censuses and Surveys

- National Health Service Central Register

Office of the Parliamentary Commissioner for Administration and Health

- Service Commissioners

Overseas Development Administration

- Overseas Development and National Research Institute

Paymaster General's Office

Postal Business of the Post Office

Privy Council Office

Public Record Office

Registry of Friendly Societies

Royal Commission on Historical Manuscripts

Royal Hospital, Chelsea

Royal Mint

Scotland, Crown Office and Procurator

- Fiscal Service

Scotland, Department of the Registers of Scotland

Scotland, General Register Office

- National Health Service Central Register

Scotland, Lord Advocate's Department

Scotland, Queen's and Lord Treasurer's Remembrancer

Scottish Courts Administration

- Accountant of Court's Office
- Court of Justiciary
- Court of Session
- Lands Tribunal for Scotland
- Pensions Appeal Tribunals
- Scottish Land Court
- Scottish Law Commission
- Sheriff Courts

**▼B**

Social Security Commissioners' Office

Scottish Office

Central Services

Department of Agriculture and Fisheries for Scotland

Artificial Insemination Service

Crofters Commission

Red Deer Commission

Royal Botanic Garden, Edinburgh

Industry Department for Scotland

Scottish Electricity Consultative Councils

Scottish Development Department

Rent Assessment Panel and Committees

Royal Commission on the Ancient and Historical Monuments of Scotland

Royal Fine Art Commission for Scotland

Scottish Education Department

National Galleries of Scotland

National Library of Scotland

National Museums of Scotland

Scottish and Health Departments

HM Inspectorate of Constabulary

Local Health Councils

Mental Welfare Commission for Scotland

National Board for Nursing, Midwifery and Health Visiting for Scotland

Parole Board for Scotland and Local Review Committees

Scottish Antibody Production Unit

Scottish Council for Postgraduate Medical Education

Scottish Crime Squad

Scottish Criminal Record Office

Scottish Fire Service Training School

Scottish Health Boards

Scottish Health Service — Common Services Agency

Scottish Health Service Planning Council

Scottish Police College

Scottish Record Office

HM Stationery Office

HM Treasury

Central Computer and Telecommunications Agency

Chessington Computer Centre

Civil Service Catering Organization

National Economic Development Council

Rating of Government Property Department

Welsh Office

Ancient Monuments (Wales) Commission

Council for the Education and Training of Health Visitors

Local Government Boundary Commission for Wales

Local Valuation Panels and Courts

National Health Service Authorities

Rent Control Tribunals and Rent Assessment Panels and Committees

## GREECE

1. Υπουργείο Εθνικής Οικονομίας
2. Υπουργείο Παιδείας & Θρησκευμάτων

## ▼B

3. Υπουργείο Εμπορίου
4. Υπουργείο Βιομηχανίας-Ενέργειας-Τεχνολογίας
5. Υπουργείο Εμπορικής Ναυτιλίας
6. Υπουργείο Προεδρίας της Κυβέρνησης
7. Υπουργείο Αιγαίου
8. Υπουργείο Εξωτερικών
9. Υπουργείο Δικαιοσύνης
10. Υπουργείο Εξωτερικών
11. Υπουργείο Εργασίας
12. Υπουργείο Πολιτισμού και Επιστημών
13. Υπουργείο Περιβάλλοντος Χωροταξίας & Δημοσίων Έργων
14. Υπουργείο Οικονομικών
15. Υπουργείο Μεταφορών και Επικοινωνιών
16. Υπουργείο Υγείας, Πρόνοιας & Κοινωνικών Ασφαλίσεων
17. Υπουργείο Μακεδονίας-Θράκης
18. Γενικό Επιτελείο Στρατού<sup>(1)</sup>
19. Γενικό Επιτελείο Ναυτικού<sup>(1)</sup>
20. Γενικό Επιτελείο Αεροπορίας<sup>(1)</sup>
21. Υπουργείο Γεωργίας
22. Γενική Γραμματεία Τύπου και Πληροφοριών
23. Γενική Γραμματεία Νέας Γενιάς
24. Γενικό Χημείο του Κράτους
25. Γενική Γραμματεία Λαϊκής Επιμόρφωσης
26. Γενική Γραμματεία Ισότητας των Δύο Φύλων
27. Γενική Γραμματεία Κοινωνικών Ασφαλίσεων
28. Γενική Γραμματεία Απόδημου Ελληνισμού
29. Γενική Γραμματεία Βιομηχανίας
30. Γενική Γραμματεία Έρευνας και Τεχνολογίας
31. Γενική Γραμματεία Αθλητισμού
32. Γενική Γραμματεία Δημοσίων Έργων
33. Εθνική Στατιστική Υπηρεσία
34. Εθνικός Οργανισμός Πρόνοιας
35. Οργανισμός Εργατικής Εστίας
36. Εθνικό Τυπογραφείο
37. Ελληνική Επιτροπή Ατομικής Ενέργειας
38. Ταμείο Εθνικής Οδοποιίας
39. Εθνικό Καποδιστριακό Πανεπιστήμιο Αθηνών
40. Πανεπιστήμιο Αιγαίου
41. Αριστοτέλειο Πανεπιστήμιο Θεσσαλονίκης
42. Δημοκρίτειο Πανεπιστήμιο Θράκης
43. Πανεπιστήμιο Ιωαννίνων
44. Πανεπιστήμιο Πατρών
45. Πολυτεχνείο Κρήτης

<sup>(1)</sup> Non-warlike materials contained in Annex II.



