Commission Delegated Regulation (EU) 2017/2364 of 18 December 2017 amending Directive 2014/25/EU of the European Parliament and of the Council in respect of the application thresholds for the procedures for the award of contracts (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) 2017/2364

of 18 December 2017

amending Directive 2014/25/EU of the European Parliament and of the Council in respect of the application thresholds for the procedures for the award of contracts

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC[(1)], and in particular the second subparagraph of Article 17(4) thereof,

Whereas:

(1) By Decision 2014/115/EU[(2)], the Council approved the Protocol amending the Agreement on Government Procurement ('the Agreement')[(3)] concluded in the framework of the World Trade Organisation. 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 2014/25/EU is to allow the contracting entities which apply that Directive to comply at the same time with the obligations laid down in the Agreement. To achieve that, the thresholds laid down by that Directive for public contracts which are also covered by the Agreement should be aligned in order to ensure that they correspond to the euro equivalents, rounded down to the nearest thousand, of the thresholds set out in the Agreement.

(3) For reasons of coherence, it is appropriate to align also the thresholds laid down in Directive 2014/25/EU which are not covered by the Agreement.

(4) Directive 2014/25/EU should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Article 15 of Directive 2014/25/EU is amended as follows:

(1) in point (a), the amount 'EUR 418 000' is replaced by 'EUR 443 000';

Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2017/2364. (See end of Document for details)*

(2) in point (b), the amount ‘EUR 5 225 000’ is replaced by ‘EUR 5 548 000’.

Article 2

This Regulation shall enter into force on 1 January 2018.

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

Done at Brussels, 18 December 2017.

For the Commission

The President

Jean-Claude JUNCKER