

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

## ANNEX I

### LIST OF ACTIVITIES AS SET OUT IN POINT (A) OF POINT 2 OF ARTICLE 2

In the event of any difference of interpretation between the CPV and the NACE, the CPV nomenclature will apply.

NACE <sup>a</sup>					CPV code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
45			Construction	This division includes: construction of new buildings and works, restoring and common repairs.	45000000
	45.1		Site preparation		45100000
		45.11	Demolition and wrecking of buildings; earth moving	This class includes: — demolition of buildings and other structures, — clearing of building sites, — earth moving: excavation, landfill, levelling and grading of construction sites, trench digging, rock removal, blasting, etc.	45110000

<sup>a</sup> Council Regulation (EEC) No 3037/90 of 9 October 1990 (OJ L 293, 24.10.1990, p. 1).

---

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

---

				<ul style="list-style-type: none"> <li>— site preparation for mining:</li> <li>— overburden removal and other development and preparation of mineral properties and sites.</li> </ul> <p>This class also includes:</p> <ul style="list-style-type: none"> <li>— building site drainage.</li> <li>— drainage of agricultural or forestry land.</li> </ul>	
		45.12	Test drilling and boring	<p>This class includes:</p> <ul style="list-style-type: none"> <li>— test drilling, test boring and core sampling for construction, geophysical, geological or similar purposes.</li> </ul> <p>This class excludes:</p> <ul style="list-style-type: none"> <li>— drilling of production oil or gas</li> </ul>	45120000

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

				<p>wells,                  see                  11.20.                  — water                  well                  drilling,                  see                  45.25,                  — shaft                  sinking,                  see                  45.25,                  — oil                  and                  gas                  field                  exploration,                  geophysical,                  geological                  and                  seismic                  surveying,                  see                  74.20.</p>	
	45.2		Building of complete constructions or parts thereof; civil engineering	45200000	
		45.21	General construction of buildings and civil engineering works	<p>This class includes:                  — construction of all types of buildings construction of civil engineering constructions, bridges, including those for elevated highways, viaducts,</p>	<p>45210000                  Except:                  — 45213316                  of 45220000                  all 45231000                  types 45232000</p>

**a** Council Regulation (EEC) No 3037/90 of 9 October 1990 (OJ L 293, 24.10.1990, p. 1).

---

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

---

				<ul style="list-style-type: none"> <li>— tunnels and subways,</li> <li>— long-distance pipelines, communication and power lines,</li> <li>— urban pipelines, urban communication and power lines,</li> <li>— ancillary urban works,</li> <li>— assembly and erection of prefabricated constructions on the site.</li> </ul> <p>This class excludes:</p> <ul style="list-style-type: none"> <li>— service activities incidental to oil and gas extraction, see 11.20,</li> <li>— erection of complete prefabricated constructions from self-manufactured parts not of</li> </ul>
<b>a</b>	Council Regulation (EEC) No 3037/90 of 9 October 1990 (OJ L 293, 24.10.1990, p. 1).			

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

				<p>concrete,                  see                  divisions                  20,                  26                  and                  28,                  — construction                  work,                  other                  than                  buildings,                  for                  stadiums,                  swimming                  pools,                  gymnasiums,                  tennis                  courts,                  golf                  courses                  and                  other                  sports                  installations,                  see                  45.23,                  — building                  installation,                  see                  45.3,                  — building                  completion,                  see                  45.4,                  — architectural                  and                  engineering                  activities,                  see                  74.20,                  — project                  management                  for                  construction,                  see                  74.20.</p>	
		45.22	Erection of roof covering and frames	This class includes:	45261000

**a** Council Regulation (EEC) No 3037/90 of 9 October 1990 (OJ L 293, 24.10.1990, p. 1).

---

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

---

			— erection of roofs, roof covering, waterproofing.
	45.23	Construction of highways, roads, airfields and sport facilities	<p>This class includes:</p> <p>— construction of highway streets, roads, other vehicular and pedestrian ways, construction of railways, construction of airfield runways, construction work, other than buildings, for stadiums, swimming pools, gymnasiums, tennis courts, golf courses and other sports installations, painting of markings on road surfaces and</p> <p>45212212 and DA03 45230000 except: 45231000 45232000 45234115</p>

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

				<p>car parks.</p> <p>This class excludes:</p> <ul style="list-style-type: none"> <li>— preliminary earth moving, see 45.11.</li> </ul>	
		45.24	Construction of water projects	<p>This class includes</p> <ul style="list-style-type: none"> <li>— construction of:</li> <li>— waterways, harbour and river works, pleasure ports (marinas), locks, etc.,</li> <li>— dams and dykes,</li> <li>— dredging,</li> <li>— subsurface work.</li> </ul>	45240000
		45.25	Other construction work involving special trades	<p>This class includes:</p> <ul style="list-style-type: none"> <li>— construction activities specialising in one aspect common to different kinds of structures, requiring specialised skill or equipment,</li> <li>— construction of</li> </ul>	45250000 45262000

---

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

---

				<p>foundations, including pile driving, water well drilling and construction, shaft sinking, erection of non-self-manufactured steel elements, steel bending, bricklaying and stone setting, scaffolds and work platform erecting and dismantling, including renting of scaffolds and work platforms, erection of chimneys and industrial ovens.</p> <p>This class excludes:</p> <p>— renting of scaffolds without erection and</p>
<b>a</b>	Council Regulation (EEC) No 3037/90 of 9 October 1990 (OJ L 293, 24.10.1990, p. 1).			



**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

				dismantling, see 71.32	
	45.3		Building installation		45300000
		45.31	Installation of electrical wiring and fittings	This class includes: installation in buildings or other construction projects of: — electrical wiring and fittings, — telecommunications systems, — electrical heating systems, — residential antennas and aerials, — fire alarms, — burglar alarm systems, — lifts and escalators, — lightning conductors, etc.	45213316 45310000 Except: — 45316000
		45.32	Insulation work activities	This class includes: — installation in buildings or other construction projects of thermal, sound or	45320000

**a** Council Regulation (EEC) No 3037/90 of 9 October 1990 (OJ L 293, 24.10.1990, p. 1).

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

				vibration insulation. This class excludes: — waterproofing, see 45.22.	
		45.33	Plumbing	This class includes: — installation in buildings or other construction projects of: — plumbing and sanitary equipment, gas fittings, heating, ventilation, refrigeration or air-conditioning equipment and ducts, — sprinkler systems. This class excludes: — installation of electrical heating systems, see 45.31.	45330000
		45.34	Other building installation	This class includes: — installation of illumination and signalling	45234115 45316000 45340000

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

				— systems for roads, railways, airports and harbours, installation in buildings or other construction projects of fittings and fixtures n.e.c.	
	45.4		Building completion		45400000
		45.41	Plastering	This class includes: — application in buildings or other construction projects of interior and exterior plaster or stucco, including related lathing materials.	45410000
		45.42	Joinery installation	This class includes: — installation of not self-manufactured doors, windows,	45420000

**a** Council Regulation (EEC) No 3037/90 of 9 October 1990 (OJ L 293, 24.10.1990, p. 1).

---

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

---

				<p>door and window frames, fitted kitchens, staircases, shop fittings and the like, of wood or other materials, interior completion such as ceilings, wooden wall coverings, movable partitions, etc.</p> <p>—</p> <p>This class excludes:</p> <p>— laying of parquet and other wood floor coverings, see 45.43.</p>	
		45.43	Floor and wall covering	<p>This class includes:</p> <p>— laying, tiling, hanging or fitting in buildings or other</p>	45430000

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

				<ul style="list-style-type: none"> <li>— construction projects of: ceramic, concrete or cut stone wall or floor tiles,</li> <li>— parquet and other wood floor coverings carpets and linoleum floor coverings,</li> <li>— including of rubber or plastic, terrazzo, marble, granite or slate floor or wall coverings,</li> <li>— wallpaper.</li> </ul>	
		45.44	Painting and glazing	This class includes: <ul style="list-style-type: none"> <li>— interior and exterior painting of buildings,</li> <li>— painting of civil engineering structures,</li> </ul>	45440000

**a** Council Regulation (EEC) No 3037/90 of 9 October 1990 (OJ L 293, 24.10.1990, p. 1).

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

				<ul style="list-style-type: none"> <li>— installation of glass, mirrors, etc.</li> </ul> <p>This class excludes:</p> <ul style="list-style-type: none"> <li>— installation of windows, see 45.42,</li> </ul>	
		45.45	Other building completion	<p>This class includes:</p> <ul style="list-style-type: none"> <li>— installation of private swimming pools,</li> <li>— steam cleaning, sand blasting and similar activities for building exteriors,</li> <li>— other building completion and finishing work n.e.c.</li> </ul> <p>This class excludes:</p> <ul style="list-style-type: none"> <li>— interior cleaning of buildings and other structures, see 74.70.</li> </ul>	45212212 and DA04 45450000
	45.5		Renting of construction or demolition		45500000

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

			equipment with operator		
		45.50	Renting of construction or demolition equipment with operator	This class excludes: — renting of construction or demolition machinery and equipment without operators, see 71.32.	45500000
<b>a</b>	Council Regulation (EEC) No 3037/90 of 9 October 1990 (OJ L 293, 24.10.1990, p. 1).				