▼B

46. Σιβιτανίδειος Σχολή
47. Πανεπιστήμιο Μακεδονίας (Οικονομικές & Κοιν/κες Επιστημές)
48. Αιγινήτειο Νοσοκομείο
49. Αρεταίειο Νοσοκομείο
50. Εθνικό Κέντρο Δημόσιας Διοίκησης
51. Ελληνικά Ταχυδρομεία
52. Οργανισμός Διαχείρισης Δημόσιου Υλικού
53. Οργανισμός Γεωργικών Ασφαλίσεων
54. Οργανισμός Σχολικών Κτιρίων

## SPAIN

1. Ministerio de Asuntos Exteriores
2. Ministerio de Justicia
3. Ministerio de Defensa (¹)
4. Ministerio de Economía y Hacienda
5. Ministerio del Interior
6. Ministerio de Obras Públicas y Transportes
7. Ministerio de Educación y Ciencia
8. Ministerio de Trabajo y Seguridad Social
9. Ministerio de Industria, Comercio y Turismo
10. Ministerio de Agricultura, Pesca y Alimentación
11. Ministerio para las Administraciones Públicas
12. Ministerio de Cultura
13. Ministerio de Relaciones con las Cortes y de la Secretaría del Gobierno
14. Ministerio de Sanidad y Consumo
15. Ministerio de Asuntos Sociales
16. Ministerio del Portavoz del Gobierno

## PORTUGAL

## Presidência do Conselho de Ministros

1. Auditoria Jurídica da Presidência do Conselho de Ministros
2. Centro de Estudos e Formação Autárquica
3. Centro de Estudos Técnicos e Apoio Legislativo
4. Centro de Gestão da Rede Informática do Governo
5. Conselho Nacional de Planeamento Civil de Emergência
6. Conselho Permanente de Concertação Social
7. Departamento de Formação e Aperfeiçoamento Profissional
8. Gabinete de Macau
9. Gabinete do Serviço Cívico dos Objectores de Consciência
10. Instituto da Juventude
11. Instituto Nacional de Administração
12. Secretaria-Geral da Presidência do Conselho de Ministros
13. Secretariado para a Modernização Administrativa
14. Serviço Nacional de Protecção Civil

(¹) Non-warlike materials contained in Annex II.

**▼B**

## 15. Serviços Sociais da Presidência do Conselho de Ministros

## Ministério da Administração Interna

1. Direcção-Geral de Viação
2. Gabinete de Estudos e Planeamento de Instalações
3. Governos Civis
4. Guarda Fiscal
5. Guarda Nacional Republicana
6. Polícia de Segurança Pública
7. Secretaria-Geral
8. Secretariado Técnico dos Assuntos para o Processo Eleitoral
9. Serviço de Estrangeiros e Fronteiras
10. Serviço de Informação e Segurança
11. Serviço Nacional de Bombeiros

## Ministério da Agricultura

1. Agência do Controlo das Ajudas Comunitárias ao Sector do Azeite
2. Direcção-Geral da Hidráulica e Engenharia Agrícola
3. Direcção-Geral da Pecuária
4. Direcção-Geral das Florestas
5. Direcção-Geral de Planeamento e Agricultura
6. Direcção-Geral dos Mercados Agrícolas e da Indústria Agro-alimentar
7. Direcção Regional de Agricultura da Beira Interior
8. Direcção Regional de Agricultura da Beira Litoral
9. Direcção Regional de Agricultura de Entre Douro e Minho
10. Direcção Regional de Agricultura de Trás-os-Montes
11. Direcção Regional de Agricultura do Alentejo
12. Direcção Regional de Agricultura do Algarve
13. Direcção Regional de Agricultura do Ribatejo e Oeste
14. Gabinete para os Assuntos Agrícolas Comunitários
15. Inspecção Geral e Auditoria de Gestão
16. Instituto da Vinha e do Vinho
17. Instituto de Qualidade Alimentar
18. Instituto Nacional de Investigação Agrária
19. Instituto Regulador Orientador dos Mercados Agrícolas
20. Obra Social — Secretaria Geral
21. Rede de Informação de Contabilidades Agrícolas
22. Secretaria Geral
23. IFADAP — Instituto Financeiro de Apoio ao Desenvolvimento da Agricultura e Pescas
24. INGA — Instituto Nacional de Intervenção e Garantia Agrícola

## Ministério do Ambiente e Recursos Naturais

1. Direcção-Geral da Qualidade do Ambiente
2. Direcção-Geral dos Recursos Naturais
3. Gabinete dos Assuntos Europeus
4. Gabinete de Estudos e Planeamento
5. Gabinete de Protecção e Segurança Nuclear

**▼B**

6. Instituto Nacional do Ambiente
7. Instituto Nacional de Defesa do Consumidor
8. Instituto Nacional de Meteorologia e Geofísica
9. Secretaria-Geral
10. Serviço Nacional de Parques, Reservas e Conservação da Natureza
11. Gabinete do Saneamento Básico da Costa do Estoril
12. Delegações Regionais
13. Instituto Nacional da Água

## Ministério do Comércio e Turismo

1. Comissão de Aplicação de Coimas em Matéria Económica
2. Direcção-Geral de Concorrência e Preços
3. Direcção-Geral de Inspecção Económica
4. Direcção-Geral do Comércio Externo
5. Direcção-Geral do Comércio Interno
6. Direcção-Geral do Turismo
7. Fundo de Turismo
8. Gabinete para os Assuntos Comunitários
9. ICEP — Instituto do Comércio Externo de Portugal
10. Inspecção Geral de Jogos
11. Instituto de Promoção Turística
12. Instituto Nacional de Formação Turística
13. Regiões de turismo
14. Secretaria-Geral
15. ENATUR — Empresa Nacional de Turismo, EP
16. AGA — Administração-Geral do Açúcar e do Alcool, EP

