Commission Delegated Regulation (EU) 2019/1828 of 30 October 2019 amending Directive 2014/24/EU of the European Parliament and of the Council in respect of the thresholds for public supply, service and works contracts, and design contests (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) 2019/1828

of 30 October 2019

amending Directive 2014/24/EU of the European Parliament and of the Council in respect of the thresholds for public supply, service and works contracts, and design contests

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC[(1)], and in particular the second subparagraph of Article 6(5) thereof,

Whereas:

(1) By Decision 2014/115/EU[(2)], the Council approved the Protocol amending the Agreement on Government Procurement[(3)] ('the Agreement') concluded in the framework of the World Trade Organization. The Agreement is a plurilateral instrument and its purpose is to mutually open government procurement markets among its parties. It applies to any procurement contract with a value that reaches or exceeds the amounts ('thresholds') set in it and expressed as special drawing rights.

(2) One of the objectives of Directive 2014/24/EU is to allow the contracting authorities, which apply that Directive, to comply at the same time with the obligations laid down in the Agreement. In accordance with Article 6(1) of Directive 2014/24/EU, every two years the Commission is to verify that the thresholds for public contracts and design contests set out in points (a), (b) and (c) of Article 4 of that Directive correspond to the thresholds established in the Agreement. Given that the value of the thresholds calculated in accordance with Article 6(1) of Directive 2014/24/EU is different from the value of the thresholds set out in points (a), (b) and (c) of Article 4 of that Directive, it is necessary to revise these thresholds. In accordance with Article 6(2) of Directive 2014/24/EU, the thresholds established in Article 13 of that Directive are to be aligned with the thresholds set out in points (a) and (c) of Article 4 of that Directive.

(3) Directive 2014/24/EU should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2019/1828. (See end of Document for details)*

Article 1

Directive 2014/24/EU is amended as follows:

(1) Article 4 is amended as follows:

(a) in point (a), ‘EUR 5 548 000’ is replaced by ‘EUR 5 350 000’;

(b) in point (b), ‘EUR 144 000’ is replaced by ‘EUR 139 000’;

(c) in point (c), ‘EUR 221 000’ is replaced by ‘EUR 214 000’;

(2) the first paragraph of Article 13 is amended as follows:

(a) in point (a), ‘EUR 5 548 000’ is replaced by ‘EUR 5 350 000’;

(b) in point (b), ‘EUR 221 000’ is replaced by ‘EUR 214 000’.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2020.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30 October 2019.

For the Commission

The President

Jean-Claude JUNCKER