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European Parliament and Council Directive 97/52/EC of 13 October 1997 amending Directives 92/50/EEC, 93/36/EEC and 93/37/EEC concerning the coordination of procedures for the award of public service contracts, public supply contracts and public works contracts respectively

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EUROPEAN PARLIAMENT AND COUNCIL DIRECTIVE 97/52/EC of 13 October 1997 amending Directives 92/50/EEC, 93/36/EEC and 93/37/EEC concerning the coordination of procedures for the award of public service contracts, public supply contracts and public works contracts respectively

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 57 (2), 66 and 100a thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the Economic and Social Committee (2),

Acting in accordance with the procedure referred to in Article 189b of the Treaty (3),

(1) Whereas the Council, by its Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the Agreements reached in the Uruguay Round multilateral negotiations (1986 to 1994) (4), approved on behalf of the Community, inter alia, the Agreement on government procurement, hereinafter referred to as 'the Agreement', the purpose of which is to establish a multilateral framework of balanced rights and obligations with respect to government procurement with a view to achieving liberalization and expansion of world trade; whereas the Agreement has no direct effect;

(2) Whereas Directives 92/50/EEC (5), 93/36/EEC (6) and 93/37/EEC (7) coordinated the national procedures relating to public service, public supply and public works contracts respectively, in order to introduce equal conditions of competition for such contracts in all the Member States;

(3) Whereas the contracting authorities covered by the Agreement which comply with Directives 92/50/EEC, 93/36/EEC and 93/37/EEC, as amended by this Directive, and which apply the same provisions as regards contractors, suppliers and providers of services of third countries signatory to the Agreement are therefore in conformity with the Agreement;

(4) Whereas, in view of the international rights and commitments devolving on the Community as a result of the acceptance of the Agreement, the arrangements to be applied to tenderers and products from signatory third countries are those defined by the Agreement, the scope of which does not, in the case of Directive 92/50/EEC, include service contracts listed in Annex I B thereto, R & D service contracts mentioned in category 8 of Annex I A thereto, telecommunications service contracts mentioned in category 5 of Annex I A thereto, whose CPC numbers are 7524, 7525 and 7526, and financial service contracts mentioned in category 6 of Annex I A thereto in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services;

(5) Whereas certain provisions of the Agreement introduce more favourable conditions for tenderers than those laid down in Directives 92/50/EEC, 93/36/EEC and 93/37/EEC;

(6) Whereas, when contracts are awarded by contracting authorities within the meaning of the Agreement, the opportunities for access to public service, public supply and public works contracts available pursuant to the Treaty to undertakings and products from the Member States must be at least as favourable as the conditions of access to public contracts within the Community accorded pursuant to the arrangements contained in the Agreement to undertakings and products from third countries which are signatories to the Agreement;

(7) Whereas it is therefore necessary to adapt and supplement the provisions of Directives 92/50/EEC, 93/36/EEC and 93/37/EEC;

(8) Whereas the application of these Directives must be simplified and the balance which has been reached in the current Community legislation in the field of public procurement must be maintained as far as possible;

(9) Whereas it is therefore necessary to extend the applicability of certain of the adaptations of Directive 92/50/EEC to all the services covered by this Directive;

(10) Whereas contracting authorities may seek or accept advice which may be used in the preparation of specifications for a specific procurement, provided that such advice does not have the effect of precluding competition;

(11) Whereas the Commission shall make available to small and medium-sized undertakings the training and information materials they need to enable them to participate fully in the changed procurement market,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Without prejudice to the international rights and commitments devolving on the Community as a result of the acceptance of the Agreement, which defines the arrangements applicable to tenderers and products from signatory third countries and the current scope of which does not, in the case of Directive 92/50/EEC, include service contracts listed in Annex I B thereto, research and development (R& D) service contracts mentioned in category 8 of Annex I A thereto, telecommunications service contracts mentioned in category 5 of Annex I A thereto, the common product classification (CPC) references of which are 7524, 7525 and 7526, and financial service contracts mentioned in category 6 of Annex I A thereto in connection with the issue, purchase, sale or transfer of securities or other financial instruments, and central bank services, Directive 92/50/EEC is hereby amended as follows:

1. In Article 7:

(a) paragraphs 1 and 2 shall be replaced by the following:

'1. (a) This Directive shall apply to:

- public service contracts referred to in Article 3 (3), public service contracts concerning the services referred to in Annex I B, the services in category 8 in Annex I A and the telecommunications services in category 5 of Annex I A under CPC references 7524, 7525 and 7526, awarded by the contracting authorities referred to in Article 1 (b), where the estimated net value of value-added tax (VAT) is not less than ECU 200 000,

- public service contracts concerning the services referred to in Annex I A with the exception of the services in category 8 and the telecommunications services in category 5 under CPC references 7524, 7525 and 7526:

(i) awarded by the contracting authorities listed in Annex I to Directive 93/36/EEC where the estimated value net of VAT is not less than the equivalent in ecus of 130 000 special drawing rights (SDRs);

(ii) awarded by the contracting authorities listed in Article 1 (b) other than those referred to in Annex I to Directive 93/36/EEC and where the estimated value net of VAT is not less than the equivalent in ecus of 200 000 SDRs.