Ministério da Defesa Nacional <sup>(1)</sup>

1. Estado-Maior General das Forças Armadas
2. Estado-Maior da Força Aérea
3. Comando Logístico-Administrativo da Força Aérea
4. Estado-Maior do Exército
5. Estado-Maior da Armada
6. Direcção-Geral do Material Naval
7. Direcção das Infra-Estruturas Navais
8. Direcção de Abastecimento
9. Fábrica Nacional de Cordoaria
10. Hospital da Marinha
11. Arsenal do Alfeite
12. Instituto Hidrográfico
13. Direcção-Geral de Armamento
14. Direcção-Geral de Pessoal e Infra-estruturas
15. Direcção-Geral de Política de Defesa Nacional
16. Instituto de Defesa Nacional

<sup>(1)</sup> Non-warlike materials contained in Annex II.

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## 17. Secretaria-Geral

## Ministério da Educação

1. Auditoria Jurídica
2. Direcção-Geral da Administração Escolar
3. Direcção-Geral da Extensão Educativa
4. Direcção-Geral do Ensino Superior
5. Direcção-Geral dos Desportos
6. Direcção-Geral dos Ensinos Básico e Secundário
7. Direcção Regional de Educação de Lisboa
8. Direcção Regional de Educação do Algarve
9. Direcção Regional de Educação do Centro
10. Direcção Regional de Educação do Norte
11. Direcção Regional de Educação do Sul
12. Editorial do Ministério da Educação
13. Gabinete Coordenador do Ingresso no Ensino Superior
14. Gabinete de Estudos e Planeamento
15. Gabinete de Gestão Financeira
16. Gabinete do Ensino Tecnológico, Artístico e Profissional
17. Inspecção Geral de Educação
18. Instituto de Cultura da Língua Portuguesa
19. Instituto de Inovação Educacional
20. Instituto dos Assuntos Sociais da Educação
21. Secretaria-Geral

## Ministério do Emprego e Segurança Social

1. Auditoria Jurídica
2. Caixa Nacional de Seguros e Doenças Profissionais
3. Caixas de Previdência Social
4. Casa Pia de Lisboa
5. Centro Nacional de Pensões
6. Centros Regionais de Segurança Social
7. Comissão para a Igualdade e Direitos das Mulheres
8. Departamento de Estatística
9. Departamento de Estudos e Planeamento
10. Departamento de Relações Internacionais e Convenções da Segurança Social
11. Departamento para Assuntos do Fundo Social Europeu
12. Departamento para os Assuntos Europeus e Relações Externas
13. Direcção-Geral da Acção Social
14. Direcção-Geral da Família
15. Direcção-Geral das Relações de Trabalho
16. Direcção-Geral de Apoio Técnico à Gestão
17. Direcção-Geral de Higiene e Segurança no Trabalho
18. Direcção-Geral do Emprego e Formação Profissional
19. Direcção-Geral dos Regimes de Segurança Social
20. Fundo de Estabilização Financeira da Segurança Social
21. Inspecção Geral da Segurança Social

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22. Inspeção Geral do Trabalho
23. Instituto de Gestão Financeira da Segurança Social
24. Instituto do Emprego e Formação Profissional
25. Instituto Nacional para o Aproveitamento dos Tempos Livres dos Trabalhadores
26. Secretaria-Geral
27. Secretariado Nacional de Reabilitação
28. Serviços Sociais do MESS
29. Santa Casa da Misericórdia de Lisboa

## Ministério das Finanças

1. ADSE — Direcção-Geral de Protecção aos Funcionários e Agentes da Administração Pública
2. Auditoria Jurídica
3. Direcção-Geral da Administração Pública
4. Direcção-Geral da Contabilidade Pública e Intendência Geral do Orçamento
5. Direcção-Geral da Junta de Crédito Público
6. Direcção-Geral das Alfândegas
7. Direcção-Geral das Contribuições e Impostos
8. Direcção-Geral do Património do Estado
9. Direcção-Geral do Tesouro
10. Gabinete de Estudos Económicos
11. Gabinete dos Assuntos Europeus
12. GAFEEP — Gabinete para a análise do Financiamento do Estado e das Empresas Públicas
13. Inspeção Geral de Finanças
14. Instituto de Informática
15. Junta de Crédito Público
16. Secretaria-Geral
17. SOFE — Serviços Sociais do Ministério das Finanças

## Ministério da Indústria e Energia

1. Delegação Regional da Indústria e Energia de Lisboa e Vale do Tejo
2. Delegação Regional da Indústria e Energia do Alentejo
3. Delegação Regional da Indústria e Energia do Algarve
4. Delegação Regional da Indústria e Energia do Centro
5. Delegação Regional da Indústria e Energia do Norte
6. Direcção-Geral da Indústria
7. Direcção-Geral da Energia
8. Direcção-Geral de Geologia e Minas
9. Gabinete de Estudos e Planeamento
10. Gabinete para a Pesquisa e Exploração do Petróleo
11. Gabinete para os Assuntos Comunitários
12. Instituto Nacional da Propriedade Industrial
13. Instituto Português da Qualidade
14. LNETI — Laboratório Nacional de Engenharia e Tecnologia Industrial
15. Secretaria-Geral

