



EU Directive on Public Procurement

Novelties Directive Public Procurement European

Sue Arrowsmith, Steen Treumer



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

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

European Public Procurement Caranta, Roberto, Sanchez-Graells, Albert, 2021-10-26 This detailed Commentary provides an authoritative interpretation of each provision in the main EU Directive on public procurement Directive 2014/24/EU and is rich in its critical analysis of the provisions of the 2014 Directive and the case law. The Commentary also highlights the application problems and interpretative issues being raised in EU Member States which in due time will make their way up to the CJEU or even require further legislative interventions.

EU Public Procurement and Innovation Pedro Cerqueira Gomes, 2021-01-29 This insightful book provides readers with a practical and theoretical explanation of the ways in which the new tailor made Innovation Partnership Procedure can be used throughout all Member States in the European Union. With a focus on the Procurement Directive for the public sector Directive 2014/24/EU Pedro Cerqueira Gomes argues that innovation is a crucial policy of the EU that must be extended to public procurement implying interesting harmonisation challenges mostly regarding the use of the Innovation Partnership Procedure and the national administrative law traditions of the Member States.

EU Public Procurement Law Christopher Bovis, 2008-01-01 This book will serve as an essential

resource for anyone interested in the legal regime of public procurement. It offers a comprehensive and topical analysis of EU law and its interaction with national law and policies in an area of growing economic importance. Ruth Nielsen, Copenhagen Business School, Denmark. **EU Public Procurement Law** addresses one of the most important areas of European integration. With a magnitude approaching 1 trillion euros in supplies, works and services and representing almost 12 percent of the European Union's GDP, public procurement regulation represents a key objective of the vision of the European Union in becoming the most competitive economy in the world by 2010. In this book, Christopher Bovis offers a clear and lucid assessment of the new public procurement legal framework and its interplay with policy within the European Union and the member states. The new regime is based on three principles: simplification, modernization and flexibility, and the book considers the new directives which are intended to simplify and modernize a regulatory regime that aims to gradually establish a public market in the European Union. The book exposes the instrumental role of the European Court of Justice in shaping many of the newly introduced concepts in public procurement regulation. Finally, the author provides for the most comprehensive taxonomy and codification of case law on public procurement. This comprehensive overview of enforcement and compliance of public procurement at European and national levels will be of great interest to academic researchers and lawyers within the EU, USA, Canada and other continents. It will also appeal to postgraduate students in law, policy and management, judges at the European Court of Justice and national courts, and policy makers at European, international and national levels.

Discretion in EU Public Procurement Law Sanja Bogojevic, Xavier Groussot, Jörgen Hettne, 2019-05-30. The EU public procurement regime has recently undergone an overhaul and now allows Member States and their contracting authorities to pursue strategic goals via public procurement including environmental and social objectives. The extent to which such interests may be accommodated in the procurement process is ultimately determined by the broader legal context in which the EU public procurement regime exists, which raises pressing questions regarding the scope and limits of Member States' discretion. This volume scrutinises these new legal acts, particularly Directive 2014/24/EU, focusing on discretion and engaging with questions central to the public procurement regime against the EU legal backdrop, including internal market law and environment law, as well as law beyond the EU.

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

timely this will be important reading for international trade lawyers and procurement practitioners *Modernising Public Procurement* Steen Treumer, Mario Comba, 2018-10-26 This topical book offers an in depth analysis of the recent implementation of the Public Procurement Directive based on the experiences of 12 Member States including France Germany Italy Poland Spain and the United Kingdom The contributions from first class public procurement law experts offer an informed and comparative analysis of the recent implementation of the Public Procurement Directive as well as focussing on so called gold plating overimplementation and issues where the legality of the implemented legislation is questionable Vitally the chapters also consider national preparatory works as a legal source and their interesting role in the implementation of the Directive including its Preamble Attention is also given to the implementation of some of the most important novelties in the Directive such as the exclusion grounds the competitive procedure with negotiation and contract changes *Modernising Public Procurement* will be important reading for practitioners and civil servants involved in the implementation of public procurement law Academics researchers politicians judges and members of complaints boards in the field of public procurement law will also find this book a stimulating read Contributors include R gren P Bogdanowicz M Burgi R Caranta M Comba D Dragos P Ferik K H rginen F Lich re B Neamtu S Richetto A Sanchez Graells M A Simovart A Sundstrand S Treumer P Valc rcel Fern ndez D Wolff *Sustainable Public Procurement Under EU Law* Beate Sjøfjell, Anja Wiesbrock, 2015-12-03 This book evaluates the 2014 EU public procurement law reform from a sustainability perspective