(b) The value in ecus and in national currencies of the thresholds laid down in subparagraph (a) shall, in principle, be revised every two years with effect from 1 January 1996. The calculation of these values shall be based on the average daily values of these currencies expressed in ecus and of the ecus expressed in SDRs over the 24 months terminating on the last day of August preceding the 1 January revision.

The method of calculation laid down in this subparagraph shall be reviewed, on a proposal from the Commission, by the advisory Committee for Public Procurement, in principle two years after its initial application.

(c) The thresholds laid down in subparagraph (a) and the values of the thresholds expressed in ecus and in national currencies shall be published in the Official Journal of the European Communities at the beginning of the month of November which follows the revision laid down in the first paragraph of subparagraph (b).

2. For the purposes of calculating the estimated value of the contract, the contracting authority shall include the estimated total remuneration of the service provider, taking account of the provisions of paragraphs 3 to 7.

(b) Paragraph 8 shall be repealed.

2. Article 12 (1) and (2) shall be replaced by the following:

'1. The contracting authority shall, within 15 days of the date on which a written request is received, inform any eliminated candidate or tenderer of the reasons for rejection of his application or his tender, and any tenderer who has made an admissible tender of the characteristics and relative advantages of the tender selected as well as the name of the successful tenderer.

However, contracting authorities may decide that certain information on the contract award, referred to in the first subparagraph be withheld where release of such information would impede law enforcement or otherwise be contrary to the public interest or would prejudice the legitimate commercial interests of particular undertakings, public or private, or might prejudice fair competition between service providers.

2. Contracting authorities shall promptly inform candidates and tenderers of the decisions taken on contract awards, including the reasons why they have decided not to award to a contract for which there has been an invitation to tender or to start the procedure again and, shall do so in writing if required. They shall also inform the Office for Official Publications of the European Communities of such decisions.'

3. Article 13 (1) and (2) shall be replaced by the following:

'1. This Article shall apply to design contests organized as part of a procedure leading to the award of a service contract whose estimated value net of VAT is not less than:

- the threshold laid down in the first indent of Article 7 (1) (a), as regards the services referred to in Annex I B, the services in category 8 in Annex I A and the telecommunications services in category 5 of Annex I A under CPC references 7524, 7525 and 7526, awarded by the contracting authorities referred to in Article 1 (b), or

- the threshold laid down in (i) of the second indent of Article 7 (1) (a), as regards the services referred to in Annex I A with the exception of the services in category 8 and the telecommunications services in category 5 under CPC references 7524, 7525 and 7526, awarded by the contracting authorities listed in Annex I to Directive 93/36/EEC, or

- the threshold laid down in (ii) of the second indent of Article 7 (1) (a), as regards the services referred to in Annex I A with the exception of the services in category 8 and the telecommunications services in category 5 under CPC references 7524, 7525 and 7526, awarded by the contracting authorities listed in Article 1 (b) other than those referred to in Annex I to Directive 93/36/EEC.

2. This Article shall apply to all design contests where the total amount of contest prizes and payments to participants is not less than:

- the threshold laid down in Article 7 (1) (a), first indent, as regards the services referred to in Annex I B, the services in category 8 in Annex I A and the telecommunications services in category 5 of Annex I A under CPC references 7524, 7525 and 7526, awarded by the contracting authorities referred to in Article 1 (b), or

- the threshold laid down in (i) of the second indent of Article 7 (1) (a), as regards the services referred to in Annex I A with the exception of the services in category 8 and the telecommunications services in category 5 under CPC references 7524, 7525 and 7526, awarded by the contracting authorities listed in Annex I to Directive 93/36/EEC, or

- the threshold laid down in (ii) of the second indent of Article 7 (1) (a), as regards the services referred to in Annex I A with the exception of the services in category 8 and the telecommunications services in category 5 under CPC references 7524, 7525 and 7526, awarded by the contracting authorities listed in Article 1 (b) other than those referred to in Annex I to Directive 93/36/EEC.`

4. Article 18 (2) shall be replaced by the following:

'2. The time limit for receipt of tenders laid down in paragraph 1 may be replaced by a period sufficiently long to permit responsive tendering, which, as a general rule, shall be not less than 36 days and in any case not less than 22 days, from the date on which the contract notice was dispatched, if the contracting authorities have sent the indicative notice provided for in Article 15 (1) drafted in accordance with the model in Annex III A (Prior information) to the Official Journal of the European Communities within a minimum of 52 days and a maximum of 12 months before the date on which the contract notice provided for in Article 15 (2) was dispatched to the Official Journal of the European Communities, provided that the indicative notice contained, in addition, at least as much of the information referred to in the model notice in Annex III B (Open procedure) as was available at the time of publication of the notice.`

5. Article 19 (4) shall be replaced by the following:

'4. The time limit for receipt of tenders laid down in paragraph 3 may be reduced to 26 days if the contracting authorities have sent the indicative notice provided for in Article 15 (1) drafted in accordance with the model in Annex III A (Prior information) to the Official Journal of the European Communities within a minimum of 52 days and a maximum of 12 months before the date on which the contract notice provided for in Article 15 (2) was dispatched to the Official Journal of the European Communities, provided that the indicative notice contained, in addition, at least as much of the information referred to in the model in Annex III C (Restricted procedure) or, where applicable, Annex III D (Negotiated procedure) as was available at the time of publication of the notice.`

6. In Article 23, the existing wording shall become paragraph 1 and the following paragraph shall be added:

'2. Tenders shall be submitted in writing, directly or by mail. Member States may authorize the submission of tenders by any other means making it possible to ensure:

- that each tender contains all the information necessary for its evaluation,
- that the confidentiality of tenders is maintained pending their evaluation,
- that, where necessary, for reasons of legal proof, such tenders are confirmed as soon as possible in writing or by dispatch of a certified copy,
- that tenders are opened after the time limit for their submission has expired.'

7. The following Article shall be inserted:

'Article 38a

For the purposes of the award of public contracts by contracting authorities, Member States shall apply in their relations conditions as favourable as those which they grant to third countries in implementation of the Agreement on government procurement, concluded in the framework of the Uruguay Round multilateral negotiations (*), hereinafter referred to as "the Agreement". Member States shall to this end consult each other within the Advisory Committee for Public Contracts on the measures to be taken pursuant to the Agreement.

(*) Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the Agreements reached in the Uruguay Round multilateral negotiations (1986 to 1994) (OJ L 336, 23. 12. 1994, p. 1).'

8. Article 39 shall be replaced by the following:

'Article 39

1. In order to permit assessment of the results of applying this Directive, Member States shall forward to the Commission a statistical report on the service contracts awarded by contracting authorities during the preceding year not later than 31 October 1997 and thereafter not later than 31 October each year.

2. This report shall detail at least:

(a) in the case of contracting authorities listed in Annex I to Directive 93/36/EEC:

- the estimated overall value of contracts awarded below the threshold by each contracting authority,

- the number and value of contracts awarded above the threshold by each contracting authority, subdivided as far as possible by procedure, category of service according to the nomenclature used in Annex I and the nationality of the service provider to whom the contract has been awarded and, in the case of negotiated procedures, subdivided in accordance with Article 11, listing the number and value of contracts awarded to each Member State and to third countries;

(b) in the case of all other contracting authorities subject to this Directive, for each category of contracting authority, the number and value of contracts awarded above the threshold, subdivided, as far as possible, by procedure, category of service according to the nomenclature used in Annex I and the nationality of the service provider to whom the contract has been awarded and, in the case of negotiated procedures, subdivided in accordance with Article 11, listing the number and value of contracts awarded to each Member State and to third countries;

(c) in the case of contracting authorities listed in Annex I to Directive 93/36/EEC, the number and total value of contracts awarded by each contracting authority pursuant to derogations to the Agreement; in the case of all other contracting authorities subject to this Directive, the total value of contracts awarded by each category of contracting authority pursuant to derogations to the Agreement;

(d) any other statistical information, to be determined pursuant to the procedure provided for in Article 40 (3), which is required in accordance with the Agreement.

The statistical information required pursuant to this paragraph shall not concern contracts having as their object services listed in category 8 of Annex I A, the telecommunications services in category 5 of Annex I A, under CPC references 7524, 7525 and 7526, or the services listed in Annex I B, provided that their estimated value, net of VAT, is less than ECU 200 000.

3. The Commission shall determine, in accordance with the procedure laid down in Article 40 (3), the nature of any statistical information required pursuant to this Directive.

9. Annex III shall be replaced by the text set out in Annex II to this Directive.

Article 2

Directive 93/36/EEC is hereby amended as follows:

1. In Article 5:

(A) paragraph 1 shall be replaced by the following:

'1. (a) Titles II, III and IV and Articles 6 and 7 shall apply to public supply contracts awarded by:

(i) the contracting authorities referred to in Article 1 (b), including contracts awarded by the contracting authorities listed in Annex I in the field of defence in so far as products not covered by Annex II are concerned, where the estimated value net of value-added tax (VAT) is not less than the equivalent in ecus of 200 000 special drawing rights (SDRs);

(ii) the contracting authorities listed in Annex I whose estimated value net of VAT is not less than the equivalent in ecus of 130 000 SDRs; in the case of contracting authorities in the field of defence, this shall apply only to contracts involving products covered by Annex II.

(b) This Directive shall apply to public supply contracts whose estimated value equals or exceeds the threshold concerned at the time of publication of the notice in accordance with Article 9 (2).

(c) The value in ecus and in national currencies of the thresholds laid down in subparagraph (a) shall, in principle, be revised every two years with effect from 1 January 1996. The calculation of these values shall be based on the average daily values of these currencies expressed in ecus and of the ecu expressed in SDRs over the 24 months terminating on the last day of August immediately preceding the 1 January revision.

The method of calculation laid down in this subparagraph shall be reviewed, on a proposal from the Commission, by the Advisory Committee for Public Contracts, in principle two years after its initial application.

(d) The thresholds laid down in subparagraph (a) and the values of the thresholds expressed in ecus and in national currencies shall be published in the Official Journal of the European Communities at the beginning of the month of November which follows the revision laid down in the first paragraph of subparagraph (c).

(B) The following paragraph shall be added:

'7. Contracting authorities shall ensure that there is no discrimination between the various suppliers.'

2. Article 7 (1) and (2) shall be replaced by the following:

'1. The contracting authority shall, within 15 days of the date on which the request is received, inform any eliminated candidate or tenderer of the reasons for rejection of his application or his tender and any tenderer who has made an admissible tender of the characteristics and relative advantages of the tender selected as well as the name of the successful tenderer.

However, contracting authorities may decide that certain information on the contract award, referred to in the preceding subparagraph, shall be withheld where release of such information would impede law enforcement or otherwise be contrary to the public interest or would prejudice the legitimate commercial interests of particular undertakings, public or private, or might prejudice fair competition between suppliers.

2. Contracting authorities shall promptly inform candidates and tenderers of the decisions taken on contract awards, including the reasons why they have decided not to award a contract for which there has been an invitation to tender or to start the procedure again, and shall do so in writing if requested. They shall also inform the Office for Official Publications of the European Communities of such decisions.'

3. The following paragraph shall be inserted in Article 10:

'1a. The time limit for receipt of tenders laid down in paragraph 1 may be replaced by a period sufficiently long to permit responsive tendering, which, as a general rule, shall be not less than 36 days and in any case not less than 22 days, from the date on which the contract notice was dispatched, if the contracting authorities have sent the indicative notice provided for in Article 9 (1), drafted in accordance with the model in Annex IV A (Prior information), to the Official Journal of the European Communities within a minimum of 52 days and a maximum of 12 months before the date on which the contract notice provided for in Article 9 (2) was dispatched to the Official Journal of the European Communities, provided that the indicative notice contained, in addition, at least as much of the information referred to in the model notice in Annex IV B (Open procedure) as was available at the time of publication of the notice.'

4. The following paragraph shall be inserted in Article 11:

'3a. The time limit for receipt of tenders laid down in paragraph 3 may be reduced to 26 days if the contracting authorities have sent the indicative notice provided for in Article 9 (1), drafted in accordance with the model in Annex IV A (Prior information), to the Official Journal of the European Communities within a minimum of 52 days and a maximum of 12 months before the date on which the contract notice provided for in Article 9 (2) was dispatched to the Official Journal of the European Communities, provided that the indicative notice contained, in addition, at least as much of the information referred to in the model in Annex IV C (Restricted procedure), or, where applicable, Annex IV D (Negotiated procedure) as was available at the time of publication of the notice.'

5. The following paragraph shall be added to Article 15:

'3. Tenders shall be submitted in writing, directly or by mail. Member States may authorize the submission of tenders by any other means making it possible to ensure:

- that each tender contains all the information necessary for its evaluation,
- that the confidentiality of tenders is maintained pending their evaluation,

- that, where necessary, for reasons of legal proof, such tenders are confirmed as soon as possible in writing or by dispatch of a certified copy,
- that tenders are opened after the time limit for their submission has expired.`

6. Article 29 shall be replaced by the following:

'Article 29

1. The Commission shall examine the application of this Directive in consultation with the Advisory Committee for Public Contracts and where appropriate shall submit new proposals to the Council with the aim in particular of harmonizing the measures taken by the Member States for the implementation of this Directive.

2. The Commission shall review this Directive and any new measures which may be adopted by virtue of paragraph 1, having regard to the results of the further negotiations provided for in Article XXIV (7) of the Agreement on Government Procurement, concluded in the framework of the Uruguay Round multilateral negotiations (*), hereinafter referred to as 'the Agreement` , and shall, if necessary, submit appropriate proposals to the Council.

3. The Commission shall update Annex I, in accordance with the procedure laid down in Article 32 (2), on the basis of any rectifications, modifications or amendments made thereto and shall have the updated version published in the Official Journal of the European Communities.

(*) Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the Agreements reached in the Uruguay Round multilateral negotiations (1986 to 1994) (OJ L 336, 23. 12. 1994, p. 1).`

7. Article 31 shall be replaced by the following:

'Article 31

1. In order to permit assessment of the results of applying this Directive, Member States shall forward to the Commission a statistical report on the supply contracts awarded by contracting authorities during the preceding year, not later than 31 October 1996 and, in respect of the contracting authorities not listed in Annex I, not later than 31 October 1997 and thereafter not later than 31 October of each year.

2. The statistical report shall detail at least:

(a) in the case of contracting authorities listed in Annex I:

- the estimated overall value of contracts awarded below the threshold by each contracting authority,

- the number and value of contracts awarded above the threshold by each contracting authority, subdivided as far as possible by procedure, category of product according to the nomenclature referred to in Article 9 (1) and the nationality of the supplier to whom the contract has been awarded and, in the case of negotiated procedures, subdivided in accordance with Article 6, listing the number and value of contracts awarded to each Member State and to third countries;

(b) in the case of all other contracting authorities subject to this Directive, for each category of contracting authority, the number and value of contracts awarded above the threshold, subdivided, as far as possible, by procedure, category of product according to the nomenclature referred to in Article 9 (1) and the nationality of the supplier to whom

the contract has been awarded, subdivided in accordance with Article 6, listing the number and value of the contracts awarded to each Member State and to third countries;

(c) in the case of contracting authorities listed in Annex I, the number and total value of contracts awarded by each contracting authority pursuant to derogations to the Agreement; in the case of all other contracting authorities subject to this Directive, the total value of contracts awarded by each category of contracting authority pursuant to derogations to the Agreement;

(d) any other statistical information, to be determined pursuant to the procedure provided for in Article 32 (2), which is required in accordance with the Agreement.

3. The Commission shall determine, in accordance with the procedure laid down in Article 32 (2), the nature of any statistical information required pursuant to this Directive.

8. Annex I shall be replaced by the text in Annex I to this Directive and Annex IV by that in Annex III to this Directive.

Article 3

Directive 93/37/EEC is hereby amended as follows:

1. In Article 6:

(A) paragraphs 1 and 2 shall be replaced by the following:

'1. This Directive shall apply to:

(a) public works contracts whose estimated value net of value-added tax (VAT) is not less than the equivalent in ecus of 5 000 000 special drawing rights (SDRs);

(b) public works contracts referred to in Article 2 (1) whose estimated value net of VAT is not less than ECU 5 000 000.

2. (a) The value in ecus and in national currencies of the threshold laid down in paragraph 1 shall in principle be revised every two years with effect from 1 January 1996. The calculation of this value shall be based on the average daily values of the ecu expressed in SDRs and of the national currencies expressed in ecus over the 24 months terminating on the last day of August preceding the 1 January revision.

The threshold laid down in paragraph 1 and the value of the threshold expressed in ecus and in national currencies shall be published in the Official Journal of the European Communities at the beginning of the month of November which follows the abovementioned revision.

(b) The method of calculation laid down in subparagraph (a) shall be reviewed, on a proposal from the Commission, by the Advisory Committee for Public Contracts, in principle two years after its initial application.

(B) The following new paragraph shall be added:

'6. Contracting authorities shall ensure that there is no discrimination between the various contractors.'

2. Article 8 (1) and (2) shall be replaced by the following:

'1. The contracting authority shall, within 15 days of the date on which a written request is received, inform any eliminated candidate or tenderer of the reasons for rejection of this

application or his tender, and, any tenderer who has made an admissible tender of the characteristics and relative advantages of the tender selected as well as the name of the successful tenderer.

However, contracting authorities may decide that certain information on the contract award, referred to in the preceding subparagraph, be withheld where release of such information would impede law enforcement or otherwise be contrary to the public interest or would prejudice the legitimate commercial interests of particular undertakings, public or private, or might prejudice fair competition between contractors.

2. Contracting authorities shall promptly inform candidates and tenderers of the decisions taken on contract awards, including the reasons why they have decided not to award a contract for which there has been an invitation to tender or to start the procedure again, and shall do so in writing if requested. They shall also inform the Office for Official Publications of the European Communities of such decisions.

3. Article 12 (2) shall be replaced by the following:

'2. The time limit for receipt of tenders laid down in paragraph 1 may be replaced by a period sufficiently long to permit responsive tendering, which, as a general rule, shall be not less than 36 days and in any case not less than 22 days, from the date on which the contract notice was dispatched, if the contracting authorities have sent the indicative notice provided for in Article 11 (1), drafted in accordance with the model in Annex IV A (Prior information), to the Official Journal of the European Communities within a minimum of 52 days and a maximum of 12 months before the date on which the contract notice provided for in Article 11 (2) was dispatched to the Official Journal of the European Communities, provided that the indicative notice contained, in addition, at least as much of the information referred to in the model notice in Annex IV B (Open procedure) as was available at the time of publication of the notice.'

4. Article 13 (4) shall be replaced by the following:

'4. The time limit for receipt of tenders laid down in paragraph 3 may be reduced to 26 days if the contracting authorities have sent the indicative notice provided for in Article 11 (1) drafted in accordance with the model in Annex IV A (Prior information) to the Official Journal of the European Communities within a minimum of 52 days and a maximum of 12 months before the date on which the contract notice provided for in Article 11 (2) was dispatched to the Official Journal of the European Communities, provided that the indicative notice contained, in addition, at least as much of the information referred to in the model notice in Annex IV C (Restricted procedure), or, where applicable, Annex IV D (Negotiated procedure) as was available at the time of publication of the notice.'

5. In Article 18, the existing text shall become paragraph 1 and the following paragraph shall be added:

'2. Tenders shall be submitted in writing, directly or by mail. Member States may authorize the submission of tenders by any other means making it possible to ensure:

- that each tender contains all the information necessary for its evaluation,
- that the confidentiality of tenders is maintained pending their evaluation,
- that, where necessary, for reasons of legal proof, such tenders are confirmed as soon as possible in writing or by dispatch of a certified copy,
- that tenders are opened after the time limit for their submission has expired.'

6. The following Article shall be inserted:

'Article 33a

For the purposes of the award of public contracts by contracting authorities, Member States shall apply in their relations conditions as favourable as those which they grant to third countries in implementation of the Agreement on government procurement, concluded in the framework of the Uruguay Round multilateral negotiations (*), hereinafter referred to as "the Agreement". Member States shall to this end consult each other within the Advisory Committee for Public Contracts on the measures to be taken pursuant to the Agreement.

(*) Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the Agreements reached in the Uruguay Round multilateral negotiations (1986 to 1994) (OJ L 336, 23. 12. 1994, p. 1).`

7. Article 34 shall be replaced by the following:

'Article 34

1. In order to permit assessment of the results of applying this Directive, Member States shall forward to the Commission a statistical report on the works contracts awarded by contracting authorities during the preceding year, not later than 31 October 1997 and thereafter not later than 31 October of each year.

2. The statistical report shall detail at least:

(a) in the case of contracting authorities listed in Annex I to Directive 93/36/EEC:

- the estimated overall value of contracts awarded below the threshold by each contracting authority,

- the number and value of contracts awarded above the threshold, by each contracting authority subdivided as far as possible by procedure, category of work according to the nomenclature used in Annex II and the nationality of the contractor to whom the contract has been awarded, and in the case of negotiated procedures, subdivided in accordance with Article 7, listing the number and value of the contracts awarded to each Member State and to third countries;

(b) in the case of all other contracting authorities subject to this Directive, for each category of contracting authority, the number and value of contracts awarded above the threshold, subdivided, as far as possible, by procedure, category of work according to the nomenclature used in Annex II and the nationality of the contractor to whom the contract has been awarded and, in the case of negotiated procedures, subdivided in accordance with Article 7, listing the number and value of the contracts awarded to each Member State and to third countries;

(c) in the case of contracting authorities listed in Annex I to Directive 93/36/EEC, the number and total value of contracts awarded by contracting authorities pursuant to derogations to the Agreement; in the case of all other contracting authorities subject to this Directive, the total value of contracts awarded by each category of contracting authority pursuant to derogations to the Agreement;

(d) any other statistical information, to be determined pursuant to the procedure provided for in Article 35 (3), which is required in accordance with the Agreement.

3. The Commission shall determine, in accordance with the procedure laid down in Article 35 (3), the nature of any statistical information required pursuant to this Directive.`

8. Annex IV shall be replaced by the text set out in Annex IV to this Directive.

Article 4

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 13 October 1998. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods for making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the main provisions of national law which they adopt in the field covered by this Directive and a correlation table between this Directive and the national provisions adopted.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 13 October 1997.

For the European Parliament

The President

J. M. GIL-ROBLES

For the Council

The President

R. GOEBBELS

1) OJ C 138, 3. 6. 1995, p. 1.

(2) OJ C 256, 2. 10. 1995, p. 4 and OJ C 212, 22. 7. 1996, p. 13.

(3) Opinion of the European Parliament of 29 February 1996 (OJ C 78, 18. 3. 1996, p. 18), Council common position of 20 December 1996 (OJ C 111, 9. 4. 1997, p. 1) and Decision of the European Parliament of 14 May 1997 (OJ C 167, 2. 6. 1997). Council Decision of 24 July 1997.

(4) OJ L 336, 23. 12. 1994, p. 1.

(5) Council Directive 92/50/EEC of 18 June 1992, relating to the coordination of procedures for the award of public service contracts (OJ L 209, 24. 7. 1992, p. 1). Directive as last amended by the 1994 Act of Accession.

(6) Council Directive 93/36/EEC of 14 June 1993, coordinating procedures for the award of public supply contracts (OJ L 199, 9. 8. 1993, p. 1). Directive as last amended by the 1994 Act of Accession.

(7) Council Directive 93/37/EEC of 14 June 1993 concerning the coordination of procedures for the award of public works contracts (OJ L 199, 9. 8. 1993, p. 54). Directives as last amended by the 1994 Act of Accession.

ANNEX I

'ANNEX I

LIST OF CONTRACTING AUTHORITIES SUBJECT TO THE AGREEMENT IN ACCORDANCE WITH ANNEX I THERETO (CENTRAL GOVERNMENT AUTHORITIES)

BELGIUM

A. - L'État Fédéral:

- Services du Premier ministre
- Ministcre des affaires économiques
- Ministcre des affaires étrangères, du commerce extérieur et de la Coopération au développement
- Ministcre de l'agriculture
- Ministcre des classes moyennes
- Ministcre des communications et de l'infrastructure
- Ministcre de la défense nationale (1)
- Ministcre de l'emploi et du travail
- Ministcre des finances
- Ministcre de l'intérieur et de la fonction publique
- Ministcre de la justice
- Ministcre de la santé publique et de l'environnement
- la poste (2)
- la Régie des batiments
- le Fonds des routes

B. - L'Office national de sécurité sociale

- L'Institut national d'assurances sociales pour travailleurs indépendants
- L'Institut national d'assurances maladie -invalidité
- L'Office national des pensions
- La Caisse auxiliaire d'assurance maladie -invalidité
- Le Fonds des maladies professionnelles
- L'Office national de l'emploi

(1) Non-warlike materials contained in Annex II.

(2) Postal business covered by the Law of 24 December 1993.

DENMARK

>TABLE POSITION>

FEDERAL REPUBLIC OF GERMANY

List of the central purchasing entities

1. Auswärtiges Amt
2. Bundesministerium für Arbeit und Sozialordnung
3. Bundesministerium für Bildung und Wissenschaft
4. Bundesministerium für Ernährung, Landwirtschaft und Forsten
5. Bundesministerium der Finanzen
6. Bundesministerium für Forschung und Technologie
7. Bundesministerium des Innern (nur zivile Güter)
8. Bundesministerium für Gesundheit
9. Bundesministerium für Frauen und Jugend
10. Bundesministerium für Familie und Senioren
11. Bundesministerium der Justiz
12. Bundesministerium für Raumordnung, Bauwesen und Städtebau
13. Bundesministerium für Post und Telekommunikation (1)
14. Bundesministerium für Wirtschaft
15. Bundesministerium für wirtschaftliche Zusammenarbeit
16. Bundesministerium der Verteidigung (1)
17. Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit
18. Bundesministerium für Verkehr

Note

Under existing national arrangements, the bodies included in this list must, following special procedures, award contracts to certain groups in order to remove the difficulties caused by the last war.

(1) Mit Ausnahme von Telekommunikationsausrüstung.

SPAIN

List of entities

1. Ministerio de Asuntos Exteriores
 2. Ministerio de Justicia
 3. Ministerio de Defensa (1)
 4. Ministerio de Economía y Hacienda
 5. Ministerio del Interior
 6. Ministerio de Obras Públicas, Transportes y Medio Ambiente
 7. Ministerio de Educación y Ciencia
 8. Ministerio de Trabajo y Seguridad Social
 9. Ministerio de Industria y Energía
 10. Ministerio de Agricultura, Pesca y Alimentación
 11. Ministerio de la Presidencia
 12. Ministerio para las Administraciones Públicas
 13. Ministerio de Cultura
 14. Ministerio de Comercio y Turismo
 15. Ministerio de Sanidad y Consumo
 16. Ministerio de Asuntos Sociales
- (1) Material que no sea de guerra incluido en el Anexo II.

FRANCE

1. Main purchasing entities

A. Budget général

- Services du Premier ministre
- Ministère des affaires sociales, de la santé et de la ville
- Ministère de l'intérieur et de l'aménagement du territoire
- Ministère de la justice
- Ministère de la défense
- Ministère des affaires étrangères
- Ministère de l'éducation nationale
- Ministère de l'économie
- Ministère de l'industrie, des postes et télécommunications et du commerce extérieur
- Ministère de l'équipement, des transports et du tourisme
- Ministère des entreprises et du développement économique, chargé des petites et moyennes entreprises et du commerce et de l'artisanat
- Ministère du travail, de l'emploi et de la formation professionnelle
- Ministère de la culture et de la francophonie
- Ministère du budget
- Ministère de l'agriculture et de la pêche
- Ministère de l'enseignement supérieur et de la recherche
- Ministère de l'environnement
- Ministère de la fonction publique
- Ministère du logement
- Ministère de la coopération
- Ministère des départements et territoires d'outre-mer
- Ministère de la jeunesse et des sports
- Ministère de la communication
- Ministère des anciens combattants et victimes de guerre

B. Budget annexe

On peut notamment signaler:

- Imprimerie nationale

C. Comptes spéciaux du Trésor

On peut notamment signaler:

- Fonds forestier national

- Soutien financier de l'industrie cinématographique et de l'industrie des programmes audiovisuels
- Fonds national d'aménagement foncier et d'urbanisme
- Caisse autonome de la reconstruction
- 2. National public administrative bodies
- Académie de France à Rome
- Académie de marine
- Académie des sciences d'outre-mer
- Agence centrale des organismes de sécurité sociale (ACOSS)
- Agences financières de bassins
- Agence nationale pour l'amélioration des conditions de travail (ANACT)
- Agence nationale pour l'amélioration de l'habitat (ANAH)
- Agence nationale pour l'emploi (ANPE)
- Agence nationale pour l'indemnisation des Français d'outre-mer (ANIFOM)
- Assemblée permanente des chambres d'agriculture (APCA)
- Bibliothèque nationale
- Bibliothèque nationale et universitaire de Strasbourg
- Bureau d'études des postes et télécommunications d'outre-mer (BEPTOM)
- Caisse des dépôts et consignations
- Caisse nationale des allocations familiales (CNAF)
- Caisse nationale d'assurance maladie des travailleurs salariés (CNAM)
- Caisse nationale d'assurance-vieillesse des travailleurs salariés (CNAVTS)
- Caisse nationale des autoroutes (CNA)
- Caisse nationale militaire de sécurité sociale (CNMSS)
- Caisse nationale des monuments historiques et des sites
- Caisse nationale des télécommunications (1)
- Caisse de garantie du logement social
- Casa de Velasquez
- Centre d'enseignement zootechnique de Rambouillet
- Centre d'études du milieu et de pédagogie appliquée du ministre de l'agriculture
- Centre d'études supérieures de sécurité sociale
- Centres de formation professionnelle agricole
- Centre national d'art et de culture Georges Pompidou
- Centre national de la cinématographie française
- Centre national d'études et de formation pour l'enfance inadaptée
- Centre national d'études et d'expérimentation du machinisme agricole, du génie rural, des eaux et des forêts
- Centre national et de formation pour l'adaptation scolaire et l'éducation spécialisée (CNEFASES)
- Centre national de formation et de perfectionnement des professeurs d'enseignement ménager agricole
- Centre national des lettres
- Centre national de documentation pédagogique
- Centre national des œuvres universitaires et scolaires (CNOUS)
- Centre national d'ophtalmologie des Quinze-Vingts
- Centre national de préparation au professorat de travaux manuels éducatifs et d'enseignement ménager
- Centre national de promotion rurale de Marmilhat
- Centre national de la recherche scientifique (CNRS)
- Centre régional d'éducation populaire d'Ile-de-France
- Centres d'éducation populaire et de sport (CREPS)
- Centres régionaux des œuvres universitaires (CROUS)
- Centres régionaux de la propriété forestière
- Centre de sécurité sociale des travailleurs migrants
- Chancelleries des universités
- Collège de France
- Commission des opérations de bourse
- Conseil supérieur de la pêche
- Conservatoire de l'espace littoral et des rivages lacustres
- Conservatoire national des arts et métiers
- Conservatoire national supérieur de musique
- Conservatoire national supérieur d'art dramatique
- Domaine de Pompadour

- École centrale - Lyon
- École centrale des arts et manufactures
- École française d'archéologie d'Athènes
- École française d'Extrême-Orient
- École française de Rome
- École des hautes études en sciences sociales
- École nationale d'administration
- École nationale de l'aviation civile (ENAC)
- École nationale des Chartes
- École nationale d'équitation
- École nationale du génie rural des eaux et des forêts (ENGREF)
- Écoles nationales d'ingénieurs
- École nationale d'ingénieurs des industries des techniques agricoles et alimentaires
- Écoles nationales d'ingénieurs des travaux agricoles
- École nationale des ingénieurs des travaux ruraux et des techniques sanitaires
- École nationale des ingénieurs des travaux des eaux et forêts (ENITF)
- École nationale de la magistrature
- Écoles nationales de la marine marchande
- École nationale de la santé publique (ENSP)
- École nationale de ski et d'alpinisme
- École nationale supérieure agronomique - Montpellier
- École nationale supérieure agronomique - Rennes
- École nationale supérieure des arts décoratifs
- École nationale supérieure des arts et industries - Strasbourg
- École nationale supérieure des arts et industries textiles - Roubaix
- Écoles nationales supérieures d'arts et métiers
- École nationale supérieure des beaux-arts
- École nationale supérieure des bibliothécaires
- École nationale supérieure de céramique industrielle
- École nationale supérieure de l'électronique et de ses applications (ENSEA)
- École nationale supérieure d'horticulture
- École nationale supérieure des industries agricoles alimentaires
- École nationale supérieure du paysage (rattachée à l'école nationale supérieure d'horticulture)
- École nationale supérieure des sciences agronomiques appliquées (ENSSA)
- Écoles nationales vétérinaires
- École nationale de voile
- Écoles normales d'instituteurs et d'institutrices
- Écoles normales nationales d'apprentissage
- Écoles normales supérieures
- École polytechnique
- École technique professionnelle agricole et forestière de Meymac (Corrèze)
- École de sylviculture - Croigny (Aube)
- École de viticulture et d'œnologie de la Tour Blanche (Gironde)
- École de viticulture - Avize (Marne)
- Établissement national de convalescents de Saint-Maurice
- Établissement national des invalides de la marine (ENIM)
- Établissement national de bienfaisance Koenigs-Wazter
- Fondation Carnegie
- Fondation Singer-Polignac
- Fonds d'action sociale pour les travailleurs immigrés et leurs familles
- Hôpital-hospice national Dufresne-Sommeiller
- Institut de l'élevage et de médecine vétérinaire des pays tropicaux (IEMVPT)
- Institut français d'archéologie orientale du Caire
- Institut géographique national
- Institut industriel du Nord
- Institut international d'administration publique (IIAP)
- Institut national agronomique de Paris-Grignon
- Institut national des appellations d'origine des vins et eaux-de-vie (INAOVEV)
- Institut national d'astronomie et de géophysique (INAG)
- Institut national de la consommation (INC)
- Institut national d'éducation populaire (INEP)
- Institut national d'études démographiques (INED)

- Institut national des jeunes aveugles - Paris
 - Institut national des jeunes sourds - Bordeaux
 - Institut national des jeunes sourds - Chambéry
 - Institut national des jeunes sourds - Metz
 - Institut national des jeunes sourds - Paris
 - Institut national de physique nucléaire et de physique des particules (I.N2.P3)
 - Institut national de promotion supérieure agricole
 - Institut national de la propriété industrielle
 - Institut national de la recherche agronomique (INRA)
 - Institut national de recherche pédagogique (INRP)
 - Institut national de la santé et de la recherche médicale (INSERM)
 - Institut national des sports
 - Instituts nationaux polytechniques
 - Instituts nationaux des sciences appliquées
 - Institut national supérieur de chimie industrielle de Rouen
 - Institut national de recherche en informatique et en automatique (INRIA)
 - Institut national de recherche sur les transports et leur sécurité (INRETS)
 - Instituts régionaux d'administration
 - Institut supérieur des matériaux et de la construction mécanique de Saint-Ouen
 - Musée de l'armée
 - Musée Gustave Moreau
 - Musée de la marine
 - Musée national J.-J. Henner
 - Musée national de la Légion d'Honneur
 - Musée de la poste
 - Muséum national d'histoire naturelle
 - Musée Auguste-Rodin
 - Observatoire de Paris
 - Office de coopération et d'accueil universitaire
 - Office français de protection des réfugiés et apatrides
 - Office national des anciens combattants
 - Office national de la chasse
 - Office national d'information sur les enseignements et les professions (ONISEP)
 - Office national d'immigration (ONI)
 - Institut français de recherche scientifique pour le développement en coopération (ORSTOM)
 - Office universitaire et culturel français pour l'Algérie
 - Palais de la découverte
 - Parcs nationaux
 - Réunion des musées nationaux
 - Syndicat des transports parisiens
 - Thermes nationaux - Aix-les-Bains
 - Universités
3. Other national public bodies
- Union des groupements d'achats publics (UGAP)
- (1) Postal services only.

GREECE

List of entities

1. Ministry of National Economy
2. Ministry of Education and Religion
3. Ministry of Commerce
4. Ministry of Industry, Energy and Technology
5. Ministry of Merchant Marine
6. Ministry to the Prime Minister
7. