

Directive 2004/17/EC of the European Parliament and of the Council  
of 31 March 2004 coordinating the procurement procedures of entities  
operating in the water, energy, transport and postal services sectors (repealed)

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GENERAL PROVISIONS APPLICABLE TO CONTRACTS AND DESIGN CONTESTS

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## ANNEX I

### Contracting entities in the sectors of transport or distribution of gas or heat

Belgium

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Bulgaria

Czech Republic

Denmark

Germany

Estonia

Ireland

Greece

Spain

France

Italy

Cyprus

Latvia

Lithuania

Luxembourg

Hungary

Malta

Netherlands

Austria

Poland

Portugal

Romania

Slovenia

Slovakia

Finland

Sweden

United Kingdom

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## ANNEX II

### Contracting entities in the sectors of production, transport or distribution of electricity

Belgium

Bulgaria

Czech Republic

Denmark

Germany

Estonia

Ireland

Greece

Spain

France

Italy

Cyprus

Latvia

Lithuania

Luxembourg

Hungary

Malta

Netherlands

Austria

Poland

Portugal

- (1) Production of Electricity
- (2) Transport of Electricity:
- (3) Distribution of Electricity:

Romania

Slovenia

Slovakia

Finland

Sweden

United Kingdom

### ANNEX III

Contracting entities in the sectors of production, transport or distribution of drinking water

Belgium

Bulgaria

Czech Republic

Denmark

Germany

Estonia

Ireland

Greece

Spain

France

Italy

Cyprus

Latvia

Lithuania

Luxembourg

Hungary

Malta

Netherlands

Austria

Poland



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Portugal

Romania

Slovenia

Slovakia

Finland

Sweden

United Kingdom

#### ANNEX IV

##### Contracting entities in the field of rail services

Belgium

Bulgaria

Czech Republic

Denmark

Germany

Estonia

Ireland

Greece

Spain

France

Italy

Cyprus

Latvia

Lithuania

Luxembourg

Hungary

Malta

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Netherlands

Austria

Poland

Portugal

Romania

Slovenia

Slovakia

Finland

Sweden

United Kingdom

## ANNEX V

Contracting entities in the field of urban railway, tramway, trolleybus or bus services

Belgium

Bulgaria

Czech Republic

Denmark

Germany

Estonia

Ireland

Greece

Spain

France

Italy

Cyprus

Latvia

Lithuania

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Luxembourg

Hungary

Malta

Netherlands

Austria

Poland

(1) Entities providing urban railway services, operating on the basis of...

(2) Entities providing urban bus transport services for the general public,...

Portugal

Romania

Slovenia

Slovakia

Finland

Sweden

United Kingdom

## ANNEX VI

### Contracting entities in the postal services sector

Belgium

Bulgaria

Czech Republic

Denmark

Germany

Estonia

Ireland

Greece

Spain

France

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Italy

Cyprus

Latvia

Lithuania

Luxembourg

Hungary

Malta

Netherlands

Austria

Poland

Portugal

Romania

Slovenia

Slovakia

Finland

Sweden

United Kingdom

## ANNEX VII

Contracting entities in the sectors of exploration for and extraction of oil or gas

Belgium

Bulgaria

Czech Republic

Denmark

Germany

Estonia

Ireland

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Greece

Spain

France

Italy

Cyprus

Latvia

Lithuania

Luxembourg

Hungary

Malta

Netherlands

Austria

Poland

Portugal

Romania

Slovenia

Slovakia

Finland

Sweden

United Kingdom

## ANNEX VIII

Contracting entities in the sectors of exploration  
for and extraction of coal and other solid fuels

Belgium

Bulgaria

Czech Republic

Denmark

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Germany

Estonia

Ireland

Greece

Spain

France

Italy

Cyprus

Latvia

Lithuania

Luxembourg

Hungary

Malta

Netherlands

Austria

Poland

Portugal

Romania

Slovenia

Slovakia

Finland

Sweden

United Kingdom

## ANNEX IX

Contracting entities in the field of maritime or inland port or other terminal facilities