Public-Private Partnerships in European Union Law and Member States Jugoslava Vojnovic, 2023-11-25 This book investigates public private partnerships with special reference to the law of the European Union and the Member States It deals in detail with what public private partnerships are whether and how they are regulated and whether the concept carries meaning outside the regulatory framework Based on detailed analysis the author offers conclusions on how public private partnerships should develop and be regulated in practice and provides a solid basis including a comprehensive review of the relevant literature for further research This book will be important to researchers and students in political law and regulation as well as practitioners and policy makers Although the examples studied are from the European Union the conclusions will be applicable worldwide *Cost and EU Public Procurement Law* Marta Andhov, Roberto Caranta, Anja Wiesbrock, 2019-09-19 Public institutions companies and governments in the EU and around the world are increasingly engaging in sustainable public procurement a broad concept that must consider the three pillars of economic equality social welfare and public health and environmental responsibility when designing public tenders and finalizing government contracts This book contributes to the development of life cycle criteria tools and methodologies for public procurement in the EU It collects both sector crossing contributions analysing the most relevant theoretical and legal aspects including both EU law and contract theory and sector specific contributions relating to some of the most important sustainable goods and services markets The book starts with a chapter that discusses the different approaches to including sustainability

considerations in buying decisions by both private and public purchasers and then goes on to examine the EU law on LCC and how it is implemented in different Member States These chapters address the challenges in balancing economic and sustainability objectives under EU internal market law One chapter develops the analysis with specific reference to public private partnership Another chapter elaborates how multi stakeholders cooperation is necessary to develop LCC based on a case study of a lighting services procurement Three sector specific studies relating to social housing textile and clothing and IT close the book With contributors from a range of backgrounds including law business management engineering and policy development this interdisciplinary book provides the first comprehensive study on LCC within the framework of EU public procurement law

The Disqualification Triad Gert Vermeulen, Wendy De Bondt, Charlotte Ryckman, Nina Peršak, 2012 In the past decades the European Union has made little progress with respect to disqualifications as a sanction mechanism for the violation of laws The creation of some form of harmonization is necessary but the complex nature of this specific sanction mechanism has caused policy initiatives to be postponed time after time In answer to a call from the European Commission the contributors in this book have conducted a comparative legal analysis in the EU 27 and looked into the practical experiences with disqualifications from a domestic and a cross border perspective To that end academics policy makers and practitioners in the Member States have been consulted Analysis reveals a wide variety in the typology of the disqualifications as a sanction measure the typology of the persons to whom the disqualifications can be imposed and the typology of the authorities involved Furthermore there are considerable differences with respect to the inclusion of disqualifications in the national criminal records databases Linked thereto information on foreign disqualifications is scarce and rarely used in practice To ensure a comprehensive and consistent policy approach this book has come up with a so called disqualification triad comprising 1 unified EU wide disqualifications 2 mutual recognition of disqualifications and 3 EU wide equivalent effect of disqualifications The functioning of the disqualification triad has been further elaborated on in three case studies which are public procurement disqualifications disqualifications from working with children and driving disqualifications In doing so this book is essential reading for both EU and national policy makers as well as for researchers and practitioners involved Series Institute for International Research on Criminal Policy IRCP No 45

Educational and Cultural Challenges of the European Sustainability Model María Dolores Sánchez Galera, 2020-03-11 The book provides a comprehensive overview of the European Sustainability Model which cannot be properly understood without taking into account the global governance trends surrounding the topic The author offers a fresh analysis of both theory and praxis of sustainable development in the open ended process of EU integration by shedding new light on the often overlooked role that law and legal science should have within the educational and cultural domains The monograph explores the necessity of new conceptual and methodological approaches in order to understand the emerging educational and cultural challenges when it comes to their integration and intersection with sustainability in today s society which desperately claims systemic

transformations

Open Markets, Free Trade and Sustainable Development Mahendra Pal Singh, Wolfram

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

Adoption of EU Business and Human Rights Policy

Peter Drahn, 2020-05-04 This book explores how and why the transposition of EU directives in the new and contentious policy area Business and Human Rights differs between member states. It reveals the extent to which individual member states are pursuing diverging approaches in dealing with the discretionary space in EU directives and highlights theoretical and political explanations. Drawing on historical institutionalism and rational choice institutionalism, the book establishes a link between the degree of corporatism in a given political economy and government behaviour in terms of Business and Human Rights policy. Moreover, it identifies political salience within the policy subsystem as a pertinent factor for explaining national transposition outcomes.