## Ministério da Justiça

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1. Centro de Estudos Judiciários
2. Centro de Identificação Civil e Criminal
3. Centros de Observação e Acção Social
4. Conselho Superior de Magistratura
5. Conservatória dos Registos Centrais
6. Direcção-Geral dos Registos e Notariado
7. Direcção-Geral dos Serviços de Informática
8. Direcção-Geral dos Serviços Judiciários
9. Direcção-Geral dos Serviços Prisionais
10. Direcção-Geral dos Serviços Tutelares de Menores
11. Estabelecimentos Prisionais
12. Gabinete de Direito Europeu
13. Gabinete de Documentação e Direito Comparado
14. Gabinete de Estudos e Planeamento
15. Gabinete de Gestão Financeira
16. Gabinete de Planeamento e Coordenação do Combate à Droga
17. Hospital-prisão de S. João de Deus
18. Instituto Corpus Christi
19. Instituto da Guarda
20. Instituto de Reinserção Social
21. Instituto de S. Domingos de Benfica
22. Instituto Nacional da Política e Ciências Criminais
23. Instituto Navarro Paiva
24. Instituto Padre António Oliveira
25. Instituto S. Fiel
26. Instituto S. José
27. Instituto Vila Fernando
28. Instituto de Criminologia
29. Instituto de Medicina Legal
30. Polícia Judiciária
31. Secretaria-Geral
32. Serviços Sociais

## Ministério das Obras Públicas, Transportes e Comunicações

1. Conselho de Mercados de Obras Públicas e Particulares
2. Direcção-Geral de Aviação Civil
3. Direcção-Geral dos Edifícios e Monumentos Nacionais
4. Direcção-Geral dos Transportes Terrestres
5. Gabinete da Travessia do Tejo
6. Gabinete de Estudos e Planeamento
7. Gabinete do Nó Ferroviário de Lisboa
8. Gabinete do Nó Ferroviário do Porto
9. Gabinete para a Navegabilidade do Douro
10. Gabinete para as Comunidades Europeias
11. Inspeção Geral de Obras Públicas, Transportes e Comunicações
12. Junta Autónoma das Estradas

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13. Laboratório Nacional de Engenharia Civil
14. Obra Social do Ministério das Obras Públicas, Transportes e Comunicações
15. Secretaria-Geral

## Ministério dos Negócios Estrangeiros

1. Direcção-Geral dos Assuntos Consulares e Administração Financeira
2. Direcção-Geral das Comunidades Europeias
3. Direcção-Geral da Cooperação
4. Instituto de Apoio à Emigração e às Comunidades Portuguesas
5. Instituto de Cooperação Económica
6. Secretaria-Geral

## Ministério do Planeamento e Administração do Território

1. Academia das Ciências
2. Auditoria Jurídica
3. Centro Nacional de Informação Geográfica
4. Comissão Coordenadora da Região Centro
5. Comissão Coordenadora da Região de Lisboa e Vale do Tejo
6. Comissão Coordenadora da Região do Alentejo
7. Comissão Coordenadora da Região do Algarve
8. Comissão Coordenadora da Região Norte
9. Departamento Central de Planeamento
10. Direcção-Geral da Administração Autárquica
11. Direcção-Geral do Desenvolvimento Regional
12. Direcção-Geral do Ordenamento do Território
13. Gabinete Coordenador do projecto do Alqueva
14. Gabinete de Estudos e Planeamento da Administração do Território
15. Gabinete para os Aeroportos da Região Autónoma da Madeira
16. Inspecção Geral de Administração do Território
17. Instituto Nacional de Estatísticas
18. Instituto António Sérgio de Sector Cooperativo
19. Instituto de Investigação Científica e Tropical
20. Instituto Geográfico e Cadastral
21. Junta Nacional de Investigação Científica e Tecnológica
22. Secretaria-Geral

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## AUSTRIA

## Central Government Entities

1. Bundeskanzleramt
2. Bundesministerium für auswärtige Angelegenheiten
3. Bundesministerium für wirtschaftliche Angelegenheiten, Abteilung Präsidium 1
4. Bundesministerium für Arbeit und Soziales, Amtswirtschaftsstelle
5. Bundesministerium für Finanzen
  - (a) Amtswirtschaftsstelle
  - (b) Abteilung VI/5 (EDV-Bereich des Bundesministeriums für Finanzen und des Bundesrechenamtes)

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- (c) Abteilung III/1 (Beschaffung von technischen Geräten, Einrichtungen und Sachgütern für die Zollwache)
6. Bundesministerium für Gesundheit, Sport und Konsumentenschutz
  7. Bundesministerium für Inneres
  8. Bundesministerium für Justiz, Amtswirtschaftsstelle
  9. Bundesministerium für Landesverteidigung (Non-war material is contained in Annex I, Part II, Austria, of the GATT Agreement on Government Procurement)
  10. Bundesministerium für Land- und Forstwirtschaft
  11. Bundesministerium für Umwelt, Jugend und Familie, Amtswirtschaftsstelle
  12. Bundesministerium für Unterricht und Kunst
  13. Bundesministerium für öffentliche Wirtschaft und Verkehr
  14. Bundesministerium für Wissenschaft und Forschung
  15. Österreichisches Statistisches Zentralamt
  16. Österreichische Staatsdruckerei
  17. Bundesamt für Eich- und Vermessungswesen
  18. Bundesversuchs- und Forschungsanstalt-Arsenal (BVFA)
  19. Bundesstaatliche Prothesenwerkstätten
  20. Bundesprüfanstalt für Kraftfahrzeuge
  21. Generaldirektion für die Post- und Telegraphenverwaltung (postal business only)