Belgium

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Bulgaria

Czech Republic

Denmark

Germany

Estonia

Ireland

Greece

Spain

France

Italy

Cyprus

Latvia

Lithuania

Luxembourg

Hungary

Malta

Netherlands

Austria

Poland

Portugal

Romania

Slovenia

Slovakia

Finland

Sweden

United Kingdom

## ANNEX X

## Contracting entities in the field of airport installations

Belgium

Bulgaria

Czech Republic

Denmark

Germany

Estonia

Ireland

Greece

Spain

France

Italy

Cyprus

Latvia

Lithuania

Luxembourg

Hungary

Malta

Netherlands

Austria

Poland

Portugal

Romania

Slovenia

Slovakia

Finland



Sweden

United Kingdom

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### LIST OF COMMUNITY LEGISLATION REFERRED TO IN ARTICLE 30(3)

- A. TRANSPORT OR DISTRIBUTION OF GAS OR HEAT
- B. PRODUCTION, TRANSMISSION OR DISTRIBUTION OF ELECTRICITY
- C. PRODUCTION, TRANSPORT OR DISTRIBUTION OF DRINKING WATER
- D. CONTRACTING ENTITIES IN THE FIELD OF RAIL SERVICES
- E. CONTRACTING ENTITIES IN THE FIELD OF URBAN RAILWAY, TRAMWAY, TROLLEYBUS...
- F. CONTRACTING ENTITIES IN THE FIELD OF POSTAL SERVICES
- G. EXPLORATION FOR AND EXTRACTION OF OIL OR GAS
- H. EXPLORATION FOR AND EXTRACTION OF COAL OR OTHER SOLID FUELS...
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### LIST OF ACTIVITIES AS SET OUT IN ARTICLE 1(2), (b)

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### INFORMATION TO BE INCLUDED IN CONTRACT NOTICES

- A. OPEN PROCEDURES
  - 1. Name, address, telegraphic address, electronic address, telephone number, telex and...
  - 2. Where appropriate, state whether the contract is reserved for sheltered...
  - 3. Nature of the contract (supply, works or service, where appropriate,...
  - 4. Place of delivery, site or place of performance of service....
  - 5. For supplies and works:
  - 6. For services:
  - 7. Where known, indication of whether authorisation to submit variants exists...
  - 8. Time limits for delivery or completion or duration of service...
  - 9. Address from which the contract documents and additional documents may...
  - 10. Final date for receipt of tenders or indicative tenders where...
  - 11. Where applicable, the persons authorised to be present at the...
  - 12. Where applicable, any deposits and guarantees required.

13. Main terms concerning financing and payment and/or references to the...
14. Where appropriate, the legal form to be taken by the...
15. Minimum economic and technical conditions required of the economic operator...
16. Period during which the tenderer is bound to keep open...
17. Where appropriate, particular conditions to which performance of the contract...
18. Criteria referred to in Article 55 to be used for...
19. Where appropriate, the reference to publication in the Official Journal...
20. Name and address of the body responsible for appeal and,...
21. Date of dispatch of the notice by the contracting entity....
22. Date of receipt of the notice by the Office for...
23. Any other relevant information.

#### B. RESTRICTED PROCEDURES

1. Name, address, telegraphic address, electronic address, telephone number, telex and...
2. Where appropriate, state whether the contract is reserved for sheltered...
3. Nature of the contract (supplies, works or services; where appropriate,...
4. Place of delivery, site or place of performance of service....
5. For supplies and works:
6. For services:
7. Where known, indication of whether authorisation to submit variants exists...
8. Time limits for delivery or completion or duration of service...
9. Where appropriate, the legal form to be taken by the...
10. Final date for receipt of requests to participate; Address to...
11. Final date for dispatch of invitations to tender.
12. Where applicable, any deposits and guarantees required.
13. Main terms concerning financing and payment and/or references to the...
14. Information concerning the economic operator's position and the minimum economic...
15. Criteria referred to in Article 55 to be used for...
16. Where appropriate, particular conditions to which performance of the contract...
17. Where appropriate, the reference to publication in the Official Journal...
18. Name and address of the body responsible for appeal and,...
19. Date of dispatch of the notice by the contracting entities....
20. Date of receipt of the notice by the Office for...
21. Any other relevant information.