Competitive Dialogue in EU Procurement Sue Arrowsmith, Steen Treumer, 2012-08-23

Competitive dialogue is a procedure introduced into the EU procurement system in 2004 to provide an improved method for awarding complex contracts such as those for public infrastructure and major IT systems. This book provides a critical examination of the legal rules on this new procedure, focusing in particular on grey areas such as availability of the procedure and the scope for negotiations after final tenders. It considers both the EU level rules and the way in which those rules have been applied in national systems. The examination draws on extensive evidence of the way in which the procedure has been operated and interpreted across Europe, including from several studies commissioned specifically for this volume. It also includes an extensive chapter co-authored by the volume editors which provides a thorough analysis of the EU level rules, a comparative reflection on national experiences and significant critical commentary and recommendations.

A Coherent European Procurement Law and Policy for the Space Sector Stephan Hobe, Mahulena Hofmannová, Jan Wouters, 2011

Space is a matter of strategic importance and in need of concerted action by the European space actors. Distinct approaches to public procurement must not hamper the cooperation between the European Space Agency, the European Union and their respective Member States. The study provides a toolbox for space procurement that addresses specificities of this sector. Each

tool is assessed in light of policy objectives market conditions and the legal frameworks of the European Union and the European Space Agency A discussion on selected means of policy implementation other than procurement so called Extra Procurement Instruments complements this toolbox The Third Way in European space procurement caters for both coherence and flexibility needs and is intended to serve policy makers as they finally make Europe in Space a reality

EU Regional Trade Agreements Maryna Rabinovych, 2021-04-07 This book unveils the potential of utilizing EU Regional Trade Agreements RTAs as an instrument of promoting the rule of law to third states In doing so the book combines development economics foreign policy and legal perspectives at three levels of analysis of four sectors to introduce the concept of EU value promoting RTAs The book demonstrates that the EU RTAs bear considerable potential to be strategized as instruments of promoting the rule of law in third states requiring however overcoming strict divides between EU political and economic cooperation and values and *acquis* conditionality in its relations with third countries This book will be of key interest to scholars and students of European Studies European Union Law EU external action foreign policy EU trade agreements and Development Studies as well as to NGOs and think tanks that work on European affairs

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

Shifting Perspectives on the European Public Prosecutor's Office Willem Geelhoed, Leendert H. Erkelens, Arjen W.H. Meij, 2017-12-19 This book provides answers to the following questions Is there a bright future ahead for a European Public Prosecutor s Office If so is the regulation establishing the office sufficiently clear and balanced to attain that goal Moreover will the office be able to effectively fight fraud now damaging the EU s budget and will it respect the fundamental rights of the parties involved Included are issues ranging from EU substantive and procedural criminal law combatting EU fraud the distribution of competences in European law enforcement EU fundamental rights to forum choice The book s aim is to inform academics

policy makers and criminal law practitioners about key issues surrounding the attribution of prosecutorial powers to an entirely remodelled European Union body. Doing so it sheds light on this body as fundamentally changed by the Council which will undoubtedly have a greater impact on the European criminal justice system than the European Arrest Warrant ever did. Dr Willem Geelhoed is Assistant Professor in criminal law and criminal procedure at the University of Groningen, The Netherlands, and Drs Leendert H Erkelens and Prof Mr Arjen W H Meij are both Visiting Research Fellows at the T M C Asser Instituut in The Hague in The Netherlands while the latter is also Honorary Professor at the University of Luxembourg.

Reviewing **Novelties Directive Public Procurement European**: Unlocking the Spellbinding Force of Linguistics

In a fast-paced world fueled by information and interconnectivity, the spellbinding force of linguistics has acquired newfound prominence. Its capacity to evoke emotions, stimulate contemplation, and stimulate metamorphosis is really astonishing. Within the pages of "**Novelties Directive Public Procurement European**," an enthralling opus penned by a highly acclaimed wordsmith, readers embark on an immersive expedition to unravel the intricate significance of language and its indelible imprint on our lives. Throughout this assessment, we shall delve into the book's central motifs, appraise its distinctive narrative style, and gauge its overarching influence on the minds of its readers.

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Novelties Directive Public Procurement European Introduction

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