## FINLAND

## Central Government Entities

1. Oikeusministeriö — Justitieministeriet
2. Rahapaja Oy — Myntverket Ab
3. Painatuskeskus Oy — Tryckericentralen Ab
4. Metsähallitus — Forststyrelsen
5. Maanmittaushallitus — Lantmäteristyrelsen
6. Maatalouden tutkimuskeskus — Lantbrukets forskningscentral
7. Ilmailulaitos — Luftfartsverket
8. Ilmatieteen laitos — Meteorologiska institutet
9. Merenkulkuhallitus — Sjöfartstyrelsen
10. Valtion teknillinen tutkimuskeskus — Statens tekniska forskningscentral
11. Valtion Hankintakeskus — Statens upphandlingscentral
12. Vesi- ja ympäristöhallitus — Vatten- och miljöstyrelsen
13. Opetushallitus — Utbildningsstyrelsen

## SWEDEN

Central Government Entities. The listed entities include regional and local subdivisions.

1. Rikspolisstyrelsen
2. Kriminalvårdsstyrelsen
3. Försvarets sjukvårdsstyrelse
4. Fortifikationsförvaltningen
5. Försvarets materielverk
6. Statens räddningsverk
7. Kustbevakningen
8. Socialstyrelsen
9. Läkemedelsverket
10. Postverket
11. Vägverket
12. Sjöfartsverket
13. Luftfartsverket
14. Generaltullstyrelsen



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15. Byggnadsstyrelsen
16. Riksskatteverket
17. Skogsstyrelsen
18. AMU-gruppen
19. Statens lantmäteriverk
20. Närings- och teknikutvecklingsverket
21. Domänverket
22. Statistiska centralbyrån
23. Statskontoret

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## ANNEX II

**LIST OF PRODUCTS REFERRED TO IN ARTICLE 5 CONCERNING  
THE AWARD OF CONTRACTS BY CONTRACTING AUTHORITIES IN  
THE FIELD OF DEFENCE**

- Chapter 25: Salt; sulphur; earths and stone; plastering materials, lime and cement
- Chapter 26: Metallic ores, slag and ash
- Chapter 27: Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes  
*except:*  
ex 2710: special engine fuels
- Chapter 28: Inorganic chemicals; organic and inorganic compounds of precious metals, of rare-earth metals, of radioactive elements and of isotopes  
*except:*  
ex 2809: explosives  
ex 2813: explosives  
ex 2814: tear gas  
ex 2828: explosives  
ex 2832: explosives  
ex 2839: explosives  
ex 2850: toxic products  
ex 2851: toxic products  
ex 2854: explosives
- Chapter 29: Organic chemicals  
*except:*  
ex 2903: explosives  
ex 2904: explosives  
ex 2907: explosives  
ex 2908: explosives  
ex 2911: explosives  
ex 2912: explosives  
ex 2913: toxic products  
ex 2914: toxic products  
ex 2915: toxic products  
ex 2921: toxic products  
ex 2922: toxic products  
ex 2923: toxic products  
ex 2926: explosives  
ex 2927: toxic products  
ex 2929: explosives
- Chapter 30: Pharmaceutical products
- Chapter 31: Fertilizers
- Chapter 32: Tanning and dyeing extracts; tannings and their derivatives; dyes, colours, paints and varnishes; putty, fillers and stoppings; inks
- Chapter 33: Essential oils and resinoids; perfumery, cosmetic or toilet preparations
- Chapter 34: Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and 'dental waxes'

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- Chapter 35: Albuminoidal substances; glues; enzymes
- Chapter 37: Photographic and cinematographic goods
- Chapter 38: Miscellaneous chemical products  
*except:*  
ex 3819: toxic products
- Chapter 39: Artificial resins and plastic materials, celluloses esters and ethers; articles thereof  
*except:*  
ex 3903: explosives
- Chapter 40: Rubber, synthetic rubber, factice, and articles thereof  
*except:*  
ex 4011: bullet-proof tyres
- Chapter 41: Raw hides and skins (other than furskins) and leather
- Chapter 42: Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk-worm gut)
- Chapter 43: Furskins and artificial fur; manufactures thereof
- Chapter 44: Wood and articles of wood; wood charcoal
- Chapter 45: Cork and articles of cork
- Chapter 46: Manufactures of straw of esparto and of other plaiting materials; basketware and wickerwork
- Chapter 47: Paper-making material
- Chapter 48: Paper and paperboard; articles of paper pulp, of paper or of paperboard
- Chapter 49: Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans
- Chapter 65: Headgear and parts thereof
- Chapter 66: Umbrellas, sunshades, walking-sticks, whips, riding-crops and parts thereof
- Chapter 67: Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair
- Chapter 68: Articles of stone, of plaster, of cement, of asbestos, of mica and of similar materials
- Chapter 69: Ceramic products
- Chapter 70: Glass and glassware
- Chapter 71: Pearls, precious and semi-precious stones, precious metals, rolled precious metals, and articles thereof; imitation jewellery
- Chapter 73: Iron and steel and articles thereof
- Chapter 74: Copper and articles thereof
- Chapter 75: Nickel and articles thereof
- Chapter 76: Aluminium and articles thereof
- Chapter 77: Magnesium and beryllium and articles thereof
- Chapter 78: Lead and articles thereof
- Chapter 79: Zinc and articles thereof
- Chapter 80: Tin and articles thereof
- Chapter 81: Other base metals employed in metallurgy and articles thereof
- Chapter 82: Tools, implements, cutlery, spoons and forks, of base metal; parts thereof  
*except:*  
ex 8205: tools  
ex 8207: tools, parts
- Chapter 83: Miscellaneous articles of base metal
- Chapter 84: Boilers, machinery and mechanical appliances; parts thereof  
*except:*  
ex 8406: engines  
ex 8408: other engines

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- ex 8445: machinery
- ex 8453: automatic data-processing machines
- ex 8455: parts of machines under heading No 84.53
- ex 8459: nuclear reactors
- Chapter 85: Electrical machinery and equipment; parts thereof  
*except:*
  - ex 8513: telecommunication equipment
  - ex 8515: transmission apparatus
- Chapter 86: Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway tracks fixtures and fittings; traffic signalling equipment of all kinds (not electrically powered)  
*except:*
  - ex 8602: armoured locomotives, electric
  - ex 8603: other armoured locomotives
  - ex 8605: armoured wagons
  - ex 8606: repair wagons
  - ex 8607: wagons
- Chapter 87: Vehicles, other than railway or tramway rolling-stock, and parts thereof  
*except:*
  - 8708: tanks and other armoured vehicles
  - ex 8701: tractors
  - ex 8702: military vehicles
  - ex 8703: breakdown lorries
  - ex 8709: motorcycles
  - ex 8714: trailers
- Chapter 89: Ships, boats and floating structures  
*except:*
  - 8901 A: warships
- Chapter 90: Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus; parts thereof  
*except:*
  - ex 9005: binoculars
  - ex 9013: miscellaneous instruments, lasers
  - ex 9014: telemeters
  - ex 9028: electrical and electronic measuring instruments
  - ex 9011: microscopes
  - ex 9017: medical instruments
  - ex 9018: mechano-therapy appliances
  - ex 9019: orthopaedic appliances
  - ex 9020: X-ray apparatus
- Chapter 91: Clocks and watches and parts thereof
- Chapter 92: Musical instruments; sound recorders or reproducers; television image and sound recorders or reproducers; parts and accessories of such articles
- Chapter 94: Furniture and parts thereof; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings  
*except:*
  - ex 9401 A: aircraft seats
- Chapter 95: Articles and manufactures of carving or moulding material
- Chapter 96: Brooms, brushes, powder-puffs and sieves
- Chapter 98: Miscellaneous manufactured articles

**▼B***ANNEX III***DEFINITION OF CERTAIN TECHNICAL SPECIFICATIONS**

For the purposes of this Directive the following terms shall be defined as follows:

1. Technical specifications: the totality of the technical prescriptions contained in particular in the tender documents, defining the characteristics required of a material, product or supply, which permits a material, a product or a supply to be described in a manner such that it fulfils the use for which it is intended by the contracting authority. These technical prescriptions shall include levels of quality, performance, safety or dimensions, including the requirements applicable to the material, the product or the supply as regards quality assurance, terminology, symbols, testing and test methods, packaging, marking or labelling.
2. Standard: a technical specification approved by a recognized standardizing body for repeated and continuous application, compliance with which is in principle not compulsory.
3. European standard: a standard approved by the European Committee for standardization (CEN) or by the European Committee for Electrotechnical Standardization (Cenelec) as 'European standard (EN)' or 'Harmonization documents (HD)' according to the common rules of these organizations.
4. European technical approval: a favorable technical assessment of the fitness for use of a product, based on fulfilment of the essential requirements for building works, by means of the inherent characteristics of the product and the defined conditions of application and use. The European agreement shall be issued by an approval body designated for this purpose by the Member State.
5. Common technical specification: a technical specification laid down in accordance with a procedure recognized by the Member States to ensure uniform application in all Member States which has been published in the *Official Journal of the European Communities*.

**▼B***ANNEX IV***MODEL NOTICES OF SUPPLY CONTRACTS****A. Prior information**

1. The name, address, telegraphic address, telephone, telex and telefax numbers of the contracting authority, and if different, of the service from which additional information may be obtained:
2. The nature and quantity or value of the products to be supplied: CPA reference number:
3. Estimated date for initiating the award procedures in respect of the contract or contracts (if known):
4. Other information:
5. Date of dispatch of the notice:
6. Date of receipt of the notice by the Office for Official Publications of the European Communities:

**B. Open procedures**

1. The name, address, telegraphic address, telephone, telex and telefax numbers of the contracting authority:
2. (a) The award procedure chosen:  
(b) Form of the contract for which tenders are being requested:
3. (a) Place of delivery:  
(b) The nature and quantity of the goods to be supplied: CPA reference number:  
(c) Indication of whether the supplier can tender for a part of the goods required:
4. Time limit for delivery, if any:
5. (a) Name and address of the service from which the contract documents and additional documents may be requested:  
(b) The final date for making such requests:  
(c) Where applicable, the amount and terms of payment of the sum to be paid to obtain such documents:
6. (a) The final date for receipt of tenders:  
(b) The address to which they must be sent:  
(c) The language or languages in which they must be drawn up:
7. (a) The persons authorized to be present at the opening of tenders:  
(b) The date, hour and place of such opening:
8. Where applicable, any deposits and guarantees required:
9. The main terms concerning financing and payment and/or references to the provisions in which these are contained:
10. Where applicable, the legal form to be taken by the grouping of suppliers to whom the contract is awarded:
11. Information concerning the supplier's own position, and information and formalities necessary for an appraisal of the minimum economic and technical standards required of the supplier:
12. Period during which the tenderer is bound to keep open his tender:
13. The criteria for the award of the contract. Criteria other than that of the lowest price shall be mentioned if they do not appear in the contract documents:
14. Where applicable, prohibition on variants:
15. Other information:
16. Date of publication of the prior information notice in the *Official Journal of the European Communities* or references to its non-publication:

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17. Date of dispatch of the notice:
18. Date of receipt of the notice by the Office for Official Publications of the European Communities:

**C. Restricted procedures**

1. The name, address, telegraphic address, telephone, telex and telefax numbers of the contracting authority:
2. (a) The award procedure chosen:
  - (b) Where applicable, justification for use of the accelerated procedure:
  - (c) Form of the contract for which tenders are being requested:
3. (a) Place of delivery:
  - (b) The nature and quantity of the goods to be supplied: CPA reference number:
  - (c) Indication of whether the supplier can tender for a part of the goods required:
4. Time limit for delivery, if any:
5. Where applicable, the legal form to be assumed by the grouping of suppliers to whom the contract is awarded:
6. (a) The final date for the receipt of requests to participate:
  - (b) The address to which they must be sent:
  - (c) The language or languages in which they must be drawn up:
7. The final date for the dispatch of invitations to tender:
8. Where applicable, any deposits and guarantees required:
9. Information concerning the supplier's personal position, and the information and formalities necessary for an appraisal of the minimum economic and technical standards required of him:
10. The criteria for the award of the contract where they are mentioned in the invitation to tender:
11. Envisaged number or range of suppliers which will be invited to tender:
12. Where applicable, prohibition on variants:
13. Other information:
14. Date of publication of the prior information notice in the *Official Journal of the European Communities* or references to its non-publication:
15. Date of dispatch of the notice:
16. Date of receipt of the notice by the Office for Official Publications of the European Communities:

**D. Negotiated procedures**

1. The name, address, telegraphic address, telephone, telex and telefax numbers of the contracting authority:
2. (a) The award procedure chosen:
  - (b) Where applicable, justification for use of the accelerated procedure:
  - (c) Where applicable, form of contract for which tenders are invited:
3. (a) Place of delivery:
  - (b) The nature and quantity of the goods to be supplied: CPA reference number:
  - (c) Indication of whether the suppliers can tender for a part of the goods required:
4. Time limit for delivery, if any:
5. Where applicable, the legal form to be assumed by a grouping of suppliers to whom the contract is awarded:

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6. (a) The final date for the receipt of requests to participate:
- (b) The address to which they must be sent:
- (c) The language or languages in which they must be drawn up:
7. Where applicable, any deposits and guarantees required:
8. Information concerning the supplier's personal position, and the information and formalities necessary for an appraisal of the minimum economic and technical standards required of him:
9. Envisaged number or range of suppliers which will be invited to tender:
10. Where applicable, prohibition on variants:
11. Where applicable, the names and addresses of suppliers already selected by the awarding authority:
12. Where applicable, date(s) of previous publications in the *Official Journal of the European Communities*:
13. Other information:
14. Date of dispatch of the notice:
16. Date of receipt of the notice by the Office for Official Publications of the European Communities:

**E. Contracts awards**

1. Name and address of awarding authority:
2. Award procedure chosen. In the case of the negotiated procedure, without publication of a tender notice, justification (Article 6 (3)):
3. Date of award of contract:
4. Criteria for award of contract:
5. Number of tenders received:
6. Name(s) and address(es) of supplier(s):
7. The nature and quantity of goods supplied, where applicable, by supplier:  
CPA reference number:
8. Price or range of prices (minimum/maximum) paid:
9. Where appropriate, value and proportion of contract likely to be subcontracted to third parties:
10. Other information:
11. Date of publication of the tender notice in the *Official Journal of the European Communities*:
12. Date of dispatch of the notice:
13. Date of receipt of the notice by the Office for Official Publications of the European Communities:





## ANNEX V

## DEADLINES FOR APPLICATION OF TRANSPOSITION MEASURES

Directive 77/ 62/EEC <sup>(1)</sup>	amended by Directives				amended by Acts of Accession	
	80/767/EEC <sup>(2)</sup>	88/295/EEC <sup>(3)</sup>	90/531/EEC <sup>(4)</sup>	92/50/EEC <sup>(5)</sup>	GR <sup>(6)</sup>	ES/PO <sup>(7)</sup>
Article 1 (a)		amended				
Article 1 (b) and (c)						
Article 1 (d) to (f)		amended				
Article 2 (1)		deleted				
Article 2 (2)		amended	amended			
Article 2 (3)						
Article 2a		inserted				
Article 3						
Article 4		deleted				
Article 5		amended				
Article 5 (1) (c)				amended		
Article 6		amended				
Article 7		amended				
Article 8						
Article 9		amended				
Article 10 (1)		amended				
Article 10 (2) to (4)						
Article 11 (1) to (3)		amended				
Article 11 (4) to (6)						
Article 12 (1)		amended				
Article 12 (2) to (3)						
Article 13		deleted				
Article 14		deleted				
Article 15		deleted				
Article 16						
Article 17						
Article 18						
Article 19 (1)		amended				
Article 19 (2)						
Article 20						
Article 21 (1)						
Article 21 (2)		amended				
Article 22						
Article 23						
Article 24						
Article 25						
Article 26		amended				
Article 27						
Article 28						
Article 29		amended				
Article 30						
Article 31						
Article 32						
Annex I		amended			amended	amended
Annex II		amended				
Annex III		amended				
Article 1						
Article 2		deleted				