#### C. NEGOTIATED PROCEDURES

1. Name, address, telegraphic address, electronic address, telephone number, telex and...
2. Where appropriate, state whether the contract is reserved for sheltered...
3. Nature of the contract (supplies, works or services; where appropriate,...
4. Place of delivery, site or place of performance of service....
5. For supplies and works:
6. For services:
7. Where known, indication of whether authorisation to submit variants exists...
8. Time limits for delivery or completion or duration of service...
9. Where appropriate, the legal form to be taken by the...
10. Final date for receipt of requests to participate; Address to...
11. Where appropriate, any deposits and guarantees required.

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12. Main terms concerning financing and payment and/or references to the...
  13. Information concerning the economic operator's position and the minimum economic...
  14. Criteria referred to in Article 55 to be used for...
  15. Where appropriate, the names and addresses of the economic operators...
  16. Where applicable, date(s) of previous publications in the Official Journal...
  17. Where appropriate, particular conditions to which performance of the contract...
  18. Where appropriate, the reference to publication in the Official Journal...
  19. Name and address of the body responsible for appeal and,...
  20. Date of dispatch of the notice by the contracting entity....
  21. Date of receipt of the notice by the Office for...
  22. Any other relevant information.
- D. SIMPLIFIED CONTRACT NOTICE FOR USE IN A DYNAMIC PURCHASING SYSTEM...
1. Country of contracting entity.
  2. Name and e-mail address of contracting entity.
  3. Publication reference of the contract notice on the dynamic purchasing...
  4. E-mail address at which the contract documents and additional documents...
  5. Subject-matter of contract: description by reference number(s) of CPV nomenclature...
  6. Timeframe for submitting indicative tenders.

#### ANNEX XIV

##### INFORMATION TO BE INCLUDED IN THE NOTICE ON THE EXISTENCE OF A QUALIFICATION SYSTEM

1. Name, address, telegraphic address, electronic address, telephone number, telex and...
2. Where appropriate, state whether the contract is reserved for sheltered...
3. Purpose of the qualification system (description of the goods, services...
4. Conditions to be fulfilled by the economic operators in view...
5. Period of validity of the qualification system and the formalities...
6. Reference to the fact that the notice acts as the...
7. Address where further information and documentation concerning the qualification system...
8. Name and address of the body responsible for appeal and,...
9. Where known, criteria referred to in Article 55 to be...
10. Any other relevant information.

## ANNEX XV A

### A INFORMATION TO BE INCLUDED IN THE PERIODIC INDICATIVE NOTICE

- I. HEADINGS TO BE COMPLETED IN ALL CASES
  1. Name, address, telegraphic address, electronic address, telephone number, telex and...
  2. For supply contracts: nature and quantity or value of the...
  3. Date of dispatch of the notice or of dispatch of...
  4. Date of receipt of the notice by the Office for...
  5. Any other relevant information.
  
- II. INFORMATION WHICH SHOULD BE SUPPLIED WHERE THE NOTICE IS USED...
  6. A reference to the fact that interested suppliers should advise...
  7. Where appropriate, state whether the contract is reserved for sheltered...
  8. Time limit for the receipt of applications for an invitation...
  9. Nature and quantity of the goods to be supplied or...
  10. State whether purchase, lease, rental or hire-purchase or any combination...
  11. Time limits for delivery or completion or duration of service...
  12. Address to which interested undertakings should send their expressions of...
  13. Economic and technical conditions, and financial and technical guarantees required...
  14. Estimated date for initiating the award procedures in respect of...
  15. Where appropriate, particular conditions to which performance of the contract...
  16. Name and address of the body responsible for appeal and...
  17. Where known, criteria referred to in Article 55 to be...