## ANNEX II

### LIST OF UNION LEGAL ACTS REFERRED TO IN ARTICLE 4(3)

Rights which have been granted by means of a procedure in which adequate publicity has been ensured and where the granting of those rights was based on objective criteria do not constitute ‘special or exclusive rights’ within the meaning of Article 4 of this Directive. The following lists procedures, ensuring adequate prior transparency, for granting authorisations on the basis of other legal acts of the Union which do not constitute ‘special or exclusive rights’ within the meaning of Article 4 of this Directive:

- (a) granting authorisation to operate natural gas installations in accordance with the procedures laid down in Article 4 of Directive 2009/73/EC;
- (b) authorisation or an invitation to tender for the construction of new electricity production installations in accordance with Directive 2009/72/EC;
- (c) the granting in accordance with the procedures laid down in Article 9 of Directive 97/67/EC of authorisations in relation to a postal service which is not or shall not be reserved;
- (d) a procedure for granting an authorisation to carry on an activity involving the exploitation of hydrocarbons in accordance with Directive 94/22/EC;
- (e) public service contracts within the meaning of Regulation (EC) No 1370/2007 for the provision of public passenger transport services by bus, tramway, rail or metro which have been awarded on the basis of a competitive tendering procedure in accordance with Article 5(3) thereof, provided that its length is in conformity with Article 4(3) or (4) of that Regulation.

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

### ANNEX III

#### LIST OF UNION LEGAL ACTS REFERRED TO IN ARTICLE 34(3)

##### A. Transport or distribution of gas or heat

Directive 2009/73/EC

##### B. Production, transmission or distribution of electricity

Directive 2009/72/EC

##### C. Production, transport or distribution of drinking water

[No entry]

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

Rail freight transport

Directive 2012/34/EU

International rail passenger transport

Directive 2012/34/EU

National rail passenger transport

[No entry]

##### E. Contracting entities in the field of urban railway, tramway, trolleybus or motor bus services

[No entry]

##### F. Contracting entities in the field of postal services

Directive 97/67/EC

##### G. Extraction of oil or gas

Directive 94/22/EC

##### H. Exploration for and extraction of coal or other solid fuels

[No entry]

##### I. Contracting entities in the field of seaport or inland port or other terminal equipment

[No entry]

##### J. Contracting entities in the field of airport installations

[No entry]

### ANNEX IV

#### DEADLINES FOR THE ADOPTION OF THE IMPLEMENTING ACTS REFERRED TO IN ARTICLE 35

1. The implementing acts referred to in Article 35 shall be adopted within the following periods:



- (a) 90 working days where free access to a given market is presumed on the basis of the first subparagraph of Article 34(3);
- (b) 130 working days in cases other than those referred to in point (a).

The periods set out in points (a) and (b) of this paragraph shall be prolonged by 15 working days where the request is not accompanied by a reasoned and substantiated position, adopted by an independent national authority that is competent in relation to the activity concerned, which thoroughly analyses the conditions for the possible applicability of Article 34(1) to the activity concerned in accordance with Article 34(2) and (3).

Those deadlines shall commence on the first working day following the date on which the Commission receives the request referred to in Article 35(1) or, where the information to be supplied with the request is incomplete, on the working day following the receipt of the complete information.

The periods set out in the first subparagraph may be extended by the Commission with the agreement of the Member State or contracting entity which has presented the request.

2. The Commission may require the Member State or the contracting entity concerned or the independent national authority referred to under paragraph 1 or any other competent national authority to provide all necessary information or to supplement or clarify information given within an appropriate time limit. In the event of late or incomplete answers, the periods set out in the first subparagraph of paragraph 1 shall be suspended for the period between the expiry of the time limit set in the request for information, and the receipt of the complete and correct information.

## ANNEX V

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

Tools and devices for the electronic receipt of tenders, requests to participate, applications for qualification as well as plans and projects in contests must guarantee, through technical means and appropriate procedures, at least that:

- (a) the exact time and date of the receipt of tenders, requests to participate, applications for qualification as well as the submission of plans and projects can be determined precisely;
- (b) it may be reasonably ensured that, before the time limits laid down, no-one can have access to data transmitted under those requirements;
- (c) only authorised persons may set or change the dates for opening data received;
- (d) during the various stages of the qualification procedure, the procurement procedure or contest, access to all data submitted, or to part thereof, must be possible only for authorised persons;
- (e) only authorised persons must give access to data transmitted and only after the prescribed date;

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

- (f) data received and opened in accordance with those requirements must remain accessible only to persons authorised to acquaint themselves therewith,
- (g) where the access prohibitions or conditions referred to under points (b) to (f) are infringed or there is an attempt to do so, it may be reasonably ensured that the infringements or attempts are clearly detectable.

## ANNEX VI

### PART A

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

##### (as referred to in Article 67)

#### I. Information to be included in all cases

1. Name, identification number (where provided for in national legislation), address including NUTS code, telephone, fax number, e-mail and internet address of the contracting entity and, where different, of the service from which additional information may be obtained.
2. Main activity exercised.
- 3.
- (a) For supply contracts: nature and quantity or value of the services or products to be supplied (CPV codes).
- (b) For works contracts: nature and extent of the services to be provided, the general characteristics of the work or of the lots by reference to the work (CPV codes).
- (c) For service contracts: intended total procurement in each of the service categories envisaged (CPV codes).
4. Date of dispatch of the notice or of dispatch of the notice of the publication of this notice on the buyer profile.
5. Any other relevant information.

#### II. Additional information to be supplied where the notice is used as a means of calling for competition or permits the reduction of the time limits for the receipt of tenders (article 67(2))

6. A reference to the fact that interested economic operators shall advise the entity of their interest in the contract or contracts.
7. E-mail or internet address at which the specifications procurement documents will be available for unrestricted and full direct access, free of charge.

Where unrestricted and full direct access, free of charge, is not available for the reasons set out in the third and fourth subparagraph of Article 73(1), an indication of how the procurement documents can be accessed.

8. Where appropriate, state whether the contract is reserved for sheltered workshops or whether its performance is reserved in the context of sheltered employment programmes.
9. Time limit for the receipt of applications for an invitation to tender or to negotiate.
10. Nature and quantity of the products to be supplied or general nature of the work or category of service and description, stating if framework agreement(s) are envisaged, including any options for further procurement and the estimated time available for exercising those options as well as the number of renewals, if any. In the case of recurring contracts, also, an estimate of the timing of the subsequent calls for competition. State whether purchase, lease, rental or hire-purchase or any combination of those is involved.
11. NUTS code for the main location of works in case of works or NUTS code for the main place of delivery or performance in supplies and service; if the contract is divided into lots, this information shall be provided for each lot.
12. Time limits for delivery or completion or duration of service contract and, as far as possible, for starting.
13. Address to which interested undertakings shall send their expressions of interest in writing.
14. Time limit for receipt of expressions of interest.
15. Language or languages authorised for the presentation of candidatures or tenders.
16. Economic and technical conditions, and financial and technical guarantees required of suppliers.
17.
  - (a) Estimated date for initiating the procurement procedures in respect of the contract or contracts (if known);
  - (b) Type of procurement procedure (restricted procedures, whether or not involving a dynamic purchasing system, or negotiated procedures).
18. Where appropriate, particular conditions to which the performance of the contract is subject.
19. Where appropriate, indication whether:
  - (a) electronic submission of tenders or requests to participate will be required/accepted,
  - (b) electronic ordering will be used,
  - (c) electronic invoicing will be used,
  - (d) electronic payment will be accepted.
20. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning time limits for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

21. Where known, criteria referred to in Article 82 to be used for award of the contract. Except where the most economically advantageous tender is identified on the basis of price alone, criteria representing the most economically advantageous tender as well as their weighting or, where appropriate, the order of importance of those criteria shall be mentioned, where they do not appear in the specifications, or will not be indicated in the invitation to confirm interest referred to in point (b) of Article 67(2) or in the invitation tender or to negotiate.

## PART 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**

**(as referred to in Article 67(1))**

1. Name, identification number (where provided for in national legislation), address including NUTS code, telephone, fax number, e-mail and internet address of the contracting entity and, where different, of the service from which additional information may be obtained.
2. Main activity exercised.
3. CPV Codes.
4. Internet address of the 'buyer profile' (URL).
5. Date of dispatch of the notice of the publication of the prior information notice on the buyer profile.