## ▼B

Directive 77/ 62/EEC <sup>(1)</sup>	amended by Directives				amended by Acts of Accession	
	80/767/EEC <sup>(2)</sup>	88/295/EEC <sup>(3)</sup>	90/531/EEC <sup>(4)</sup>	92/50/EEC <sup>(5)</sup>	GR <sup>(6)</sup>	ES/PO <sup>(7)</sup>
	Article 3 Article 4 Article 5 Article 6 Article 7 Article 8 Article 9 Article 10 Article 11 Annex I Annex II	deleted deleted deleted deleted				

<sup>(1)</sup> EC-9: 24. 6. 1978

GR: 1. 1. 1983

ES, PO: 1. 1. 1986

<sup>(2)</sup> EC-9: 1. 1. 1981

GR: 1. 1. 1983

ES, PO: 1. 1. 1986

<sup>(3)</sup> EG-9: 1. 1. 1989

GR, ES, PO: 1. 3. 1992

<sup>(4)</sup> EC-9: 1. 1. 1983

ES: 1. 1. 1996

GR, PO: 1. 1. 1998

<sup>(5)</sup> EC-12: 1. 7. 1993<sup>(6)</sup> EC-10: 1. 1. 1983<sup>(7)</sup> EC-12: 1. 1. 1986

▼B

## ANNEX VI

## CORRELATION TABLE

This directive	77/62/EEC	80/767/EEC	88/295/EEC	90/531/EEC	92/50/EEC
Article 1	Article 1				
Article 2 (1)	Article 2 (2)			Article 35 (1)	
Article 2 (2)	Article 2 (3)				
Article 3	Article 2a				
Article 4	Article 3				
Article 5 (1) (a) and (b)	Article 5 (1) (a) and (b)				
Article 5 (1) (c) first sub-paragraph	Article 5 (1) (c)				Article 42 (1)
Article 5 (1) (c) second sub-paragraph	Article 5 (1) (d)				
Article 5 (1) (d)	—				
Article 5 (2—6)	Article 5 (2—6)				
Article 6 (1)	Article 6 (1)				
—	Article 6 (2)				
Article 6 (2)	Article 6 (3)				
Article 6 (3) (a) — (e)	Article 6 (4) (a) — (e)				
Article 6 (4)	Article 6 (5)				
Article 7 (1—2)	(—)				
Article 7 (3)	Article 6 (6)				
Article 8 (1—4)	Article 7 (1—4)				
Article 8 (5) (a) and (b)	(—)				
Article 8 (5) (c)	Article 7 (5) (a) — (c)				
Article 8 (6)	Article 7 (6)				
Article 9 (1) first sub-paragraph (—)	Article 9 (1) first sub-paragraph Article 9 (1) second sub-paragraph				
Article 9 (1) second sub-paragraph	—				
Article 9 (2) and (3)	Article 9 (2) and (3)				
Article 9 (4)	Article 9 (5)				
Article 9 (5)	Article 9 (4)				
Article 9 (6) and (7)	Article 9 (6) first sub-paragraph				
Article 9 (8)	Article 9 (6) second sub-paragraph				
Article 9 (9)	Article 9 (7)				
Article 9 (10)	Article 9 (8)				
Article 9 (11)	Article 9 (9)				
Article 10	Article 10				
Article 11 (1)	Article 11 (1)				
Article 11 (2)	Article 11 (2)				
Article 11 (2) (a) — (e)	(—)				
Article 11 (3)	Article 11 (3)				
Article 11 (4)	Article 11 (5)				
Article 11 (5)	Article 11 (4)				
Article 11 (6)	Article 11 (6)				
Article 12	Article 12				

## ▼B

This directive	77/62/EEC	80/767/EEC	88/295/EEC	90/531/EEC	92/50/EEC
Article 13	Article 16				
Article 14	(—)				
Article 15	Article 17				
Article 16 (1)	Article 8				
Article 16 (2)	(—)				
Article 17	(—)				
Article 18	Article 18				
Article 19 (1)	Article 19 (1)				
Article 19 (2) and (3)	(—)				
Article 19 (4)	Article 19 (2)				
Article 20	Article 20				
Article 21 (1) and (2)	Article 21				
Article 22	Article 22				
Article 23	Article 23				
Article 24	Article 24				
Article 25	(—)				
Article 26 (1) and (2)	Article 25 (1) and (2)				
(—)	Article 25 (3) and (4)				
Article 27	Article 25 (5) to (7)				
—	Article 26				
—	Article 27				
Article 28		Article 1 (1) and 7			
Article 29 (1) and (2)		Article 8 (1) and (2)			
Article 29 (3)		Article 1 (2)			
Article 30	Article 28				
Article 31	Article 29				
Article 32	(—)				
Article 33	Article 30 and 31	Article 9 and 10	Article 20 and 21		
Article 34	(—)				
Article 35	(—)				
(—)	Annex I				
Annex I		Annex I			
Annex II		Annex II			
Annex III point 1	Annex II point 1				
point 2	point 2				
point 3	point 3				
point 4	—				
point 5	point 4				
Annex IV point A	Annex III point D				
point B	point A				
point C	point B				
point D	point C				
point E	point E				
Annex V	(—)				
Annex VI	(—)				