## ANNEX XV B

### INFORMATION TO BE INCLUDED IN NOTICES OF PUBLICATION OF A PERIODIC INDICATIVE NOTICE ON A BUYER PROFILE NOT USED AS A MEANS OF CALLING FOR COMPETITION

1. Country of the contracting entity.
2. Name of the contracting entity.
3. Internet address of the 'buyer profile' (URL).
4. CPV Nomenclature reference No(s).

## ANNEX XVI

### INFORMATION TO BE INCLUDED IN THE CONTRACT AWARD NOTICE

- I. Information for publication in the Official Journal of the European...
  1. Name and address of the contracting entity.
  2. Nature of the contract (supplies, works or services and Nomenclature...
  3. At least a summary indication of the nature and quantity...
  4. Form of the call for competition (notice on the existence...

5. Award procedure (open, restricted or negotiated).
  6. Number of tenders received.
  7. Date of award of the contract.
  8. Price paid for bargain purchases pursuant to Article 40(3)(j).
  9. Name and address of the economic operator(s).
  10. State, where appropriate, whether the contract has been, or may...
  11. Price paid or the prices of the highest and lowest...
  12. Name and address of the body responsible for the appeal...
  13. Optional information:
- II. Information not intended for publication
14. Number of contracts awarded (where an award has been split...
  15. Value of each contract awarded.
  16. Country of origin of the product or service (Community origin...
  17. Which award criteria were used (most economically advantageous; lowest price)?...
  18. Was the contract awarded to a tenderer who submitted a...
  19. Were any tenders excluded on the grounds that they were...
  20. Date of transmission of the notice by the contracting entity....
  21. In the case of contracts for services listed in Annex...

#### ANNEX XVII A

##### SERVICES WITHIN THE MEANING OF ARTICLE 31

#### ANNEX XVII B

##### SERVICES WITHIN THE MEANING OF ARTICLE 32

#### ANNEX XVIII

##### INFORMATION TO BE INCLUDED IN THE DESIGN CONTEST NOTICE

1. Name, address, electronic address telephone, telex and fax numbers of...
2. Project description (nomenclature reference No(s)).
3. Nature of the contest: open or restricted.
4. In the case of open contests: final date for receipt...
5. In the case of restricted contests:
6. Where applicable, indication of whether participation is reserved to a...
7. Criteria to be applied in the evaluation of projects.
8. Where applicable, names of the selected members of the jury....
9. Indication of whether the decision of the jury is binding...

10. Where applicable, number and value of prizes.
11. Where applicable, details of payments to all participants.
12. Indication of whether the prize-winners are permitted any follow-up contracts....
13. Name and address of the body responsible for the appeal...
14. Date of dispatch of the notice.
15. Date of receipt of the notice by the Office for...
16. Any other relevant information

#### ANNEX XIX

##### INFORMATION TO BE INCLUDED IN THE RESULTS OF DESIGN CONTEST NOTICES

1. Name, address, telegraphic address and telephone, telex and fax numbers...
2. Project description (nomenclature reference No(s)).
3. Total number of participants.
4. Number of foreign participants.
5. Winner(s) of the contest.
6. Where applicable, the prize(s).
7. Other information.
8. Reference of the design contest notice.
9. Name and address of the body responsible for the appeal...
10. Date of dispatch of the notice.
11. Date of receipt of the notice by the Office for...

#### ANNEX XX

##### FEATURES CONCERNING PUBLICATION

1. Publication of notices
2. Publication of complementary or additional information
3. Format and procedures for the electronic transmission of notices

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## ANNEX XXI

### DEFINITION OF CERTAIN TECHNICAL SPECIFICATIONS

For the purposes of this Directive,  
‘Technical specification’, in the case of service or supply  
contracts,...