## ANNEX VII

### **INFORMATION TO BE INCLUDED IN THE PROCUREMENT DOCUMENTS RELATING TO ELECTRONIC AUCTIONS (ARTICLE 53(4))**

Where contracting entities have decided to hold an electronic auction, the procurement documents shall include at least the following details:

- (a) the features whose values will be the subject of electronic auction, provided that such features are quantifiable and can be expressed in figures or percentages;
- (b) any limits on the values which may be submitted, as they result from the specifications relating to the subject of the contract;
- (c) the information which will be made available to tenderers in the course of the electronic auction and, where appropriate, when it will be made available to them;
- (d) the relevant information concerning the electronic auction process;
- (e) the conditions under which the tenderers will be able to bid and, in particular, the minimum differences which will, where appropriate, be required when bidding;

- (f) the relevant information concerning the electronic equipment used and the arrangements and technical specifications for connection.

## ANNEX VIII

### DEFINITION OF CERTAIN TECHNICAL SPECIFICATIONS

For the purposes of this Directive,

- (1) ‘technical specification’ means one of the following:
- (a) in the case of service or supply contracts a specification in a document defining the required characteristics of a product or a service, such as quality levels, environmental and climate performance levels, design for all requirements (including accessibility for disabled persons) and conformity assessment, performance, use of the product, safety or dimensions, including requirements relevant to the product as regards the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking and labelling, user instructions, production processes and methods at any stage of the life cycle of the supply or service and conformity assessment procedures;
  - (b) in the case of works contracts, the totality of the technical prescriptions contained in particular in the procurement 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 entity; those characteristics include levels of environmental and climate performance, design for all requirements (including accessibility for disabled persons) and conformity assessment, performance, safety or dimensions, including the procedures concerning quality assurance, terminology, symbols, testing and test methods, packaging, marking and labelling, user instructions, and production processes and methods at any stage of the life cycle of the works; those characteristics also include rules relating to design and costing, the test, inspection and acceptance conditions for works and methods or techniques of construction and all other technical conditions which the contracting entity is in a position to prescribe, under general or specific regulations, in relation to the finished works and to the materials or parts which they involve;
- (2) ‘standard’ means a technical specification, adopted by a recognised standardisation body, for repeated or continuous application, with which compliance is not compulsory, and which is one of the following:
- (a) ‘international standard’ means a standard adopted by an international standardisation organisation and made available to the general public,
  - (b) ‘European standard’ means a standard adopted by a European standardisation organisation and made available to the general public,
  - (c) ‘national standard’ means a standard adopted by a national standardisation organisation and made available to the general public;

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

- (3) ‘European Technical Assessment’ means the documented assessment of the performance of a construction product, in relation to its essential characteristics, in accordance with the respective European Assessment Document, as defined in point 12 of Article 2 of Regulation (EU) No 305/2011 of the European Parliament and of the Council<sup>(1)</sup>;
- (4) ‘common technical specification’ means a technical specification in the field of ICT laid down in accordance with Articles 13 and 14 of Regulation (EU) No 1025/2012;
- (5) ‘technical reference’ means any deliverable produced by European standardisation bodies, other than European standards, according to procedures adapted to the development of market needs.

## ANNEX IX

### FEATURES CONCERNING PUBLICATION

#### 1. Publication of notices

The notices referred to in Articles 67, 68, 69, 70, 92 and 96 must be sent by the contracting entities to the Publications Office of the European Union and published in accordance with the following rules:

- (a) Notices referred to in Articles 67, 68, 69, 70, 92 and 96 shall be published by the Publications Office of the European Union or by the contracting entities in the event of a periodic indicative notice published on a buyer profile in accordance with Article 67(1).

In addition, contracting entities may publish this information on the internet on a ‘buyer profile’ as referred to in point 2(b) below;

- (b) The Publications Office of the European Union will give the contracting entity the confirmation referred to in the second subparagraph of Article 71(5).

#### 2. Publication of complementary or additional information

- (a) Except where otherwise provided for in the third and fourth subparagraph of Article 73(1), contracting entities shall publish the procurement documents in their entirety on the internet;
- (b) The buyer profile may include periodic indicative notices as referred to in Article 67(1), information on ongoing invitations to tender, scheduled purchases, contracts concluded, procedures cancelled and any useful general information, such as a contact point, a telephone and a fax number, a postal address and an e-mail address. The buyer profile may also include periodic indicative notices used as a means of calling for competition, which are published at national level pursuant to Article 72.

#### 3. Format and procedures for the electronic transmission of notices

The format and procedure for sending notices electronically as established by the Commission are made accessible at the internet address <http://simap.eu.int>

## ANNEX X

**INFORMATION TO BE INCLUDED IN THE NOTICE  
ON THE EXISTENCE OF A QUALIFICATION SYSTEM**  
(as referred to in point (b) of Article 44(4) and in Article 68)

1. Name, identification number (where provided for in national legislation), address including NUTS code, telephone, fax number, e-mail and internet address of the contracting entity and, where different, of the service from which additional information may be obtained.
2. Main activity exercised.
3. Where appropriate, state whether the contract is reserved for sheltered workshops or whether its performance is reserved in the context of sheltered employment programmes.
4. Purpose of the qualification system (description of the products, services or works or categories thereof to be procured through the system — CPV codes). NUTS code for the main location of works in case of works or NUTS code for the main place of delivery or performance in supplies and service.
5. Conditions to be fulfilled by the economic operators in view of their qualification pursuant to the system and the methods according to which each of those conditions will be verified. Where the description of such conditions and verification methods is voluminous and based on documents available to interested economic operators, a summary of the main conditions and methods and a reference to those documents shall be sufficient.
6. Period of validity of the qualification system and the formalities for its renewal.
7. Reference to the fact that the notice acts as the call for competition.
8. Address where further information and documentation concerning the qualification system can be obtained (where different from the addresses mentioned under point (1)).
9. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning time limits for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.
10. Where known, criteria referred to in Article 82 to be used for award of the contract. Except where the most economically advantageous tender is identified on the basis of price alone, criteria representing the most economically advantageous tender as well as their weighting or, where appropriate, the order of importance of those criteria, shall be mentioned where they do not appear in the specifications or will not be indicated in the invitation to tender or to negotiate.
11. Where appropriate, indication whether:
  - (a) electronic submission of tenders or requests to participate will be required/accepted,
  - (b) electronic ordering will be used,
  - (c) electronic invoicing will be used,
  - (d) electronic payment will be accepted.

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

12. Any other relevant information.

## ANNEX XI

### INFORMATION TO BE INCLUDED IN CONTRACT NOTICES

(as referred to in Article 69)

#### A. OPEN PROCEDURES

1. Name, identification number (where provided for in national legislation), address including NUTS code, telephone, fax number, e-mail and internet address of the contracting entity and, where different, of the service from which additional information may be obtained.
2. Main activity exercised.
3. Where appropriate, state whether the contract is reserved for sheltered workshops or whether its performance is reserved in the context of sheltered employment programmes.
4. Nature of the contract (supply, works or service, where appropriate, state if it is a framework agreement or a dynamic purchasing system), description (CPV codes). Where appropriate, state whether tenders are requested for purchase, lease, rental or hire purchase or any combination of those.
5. NUTS code for the main location of works in case of works or NUTS code for the main place of delivery or performance in supplies and service.
6. For supplies and works:
  - (a) nature and quantity of the products to be supplied (CPV codes), including any options for further procurement and, if possible, the estimated time available for exercising those options as well as the number of renewals, if any. In the case of recurring contracts, also, if possible, an estimate of the timing of the subsequent calls for competition for the products to be procured or the nature and extent of the services to be provided and general nature of the work (CPV codes);
  - (b) indication of whether the suppliers may tender for some and/or all the products required.

If, for works contracts, the work or the contract is subdivided into several lots, the order of size of the different lots and the possibility of tendering for one, for several or for all the lots;
  - (c) for works contracts: information concerning the purpose of the work or the contract where the latter also involves the drawing-up of projects.
7. For services:
  - (a) The nature and quantity of the products to be supplied, including any options for further procurement and, if possible, the estimated time available for exercising those options as well as the number of renewals, if any. In the case of recurring contracts, also, if possible, an estimate of the timing of the subsequent calls for competition for the services to be procured;



- (b) Indication of whether the performance of the service is reserved by law, regulation or administrative provision to a particular profession;
  - (c) Reference of the law, regulation or administrative provision;
  - (d) Indication of whether legal persons shall indicate the names and professional qualifications of the staff to be responsible for the performance of the service;
  - (e) Indication of whether service providers may tender for a part of the services concerned.
8. Where known, indication of whether authorisation to submit variants exists or not.
  9. Time limits for delivery or completion or duration of service contract and, as far as possible, the starting date.
  10. E-mail or internet address at which the procurement documents will be available for unrestricted and full direct access, free of charge.

Where unrestricted and full direct access, free of charge, is not available for the reasons set out in the third and fourth subparagraph of Article 73(1), an indication of how the procurement documents can be accessed.

11.
  - (a) Final date for receipt of tenders or indicative tenders where a dynamic purchasing system is introduced;
  - (b) Address to which they shall be sent;
  - (c) Language or languages in which they shall be drawn up.
12.
  - (a) Where applicable, the persons authorised to be present at the opening of tenders;
  - (b) Date, time and place of such opening.
13. Where applicable, any deposits and guarantees required.
14. Main terms concerning financing and payment and/or references to the provisions in which those are contained.
15. Where appropriate, the legal form to be taken by the grouping of economic operators to whom the contract is awarded.
16. Minimum economic and technical conditions required of the economic operator to whom the contract is awarded.
17. Period during which the tenderer is bound to keep open his tender.
18. Where appropriate, particular conditions to which the performance of the contract is subject.
19. Criteria referred to in Article 82 to be used for award of the contract. Except where the most economically advantageous tender is identified on the basis of price alone, criteria representing the most economically advantageous tender as well as their weighting or, where appropriate, the order of importance of those criteria shall be indicated where they do not appear in the specifications.

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

20. Where appropriate, date(s) and the reference(s) to publication in the *Official Journal of the European Union* of the periodic information notice or of the notice of the publication of this notice on the buyer profile to which the contract refers.
  21. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning time limits for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the department from which this information may be obtained.
  22. Date of dispatch of the notice by the contracting entity.
  23. Any other relevant information.
- B. RESTRICTED PROCEDURES
1. Name, identification number (where provided for in national legislation), address including NUTS code, telephone, fax number, e-mail and internet address of the contracting entity and, where different, of the service from which additional information may be obtained.
  2. Main activity exercised.
  3. Where appropriate, state whether the contract is reserved for sheltered workshops or whether its performance is reserved in the context of sheltered employment programmes.
  4. Nature of the contract (supplies, works or services; where appropriate, state if it is a framework agreement); description (CPV codes). Where appropriate, state whether tenders are requested for purchase, lease, rental or hire purchase or any combination of those.
  5. NUTS code for the main location of works in case of works or NUTS code for the main place of delivery or performance in supplies and service.
  6. For supplies and works:
    - (a) The nature and quantity of the products to be supplied (CPV codes), including any options for further procurement and, if possible, the estimated time available for exercising those options as well as the number of renewals, if any. In the case of recurring contracts, also, if possible, an estimate of the timing of the subsequent calls for competition for the products to be procured or the nature and extent of the services to be provided and general nature of the work (CPV codes);
    - (b) Indication of whether the suppliers may tender for some and/or all the products required.

If, for works contracts, the work or the contract is subdivided into several lots, the order of size of the different lots and the possibility of tendering for one, for several or for all the lots;
    - (c) Information concerning the purpose of the work or the contract where the latter also involves the drawing-up of projects.
  7. For services:
    - (a) The nature and quantity of the products to be supplied, including any options for further procurement and, if possible, the estimated time available for exercising those

- options as well as the number of renewals, if any. In the case of recurring contracts, also, if possible, an estimate of the timing of the subsequent calls for competition for the services to be procured;
- (b) Indication of whether the performance of the service is reserved by law, regulation or administrative provision to a particular profession;
  - (c) Reference to the law, regulation or administrative provision;
  - (d) Indication of whether legal persons shall indicate the names and professional qualifications of the staff to be responsible for the performance of the service;
  - (e) Indication of whether service providers may tender for a part of the services concerned.
8. Where known, indication of whether authorisation to submit variants exists or not.
  9. Time limits for delivery or completion or duration of the contract and, as far as possible, for starting.
  10. Where appropriate, the legal form to be taken by the grouping of economic operators to whom the contract is awarded.
  11.
    - (a) Final date for receipt of requests to participate;
    - (b) Address to which they shall be sent;
    - (c) Language or languages in which they shall be drawn up.
  12. Final date for dispatch of invitations to tender.
  13. Where applicable, any deposits and guarantees required.
  14. Main terms concerning financing and payment and/or references to the provisions in which those are contained.
  15. Information concerning the economic operator's position and the minimum economic and technical conditions required of him.
  16. Criteria referred to in Article 82 to be used for award of the contract. Except where the most economically advantageous tender is identified on the basis of price alone, criteria representing the most economically advantageous tender as well as their weighting or, where appropriate, the order of importance of those criteria shall be indicated where they do not appear in the specifications or will not be indicated in the invitation to tender.
  17. Where appropriate, particular conditions to which the performance of the contract is subject.
  18. Where appropriate, the date(s) and reference(s) to publication in the *Official Journal of the European Union* of the periodic information notice or of the notice of the publication of this notice on the buyer profile to which the contract refers.
  19. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning time limits for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

20. Date of dispatch of the notice by the contracting entities.
  21. Any other relevant information.
- C. NEGOTIATED PROCEDURES
1. Name, identification number (where provided for in national legislation), address including NUTS code, telephone, fax number, e-mail and internet address of the contracting entity and, where different, of the service from which additional information may be obtained.
  2. Main activity exercised.
  3. Where appropriate, state whether the contract is reserved for sheltered workshops or whether its performance is reserved in the context of sheltered employment programmes.
  4. Nature of the contract (supplies, works or services; where appropriate, state if it is a framework agreement); description (CPV codes). Where appropriate, state whether tenders are requested for purchase, lease, rental or hire purchase or any combination of those.
  5. NUTS code for the main location of works in case of works or NUTS code for the main place of delivery or performance in supplies and service.
  6. For supplies and works:
    - (a) The nature and quantity of the products to be supplied (CPV codes), including any options for further procurement and, if possible, the estimated time available for exercising those options as well as the number of renewals, if any. In the case of recurring contracts, also, if possible, an estimate of the timing of the subsequent calls for competition for the products to be procured or the nature and extent of the services to be provided and general nature of the work (CPV codes);
    - (b) Indication of whether the suppliers may tender for some and/or all the products required.

If, for works contracts, the work or the contract is subdivided into several lots, the order of size of the different lots and the possibility of tendering for one, for several or for all the lots;
    - (c) For works contracts: information concerning the purpose of the work or the contract where the latter also involves the drawing-up of projects.
  7. For services:
    - (a) The nature and quantity of the services to be supplied, including any options for further procurement and, if possible, the estimated time available for exercising those options as well as the number of renewals, if any. In the case of recurring contracts, also, if possible, an estimate of the timing of the subsequent calls for competition for the services to be procured;
    - (b) Indication of whether the performance of the service is reserved by law, regulation or administrative provision to a particular profession;
    - (c) Reference of the law, regulation or administrative provision;

- (d) Indication of whether legal persons shall indicate the names and professional qualifications of the staff to be responsible for the performance of the service;
- (e) Indication of whether service providers may tender for a part of the services concerned.
8. Where known, indication of whether authorisation to submit variants exists or not.
9. Time limits for delivery or completion or duration of the contract and, as far as possible, for starting.
10. Where appropriate, the legal form to be taken by the grouping of economic operators to whom the contract is awarded.
- 11.
- (a) Final date for receipt of requests to participate;
- (b) Address to which they shall be sent;
- (c) Language or languages in which they shall be drawn up.
12. Where appropriate, any deposits and guarantees required.
13. Main terms concerning financing and payment and/or references to the provisions in which those are contained.
14. Information concerning the economic operator's position and the minimum economic and technical conditions required of him.
15. Criteria referred to in Article 82 to be used for award of the contract. Except where the most economically advantageous tender is identified on the basis of price alone, criteria representing the most economically advantageous tender as well as their weighting or, where appropriate, the order of importance of those criteria shall be indicated where they do not appear in the specifications or will not be indicated in the invitation to negotiate.
16. Where appropriate, the names and addresses of the economic operators already selected by the contracting entity.
17. Where appropriate, particular conditions to which the performance of the contract is subject.
18. Where appropriate, the dates and reference(s) of publication in the *Official Journal of the European Union* of the periodic information notice or of the notice of the publication of this notice on the buyer profile to which the contract refers.
19. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning time limits for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.
20. Date of dispatch of the notice by the contracting entity.
21. Any other relevant information.

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

## ANNEX XII

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

(as referred to in Article 70)

#### I. Information for publication in the *Official Journal of the European Union*<sup>(2)</sup>

1. Name, identification number (where provided for in national legislation), address including NUTS code, telephone, fax number, e-mail and internet address of the contracting entity and, where different, of the service from which additional information may be obtained.
2. Main activity exercised.
3. Nature of the contract (supplies, works or services and CPV codes; where appropriate state if it is a framework agreement).
4. At least a summary indication of the nature and quantity of the products, works or services provided.
5.
  - (a) Form of the call for competition (notice on the existence of a system of qualification; periodic notice; call for tenders);
  - (b) Date(s) and reference(s) of publication of the notice in the *Official Journal of the European Union*;
  - (c) In the case of contracts awarded without a prior call for competition, indication of the relevant provision of Article 50.
6. Procurement procedure (open, restricted or negotiated).
7. Number of tenders received, specifying
  - (a) number of tenders received from economic operators which are SMEs,
  - (b) number of tenders received from abroad,
  - (c) number of tenders received electronically.

In the case of multiple awards (lots, multiple framework agreements), this information shall be given for each award.

8. Date of the conclusion of the contract(s) or of the framework agreement(s) following the decision to award or conclude it/them.
9. Price paid for bargain purchases pursuant to Article 50(h).
10. For each award, name, address including NUTS code, telephone, fax number, e-mail address and internet address of the successful tenderer(s) including:
  - (a) information whether the successful tenderer is an SME,
  - (b) information whether the contract was awarded to a consortium.
11. State, where appropriate, whether the contract has been, or may be, subcontracted.
12. Price paid or the prices of the highest and lowest tenders taken into account in the award of the contract.

13. Name and address of the body responsible for the appeal and, where appropriate, mediation procedures. Precise information concerning the time limit for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.
14. Optional information:
  - value and share of the contract which has been or may be subcontracted to third parties,
  - award criteria.
- II. Information not intended for publication**
15. Number of contracts awarded (where an award has been split between several suppliers).
16. Value of each contract awarded.
17. Country of origin of the product or service (Community origin or non-Community origin; if the latter, broken down by third country).
18. Which award criteria were used?
19. Was the contract awarded to a tenderer who submitted a variant, in accordance with Article 64(1)?
20. Were any tenders excluded on the grounds that they were abnormally low, in accordance with Article 84?
21. Date of transmission of the notice by the contracting entity.

## ANNEX XIII

### **CONTENTS OF THE INVITATIONS TO SUBMIT A TENDER, PARTICIPATE IN THE DIALOGUE, TO NEGOTIATE OR TO CONFIRM INTEREST PROVIDED FOR UNDER ARTICLE 74**

1. The invitation to submit a tender, to participate in the dialogue or to negotiate provided for under Article 74 must contain at least:
  - (a) the final date for receipt of tenders, the address to which they are to be sent, and the language or languages in which they are to be drawn up;

However, in the case of contracts awarded through a competitive dialogue or an innovation partnership, this information shall not appear in the invitation to negotiate but it shall appear in the invitation to submit a tender.
  - (b) in the case of competitive dialogue the date and the address set for the start of consultation and the language or languages used;
  - (c) a reference to any published call for competition;
  - (d) an indication of any documents to be attached;
  - (e) the criteria for the award of the contract, where they are not indicated in the notice on the existence of a qualification system used as a means of calling for competition;

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

- (f) the relative weighting of the contract award criteria or, where appropriate, the order of importance of such criteria, if this information is not given in the contract notice, the notice on the existence of a qualification system or the specifications.
2. When a call for competition is made by means of a periodic indicative notice, contracting entities shall subsequently invite all candidates to confirm their interest on the basis of detailed information on the contract concerned before beginning the selection of tenderers or participants in negotiations.

This invitation shall include at least the following information:

- (a) nature and quantity, including all options concerning complementary contracts and, if possible, the estimated time available for exercising those options for renewable contracts, the nature and quantity and, if possible, the estimated publication dates of future notices of competition for works, supplies or services to be put out to tender;
- (b) type of procedure: restricted or negotiated;
- (c) where appropriate, the date on which the delivery of supplies or the execution of works or services is to commence or terminate;
- (d) where electronic access cannot be offered, the address and closing date for the submission of requests for procurement documents and the language or languages in which they are to be drawn up;
- (e) the address of the contracting entity;
- (f) economic and technical conditions, financial guarantees and information required from economic operators;
- (g) the form of the contract which is the subject of the invitation to tender: purchase, lease, hire or hire-purchase, or any combination of those; and
- (h) the contract award criteria and their weighting or, where appropriate, the order of importance of such criteria, if this information is not given in the indicative notice or the specifications or in the invitation to tender or to negotiate.

#### ANNEX XIV

##### **LIST OF INTERNATIONAL SOCIAL AND ENVIRONMENTAL CONVENTIONS REFERRED TO IN ARTICLE 36(2)**

- ILO Convention 87 on Freedom of Association and the Protection of the Right to Organise;
- ILO Convention 98 on the Right to Organise and Collective Bargaining;
- ILO Convention 29 on Forced Labour;
- ILO Convention 105 on the Abolition of Forced Labour;
- ILO Convention 138 on Minimum Age;
- ILO Convention 111 on Discrimination (Employment and Occupation);
- ILO Convention 100 on Equal Remuneration;
- ILO Convention 182 on Worst Forms of Child Labour;
- Vienna Convention for the protection of the Ozone Layer and its Montreal Protocol on substances that deplete the Ozone Layer;



---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention);
- Stockholm Convention on Persistent Organic Pollutants (Stockholm POPs Convention);
- Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (UNEP/FAO) (The PIC Convention) Rotterdam, 10/09/1998 and its 3 regional Protocols.

## ANNEX XV

### LIST OF UNION LEGAL ACTS REFERRED TO IN ARTICLE 83(3)

Directive 2009/33/EC of the European Parliament and of the Council.

## ANNEX XVI

### INFORMATION TO BE INCLUDED IN NOTICES OF MODIFICATIONS OF A CONTRACT DURING ITS TERM

(as referred to in Article 89(1))

1. Name, identification number (where provided for in national legislation), address including NUTS code, telephone, fax number, e-mail and internet address of the contracting entity and, where different, of the service from which additional information may be obtained.
2. Main activity exercised.
3. CPV codes.
4. NUTS code for the main location of works in case of works or NUTS code for the main place of delivery or performance in supplies and service.
5. Description of the procurement before and after the modification: nature and extent of the works, nature and quantity or value of supplies, nature and extent of services.
6. Where applicable, increase in price caused by the modification.
7. Description of the circumstances which have rendered necessary the modification.
8. Date of contract award decision.
9. Where applicable, the name, address including NUTS code, telephone, fax number, e-mail address and internet address of the new economic operator or operators.
10. Information whether the contract is related to a project and/or programme financed by Union funds.
11. Name and address of the body responsible for review and, where appropriate, mediation procedures. Precise information concerning the deadline for review procedures, or if need be the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

## ANNEX XVII

## SERVICES REFERRED TO IN ARTICLE 91

CPV Code	Description
75200000-8; 75231200-6; 75231240-8; 79611000-0; 79622000-0 [Supply services of domestic help personnel]; 79624000-4 [Supply services of nursing personnel] and 79625000-1 [Supply services of medical personnel] from 85000000-9 to 85323000-9; 98133100-5, 98133000-4; 98200000-5 and; 98500000-8 [Private households with employed persons] and 98513000-2 to 98514000-9 [Manpower services for households, Agency staff services for households, Clerical staff services for households, Temporary staff for households, Home-help services and Domestic services]	Health and social and related services
85321000-5 and 85322000-2, 75000000-6 [Administration, defence and social security services], 75121000-0, 75122000-7, 75124000-1; from 79995000-5 to 79995200-7; from 80000000-4 Education and training services to 80660000-8; from 92000000-1 to 92700000-8 79950000-8 [Exhibition, fair and congress organisation services], 79951000-5 [Seminar organisation services], 79952000-2 [Event services], 79952100-3 [Cultural event organisation services], 79953000-9 [Festival organisation services], 79954000-6 [Party organisation services], 79955000-3 [Fashion shows organisation services], 79956000-0 [Fair and exhibition organisation services]	Administrative social, educational, healthcare and cultural services
75300000-9	Compulsory social security services <sup>a</sup>
75310000-2, 75311000-9, 75312000-6, 75313000-3, 75313100-4, 75314000-0, 75320000-5, 75330000-8, 75340000-1	Benefit services
98000000-3, 98120000-0; 98132000-7; 98133110-8 and 98130000-3	Other community, social and personal services including services furnished by trade unions, political organisations, youth associations and other membership organisation services
98131000-0	Religious services
<sup>a</sup>	These services are not covered by the present Directive where they are organised as non-economic services of general interest. Member States are free to organise the provision of compulsory social services or of other services as services of general interest or as non-economic services of general interest.