## ANNEX XXII

### SUMMARY TABLE OF THE TIME-LIMITS LAID DOWN IN ARTICLE 45

## ANNEX XXIII

### INTERNATIONAL LABOUR LAW PROVISIONS WITHIN THE MEANING OF ARTICLE 59(4)

Convention 87 on Freedom of Association and the Protection of...

## ANNEX XXIV

### REQUIREMENTS RELATING TO DEVICES FOR THE ELECTRONIC RECEIPT OF TENDERS, REQUESTS TO PARTICIPATE, APPLICATIONS FOR QUALIFICATION AS WELL AS PLANS AND PROJECTS IN CONTESTS

Devices for the electronic receipt of tenders, requests to  
participate,...  
electronic signatures relating to tenders, requests to participate  
and applications...

## ANNEX XXV

### TIME LIMITS FOR TRANSPOSITION AND IMPLEMENTATION

## ANNEX XXVI

### CORRELATION TABLE

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- (1) [OJ C 29 E, 30.1.2001, p. 112](#) and [OJ C 203 E, 27.8.2002, p. 183](#).
- (2) [OJ C 193, 10.7.2001, p. 1](#).
- (3) [OJ C 144, 16.5.2001, p. 23](#).
- (4) Opinion of the European Parliament of 17 January 2002 ([OJ C 271 E, 7.11.2002, p. 293](#)), Council Common Position of 20 March 2003 ([OJ C 147 E, 24.6.2003, p. 137](#)) and Position of the European Parliament of 2 July 2003 (not yet published in the Official Journal). Legislative Resolution of the European Parliament of 29 January 2004 and Decision of the Council of 2 February 2004.
- (5) [OJ L 199, 9.8.1993, p. 84](#). Directive as last amended by Commission Directive 2001/78/EC ([OJ L 285, 29.10.2001, p. 1](#)).
- (6) [OJ L 374, 31.12.1987, p. 1](#). Regulation as last amended by Regulation (EC) No 1/2003 ([OJ L 1, 4.1.2003, p. 1](#)).
- (7) [OJ L 374, 31.12.1987, p. 9](#). Regulation as last amended by the 1994 Act of Accession.
- (8) [OJ C 156, 3.6.1999, p. 3](#).
- (9) [OJ L 297, 29.10.1990, p. 1](#). Directive as last amended by Directive 94/22/EC of the European Parliament and of the Council ([OJ L 164, 30.6.1994, p. 3](#)).
- (10) [OJ L 336, 23.12.1994, p. 1](#).
- (11) See page 114 of this Official Journal.
- (12) [OJ L 15, 21.1.1998, p. 14](#). Directive as last amended by Regulation (EC) No 1882/2003 ([OJ L 284, 31.10.2003, p. 1](#)).
- (13) [OJ L 164, 30.6.1994, p. 3](#).
- (14) [OJ L 316, 17.12.1993, p. 41](#).
- (15) [OJ L 156, 13.6.1997, p. 55](#).
- (16) [OJ L 68, 12.3.2002, p. 31](#).
- (17) [OJ L 16, 23.1.2004, p.57](#).
- (18) [OJ L 18, 21.1.1997, p. 1](#).
- (19) [OJ L 13, 19.1.2000, p. 12](#).
- (20) [OJ L 178, 17.7.2000, p. 1](#).
- (21) Regulation (EC) No 761/2001 of the European Parliament and of the Council of 19 March 2001 allowing a voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) ([OJ L 114, 24.4.2001, p. 1](#)).
- (22) Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation ([OJ L 303, 2.12.2000, p. 16](#)).
- (23) Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, ([OJ L 39 of 14.2.1976, p. 40](#)). Directive as amended by Directive 2002/73/EC of the European Parliament and of the Council ([OJ L 269, 5.10.2002, p. 15](#)).
- (24) [OJ L 124, 8.6.1971, p. 1](#).
- (25) [OJ L 184, 17.7.1999, p. 23](#).