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

5510000-1 to 5541000-7; 55521000-8 to 55521200-0 [55521000-8 Catering services for private households, 55521100-9 Meals-on-wheels services, 55521200-0 Meal delivery service] 55510000-8 [Canteen services], 55511000-5 [Canteen and other restricted-clientele cafeteria services], 55512000-2 [Canteen management services], 55523100-3 [School-meal services], 55520000-1 [Catering services], 55522000-5 [Catering services for transport enterprises], 55523000-2 [Catering services for other enterprises or other institutions], 55524000-9 [School catering services]	Hotel and restaurant services
79100000-5 to 79140000-7; 75231100-5;	Legal services, to the extent not excluded pursuant to Article 21(c)
75100000-7 to 75120000-3; 75123000-4; 75125000-8 to 75131000-3	Other administrative services and government services
75200000-8 to 75231000-4	Provision of services to the community
75231210-9 to 75231230-5; 75240000-0 to 75252000-7; 794300000-7; 98113100-9	Prison related services, public security and rescue services, to the extent not excluded pursuant to Article 21(h)
79700000-1 to 79721000-4 [Investigation and security services, Security services, Alarm-monitoring services, Guard services, Surveillance services, Tracing system services, Absconder-tracing services, Patrol services, Identification badge release services, Investigation services and Detective agency services] 79722000-1 [Graphology services], 79723000-8 [Waste analysis services]	Investigation and security services
98900000-2 [Services provided by extra-territorial organisations and bodies] and 98910000-5 [Services specific to international organisations and bodies]	International services
64000000-6 [Postal and telecommunications services], 64100000-7 [Post and courier services], 64110000-0 [Postal services], 64111000-7 [Postal services related to newspapers and periodicals], 64112000-4 [Postal services related to letters], 64113000-1 [Postal services related to parcels], 64114000-8 [Post office counter services], 64115000-5 [Mailbox rental], 64116000-2 [Post-restante services],	Postal services

- a** These services are not covered by the present Directive where they are organised as non-economic services of general interest. Member States are free to organise the provision of compulsory social services or of other services as services of general interest or as non-economic services of general interest.

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

64122000-7 [Internal office mail and messenger services]	
50116510-9 [Tyre-remoulding services], 71550000-8 [Blacksmith services]	Miscellaneous services
<p><b>a</b> These services are not covered by the present Directive where they are organised as non-economic services of general interest. Member States are free to organise the provision of compulsory social services or of other services as services of general interest or as non-economic services of general interest.</p>	

## ANNEX XVIII

### INFORMATION TO BE INCLUDED IN NOTICES CONCERNING CONTRACTS FOR SOCIAL AND OTHER SPECIFIC SERVICES (as referred to in Article 92)

#### Part A

##### Contract notice

1. Name, identification number (where provided for in national legislation), address including NUTS code, telephone, fax number, e-mail and internet address of the contracting entity and, where different, of the service from which additional information may be obtained.
2. Main activity exercised.
3. Description of the services or categories thereof and where applicable, incidental works and supplies to be procured, including an indication of the quantities or values involved, CPV codes.
4. NUTS code for the main place of performance of the services.
5. Where appropriate, state whether the contract is reserved for sheltered workshops or whether its performance is reserved in the context of sheltered employment programmes.
6. Main conditions to be fulfilled by the economic operators in view of their participation, or, where appropriate, the electronic address where detailed information may be obtained.
7. Time limit(s) for contacting the contracting entity in view of participation.
8. Any other relevant information.

#### Part B

##### Periodic indicative notice

1. Name, identification number (where provided for in national legislation), address including NUTS code, e-mail and internet address of the contracting entity.
2. Brief description of the contract in question including CPV codes.

3. As far as already known:
  - (a) NUTS code for the main location of works in case of works or NUTS code for the main place of delivery or performance in case of supplies and services,
  - (b) time-frame for delivery or provision of supplies, works or services and duration of the contract,
  - (c) conditions for participation, including:

where appropriate, indication whether the contract is restricted to sheltered workshops, or whether its execution is restricted to the framework of protected job programmes,

where appropriate, indication whether the execution of the service is reserved by law, regulation or administrative provision to a particular profession,
  - (d) brief description of the main features of the award procedure to be applied.
4. A reference to the fact that interested economic operators shall advise the contracting entity of their interest in the contract or contracts and time limits for receipt of expressions of interest and address to which expressions of interest shall be transmitted.

## **Part C**

### **Notice on the existence of a qualification system**

1. Name, identification number (where provided for in national legislation), address including NUTS code, e-mail and internet address of the contracting entity.
2. Brief description of the contract in question including CPV codes.
3. As far as already known:
  - (a) NUTS code for the main location of works in case of works or NUTS code for the main place of delivery or performance in case of supplies and services,
  - (b) time-frame for delivery or provision of supplies, works or services and duration of the contract,
  - (c) conditions for participation, including:

where appropriate, indication whether the contract is restricted to sheltered workshops, or whether its execution is restricted to the framework of protected job programmes,

where appropriate, indication whether the execution of the service is reserved by law, regulation or administrative provision to a particular profession,
  - (d) brief description of the main features of the award procedure to be applied.

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

4. A reference to the fact that interested economic operators shall advise the contracting entity of their interest in the contract or contracts and time limits for receipt of expressions of interest and address to which expressions of interest shall be transmitted.
5. Period of validity of the qualification system and the formalities for its renewal.

## **Part D**

### **Contract award notice**

1. Name, identification number (where provided for in national legislation), address including NUTS code, telephone, fax number, e-mail and internet address of the contracting entity and, where different, of the service from which additional information may be obtained.
2. Main activity exercised.
3. At least a summary indication of the nature and quantity of the services and where applicable, incidental works and supplies provided.
4. Reference of publication of the notice in the *Official Journal of the European Union*.
5. Number of tenders received.
6. Name and address of the chosen economic operator(s).
7. Any other relevant information.

## ANNEX XIX

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

(as referred to in Article 96(1))

1. Name, identification number (where provided for in national legislation), address including NUTS code, telephone, fax number, e-mail and internet address of the contracting entity and, where different, of the service from which additional information may be obtained.
2. Main activity exercised.
3. Project description (CPV codes).
4. Nature of the contest: open or restricted.
5. In the case of open contests: final date for receipt of projects.
6. In the case of restricted contests:
  - (a) the number of participants envisaged, or range;
  - (b) where applicable, names of participants already selected;
  - (c) criteria for the selection of participants;
  - (d) final date for receipt of requests to participate.

7. Where applicable, indication of whether participation is reserved to a particular profession.
8. Criteria to be applied in the evaluation of projects.
9. Where applicable, names of the selected members of the jury.
10. Indication of whether the decision of the jury is binding on the authority.
11. Where applicable, number and value of prizes.
12. Where applicable, details of payments to all participants.
13. Indication of whether the prize-winners are permitted any follow-up contracts.
14. Name and address of the body responsible for the appeal and, where appropriate, mediation procedures. Precise information concerning the time limit for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.
15. Date of dispatch of the notice.
16. Any other relevant information.

## ANNEX XX

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

(as referred to in Article 96(1))

1. Name, identification number (where provided for in national legislation), address including NUTS code, telephone, fax number, e-mail and internet address of the contracting entity and, where different, of the service from which additional information may be obtained.
2. Main activity exercised.
3. Project description (CPV codes).
4. Total number of participants.
5. Number of foreign participants.
6. Winner(s) of the contest.
7. Where applicable, the prize(s).
8. Other information.
9. Reference of the design contest notice.
10. Name and address of the body responsible for the appeal and, where appropriate, mediation procedures. Precise information concerning the time limit for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.
11. Date of dispatch of the notice.

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

## ANNEX XXI

## CORRELATION TABLE

<b>This Directive</b>	<b>Directive 2004/17/EC</b>
Article 1	—
Article 2, 1st sentence	Article 1, par. 1
Article 2, point 1	Article 1, par. 2, point (a)
Article 2, point 2	Article 1, par. 2, point (b), 1st sentence
Article 2, point 3	Article 1, par. 2, point (b), 2nd sentence
Article 2, point 4	Article 1, par. 2, point (c)
Article 2, point 5	Article 1, par. 2, point (d), 1st subpar.
Article 2, point 6	Article 1, par. 7, 1st & 2nd subpar.
Article 2, point 7	Article 1, par. 7, 3rd subpar.
Article 2, point 8	Article 1, par. 7, 3rd subpar.
Article 2, point 9	Article 34, par. 1
Article 2, point 10	Article 1, par. 8
Article 2, point 11	—
Article 2, point 12	Article 1, par. 8
Article 2, point 13	—
Article 2, point 14	Article 1, par. 11
Article 2, point 15	Article 1, par. 12
Article 2, point 16	—
Article 2, point 17	Article 1, par. 10
Article 2, point 18	—
Article 2, point 19	—
Article 2, point 20	—
Article 3, par. 1	Article 2, par. 1, point (a), 1st subpar.
Article 3, par. 2	—
Article 3, par. 3	—
Article 3, par. 4	Article 2, par. 1, point (a), 2nd subpar.
Article 4, par. 1	Article 2, par. 2
Article 4, par. 2	Article 2, par. 1, point (b)
Article 4, par. 3, 1st subparagraph	Article 2, par. 3;
Article 4, par. 3, 2nd & 3rd subparagraph	—
Article 4, par. 4	—



---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

Article 5, par. 1	—
Article 5, par. 2, 1st subparagraph	—
Article 5, par. 2, 2nd subparagraph	Article 1, par. 2, point (d), 2nd & 3rd subpar.
Article 5, par. 3	—
Article 5, par. 4, 1st and 2nd subpar.	—
Article 5, par. 4, 3rd subparagraph	—
Article 5, par. 5	—
Article 6, par. 1, 1st and 2nd subpar.	—
Article 6, par. 1, 3rd subpar.	Article 9, par. 1, 2nd subpar
Article 6, par. 2	Article 9, par. 1, 1st subpar
Article 6, par. 3, point a	Article 9, par. 2
Article 6, par. 3, point b	—
Article 6, par. 3, point c	Article 9, par. 3
Article 7	Article 3, par. 1 and par. 3, Article 4, par. 1; Article 7, point a
Article 8	Article 3, par. 1 & 2
Article 9, par. 1	Article 3, par. 3
Article 9, par. 2	Article 3, par. 4
Article 10	Article 4
Article 11	Article 5, par. 1
—	Article 5, par. 2
Article 12	Article 7, point (b)
Article 13, par. 1	Article 6, par. 1 and par. 2(c) in fine
Article 13, par. 2, point (a)	Article 6, par. 2, point (a)
Article 13, par. 2, point (b)	Article 6, par. 2, point (b)
Article 13, par. 2, point (c), points i and ii	Article 6, par. 2, point (c), 1st and 3rd indent
—	Article 6, par. 2, point (c), 2nd, 4th, 5th and 6th indent
Article 14, point (a)	Article 7, point (a)
Article 14, point (b)	Article 7, point (a)
—	Article 8
—	Annex I — X
Article 15	Article 16 & 61
Article 16, par. 1	Article 17, par. 1; Article 17, par. 8
Article 16, par. 2	—

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

Article 16, par. 3	Article 17, par. 2; Article 17, par. 8
Article 16, par. 4	—
Article 16, par. 5	Article 17, par. 3
Article 16, par. 6	—
Article 16, par. 7	Article 17, par. 4 & 5
Article 16, par. 8	Article 17, par. 6(a), 1st & 2nd subpar.
Article 16, par. 9	Article 17, par. 6(b), 1st & 2nd subpar.
Article 16, par. 10	Article 17, par. 6(a), 3rd subpar. & par. 6(b), 3rd subpar.
Article 16, par. 11	Article 17, par. 7
Article 16, par. 12	Article 17, par. 9
Article 16, par. 13	Article 17, par. 10
Article 16, par. 14	Article 17, par. 11
Article 17	Article 69
Article 18, par. 1	Article 19, par. 1
Article 18, par. 2	Article 19, par. 2
Article 19, par. 1	Article 20, par. 1; Article 62, point 1
Article 19, par. 2	Article 20, par. 2
Article 20	Article 22; Article 62, point 1
Article 21, point (a)	Article 24, point (a)
Article 21, point (b)	Article 24, point (b)
Article 21, point (c)	—
Article 21, point (d)	Article 24, point (c)
Article 21, point (e)	—
Article 21, point (f)	Article 24, point (d)
Article 21, point (g)	—
Article 21, point (h)	—
Article 21, point (i)	—
Article 22	Article 25
Article 23	Article 26
Article 24, par. 1	Article 22a
Article 24, par. 2	Article 21; Article 62, point 1
Article 24, par. 3	Article 21; Article 62, point 1
Article 25	—

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

Article 26	—
Article 27, par. 1	Article 22a in fine, Article 12 of Directive 2009/81/EC
Article 27, par. 2	—
Article 28	—
Article 29, par. 1	Article 23, par. 1
Article 29, par. 2	Article 23, par. 1
Article 29, par. 3	Article 23, par. 2
Article 29, par. 4	Article 23, par. 3, points (a) to (c)
Article 29, par. 5	Article 23, par. 3, 2nd subpar.
Article 29, par. 6	Article 23, par. 3, 3rd subpar.
Article 30	Article 23, par. 4
Article 31	Article 23, par. 5
Article 32	Article 24, point (e)
Article 33, par. 1 and 2	Article 27
Article 33, par. 3	—
Article 34, par. 1, 1st and 2nd sentences	Article 30, par. 1; Article 62, point (2)
Article 34, par. 1, 3rd sentence	—
Article 34, par. 1, 4th sentence	Article 30, par. 2, Recital 41
Article 34, par. 2, 1st subparagraph	Article 30, par. 2
Article 34, par. 2, 2nd subparagraph	—
Article 34, par. 3	Article 30, par. 3
Article 35, par. 1	Article 30, par. 4, 1st subpar.; par. 5, 1st & 2nd subpar.
Article 35, par. 2	Article 30, par. 5, 1st & 2nd subpar.
Article 35, par. 3	Article 30, par. 4, 2nd subpar.; par. 5, 4th subpar.; Article 62, point (2)
—	Article 30, par. 4, 3rd subpar.
Article 35, par. 4	—
Article 35, par. 5	Article 30, par. 6, 2nd subpar.
Article 35, par. 6	Article 30, par. 6, 3rd & 4th subpar.
Article 36, par. 1	Article 10
Article 36, par. 2	—
Article 37	Article 11
Article 38, par. 1	Article 28, 1st subpar.

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

Article 38, par. 2	Article 28, 2nd subpar.
Article 39	Article 13
Article 40, par. 1	Article 48, par. 1, 2 and 4; Article 64, par. 1
Article 40, par. 2	—
Article 40, par. 3	Article 48, par. 3; Article 64, par. 2
Article 40, par. 4	—
Art, 40, par. 5	—
Article 40, par. 6	Article 48, par. 5 and 6; Article 64, par. 3
Article 40, par. 7, 1st subpar.	Article 70, par. 2, point f & 2nd subpar
Article 40, par. 7, 2nd & 3rd subpar.	
Article 41, par. 1	Article 1, par. 13
Article 41, par 2	Article 70, par. 2, points (c) & (d); Article 70, par. 2, 2nd subpar.
Article 42	—
Article 43	Article 12
Article 44, par. 1	Article 40, par. 1 & 2
Article 44, par. 2	Article 40, par. 2
Article 44, par. 3	—
Article 44, par. 4	Article 42, par 1 & par. 3, point b
Article 44, par. 5	Beginning of Article 40(3)
Article 45, par. 1, 1st subpar.	Article 1, par. 9, point (a)
Article 45, par. 1, 2nd & 3rd subpar.	Article 45, par. 2
Article 45, par. 2	Article 45, par. 4
Article 45, par. 3	—
Article 45, par. 4	—
Article 46	Article 1, par. 9, point (b); Article 45, par. 3
Article 47	Article 1, par. 9, point (c); Article 45, par. 3
Article 48	—
Article 49	—
Article 50, point (a)	Article 40, par. 3, point (a)
Article 50, point (b)	Article 40, par. 3, point (b)
Article 50, point (c)	Article 40, par. 3, point (c)
Article 50, point (d)	Article 40, par. 3, point (d)
Article 50, point (e)	Article 40, par. 3, point (e)

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

Article 50, point (f)	Article 40, par. 3, point (g)
Article 50, point (g)	Article 40, par. 3, point (h)
Article 50, point (h)	Article 40, par. 3, point (j)
Article 50, point (i)	Article 40, par. 3, point (k)
Article 50, point (j)	Article 40, par. 3, point (l)
Article 51, par. 1, 1st & 2nd subparagraph	Article 14, par. 1; Article 1, par. 4
Article 51, par. 1, 3rd subparagraph	—
Article 51, par. 2, 1st and 2nd subpar.	—
Article 51, par. 2, 3rd subpar.	Article 14, par. 4
Article 52, par. 1	Article 1, par. 5; Article 15, par. 1
Article 52, par. 2	Article 15, par. 2
Article 52, par. 3	Article 15, par. 2, last sentence
Article 52, par. 4	Article 15, par. 3
Article 52, par. 5	Article 15, par. 4
Article 52, par. 6	Article 15, par. 6
Article 52, par. 7	—
Article 52, par. 8	—
Article 52, par. 9	Article 15, par. 7, 3rd subpar.
Article 53, par. 1, 1st subpar.	Article 1, par. 6; Article 56, par. 1
Article 53, par. 1, 2nd & 3rd subpar.	Article 1, par. 6
Article 53, par. 2	Article 56, par. 2
Article 53, par. 3	Article 56, par. 2, 3rd subpar.
Article 53, par. 4	Article 56, par. 3
Article 53, par. 5	Article 56, par. 4
Article 53, par. 6	Article 56, par. 5
Article 53, par. 7	Article 56, par. 6
Article 53, par. 8	Article 56, par. 7
Article 53, par. 9	Article 56, par. 8
Article 54	—
Article 55, par. 1	Article 29, par. 1
Article 55, par. 2	Article 29, par. 2
Article 55, par. 3	—
Article 55, par. 4	Article 29, par. 2
Article 56	—

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

Article 57	—
Article 58	Recital 15
Article 59	—
Article 60, par. 1	Article 34, par. 1
Article 60, par. 2	Article 34, par. 2
Article 60, par. 3	Article 34, par. 3
Article 60, par. 4	Article 34, par. 8
Article 60, par. 5	Article 34, par. 4
Article 60, par. 6	Article 34, par. 5
Article 61, par. 1	Article 34, par. 6
Article 61, par. 2	Article 34, par. 6
Article 62, par. 1	Article 34, par. 4, 2nd subpar.; 5, 2nd & 3rd subpar.; 6, 2nd subpar.; par. 7
Article 62, par. 2	Article 34, par. 4, 1st subpar.; 5, 1st subpar., 6, 1st subpar.
Article 62, par. 3	—
Article 63	Article 35
Article 64, par. 1	Article 36, par. 1
Article 64, par. 2	Article 36, par. 2
Article 65	—
Article 66, par. 1	Article 45, par. 1
Article 66, par. 2	Article 45, par. 9
—	Article 45, par. 10
Article 66, par. 3	Article 45, par. 9
Article 67, par. 1	Article 41, par. 1 & 2
Article 67, par. 2	Article 42, par. 3; Article 44, par. 1
Article 68	Article 41, par. 3
Article 69	Article 42, par. 1, point (c); Article 44, par. 1
Article 70, par. 1	Article 43, par. 1, 1st subpar.; Article 44, par. 1
Article 70, par. 2	Article 43, par. 1, 2nd & 3rd subpar.
Article 70, par. 3	Article 43, par 2 & 3
Article 70, par. 4	Article 43, par. 5
Article 71, par. 1	Article 44, par. 1; Article 70, par. 1, point (b)

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

Article 71, par. 2, 1st sentence	Article 44, par. 2, 3
Article 71, par 2, 2nd & 3rd sentence	Article 44, par. 4, 2nd subpar.
Article 71, par 3	Article 44, par. 4, 1st subpar.
Article 71, par. 4	—
Article 71, par. 5, 1st subpar.	Article 44, par. 6
Article 71, par. 5, 2nd subpar.	Article 44, par. 7
Article 71, par. 6	Article 44, par. 8
Article 72, par. 1	Article 44, par. 5, 1st subpar.
Article 72, par. 2 and 3	Article 44, par. 5, 2nd & 3rd subpar.
Article 73, par. 1	Article 45, par. 6
Article 73, par. 2	Article 46, par. 2
Article 74, par. 1	Article 47, par. 1, 1st sentence & par. 5, 1st subpar.
Article 74, par. 2	Article 47, par. 1, 2nd sentence & Par. 5, 2nd subpar.
Article 75, par. 1	Article 49, par. 1
Article 75, par. 2	Article 49, par. 2, 1st & 2nd subpar.
Article 75, par. 3	Article 49, par. 2, 3rd subpar.
Article 75, par. 4, 5 and 6	Article 49, par. 3, 4 & 5
Article 76, par. 1	Article 51, par. 1
Article 76, par. 2	Article 51, par. 2
Article 76, par. 3	Article 52, par. 1
Article 76, par. 4	—
Article 76, par. 5	Article 51, par. 3
Article 76, par. 6	—
Article 76, par. 7	—
Article 76, par. 8	—
Article 77, par. 1	Article 53, par. 1
Article 77, par. 2	Article 53, par. 2
Article 77, par. 3	Article 53, par. 6
Article 77, par. 4	Article 53, par. 7
Article 77, par. 5	Article 53, par. 9
Article 77, par. 6	—
Article 78, par. 1	Article 54, par. 1 & 2
Article 78, par. 2	Article 54, par. 3

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

Article 79, par. 1	Article 53, par. 4 & 5
Article 79, par. 2	Article 54, par. 5 & 6
Article 79, par. 3	—
Article 80, par. 1	Article 53, par. 3; Article 54, par. 4
Article 80, par. 2	—
Article 80, par. 3	Article 53, par. 3; Article 54, par. 4
Article 81, par. 1	Article 52, par. 2
Article 81, par. 2	Article 52, par. 3
Article 81, par. 3	—
Article 82, par. 1	Article 55, par. 1
Article 82, par. 2	Article 55, par. 1
Article 82, par. 3	—
Article 82, par. 4	Recital 1; Recital 55, 3rd par.
Article 82, par. 5	Article 55, par. 2
Article 83	—
Article 84, par. 1	Article 57, par. 1, 1st subpar.
Article 84, par. 2, point (a)	Article 57, par. 1, 2nd subpar., point (a)
Article 84, par. 2, point (b)	Article 57, par. 1, 2nd subpar., point (b)
Article 84, par. 2, point (c)	Article 57, par. 1, 2nd subpar., point (c)
Article 84, par. 2, point (d)	Article 57, par. 1, 2nd subpar., point (d)
Article 84, par. 2, point (e)	—
Article 84, par. 2, point (f)	Article 57, par. 1, 2nd subpar., point (e)
Article 84, par. 3, 1st subparagraph	Article 57, par. 2
Article 84, par. 3, 2nd subparagraph	—
Article 84, par. 4	Article 57, par. 3
Article 84, par. 5	—
Article 85, par. 1, 2, 3, 4 and Article 86	Article 58, par 1 - 4; Article 59
Article 85, par. 5	Article 58, par. 5
Article 87	Article 38
Article 88, par. 1	—
Article 88, par. 2	Article 37, 1st sentence
Article 88, par. 3	—
Article 88, par. 4	Article 37, 2nd sentence
Article 88, par. 5 - 8	—



---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

Article 89	—
Article 90	—
Article 91	—
Article 92	—
Article 93	—
Article 94	—
Article 95	Article 61
Article 96, par. 1	Article 63, par. 1, 1st subpar.
Article 96, par. 2, 1st subparagraph	Article 63, par. 1, 1st subpar;
Article 96, par. 2, 2nd and 3rd subparagraphs	Article 63, par. 1, 2nd subpar., 1st and 2nd sentence
Article 96, par. 3	Article 63, par. 2
Article 97, par. 1	Article 65, par. 1
Article 97, par. 2	Article 60, par. 2
Article 97, par. 3 & 4	Article 65, par. 2 & 3
Article 98	Article 66
Article 99, par. 1	Article 72, 1st subpar.
Article 99, par. 2 - 6	—
Article 100	Article 50
Article 101	—
Article 102	—
Article 103	Article 68, par. 3 & 4
Article 104	Article 68, par. 5
Article 105, par 1 & 2	Article 68, par. 1 & 2
Article 105, par. 3	—
Article 106, par. 1	Article 71, par. 1, 1st subpar.
Article 106, par. 2	—
Article 106, par. 3	Article 71, par. 1, 3rd subpar
Article 107	Article 73
Article 108	—
Article 109	Article 74
Article 110	Article 75
—	Annex I to X
Annex I (except 1st sentence)	Annex XII (except footnote 1)

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

1st sentence of Annex I	Footnote 1 to Annex XII
Annex II	—
Annex III, points A, B, C, E, F, G, H, I and J	Annex XI
Annex III, point D	—
Annex IV, point 1, 1st to 3rd subparagraph	Article 30, par. 6, 1st subpar.
Annex IV, point 1, 4th subparagraph	—
Annex IV, point 2	Article 30, par. 6, 1st subpar., 2nd sentence
Annex V, (a) — (f)	Annex XXIV, (b) — (h)
Annex V, (g)	—
Annex VI	Annex XV
Annex VII	Article 56, par. 3, 2nd subpar., points (a) — (f)
Annex VIII, except for point 4	Annex XXI, except for point 4
Annex VIII, point 4	Annex XXI, point 4
Annex IX	Annex XX
Annex X	Annex XIV
Annex XI	Annex XIII
Annex XII	Annex XVI
Annex XIII, point 1	Article 47, par. 4
Annex XIII, point 2.	Article 47, par. 5
Annex XIV	Annex XXIII
Annex XV	—
Annex XVI	Annex XVI
Annex XVII	Annex XVII
Annex XVIII	—
Annex XIX	Annex XVIII
Annex XX	Annex XIX
Annex XXI	Annex XXVI
—	Annex XXII
—	Annex XXV

---

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

---

- (1) Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC ([OJ L 88, 4.4.2011, p. 5](#)).
- (2) Information in headings 6, 9 and 11 is deemed information not intended for publication where the awarding entity considers that publication thereof might be detrimental to a sensitive commercial interest.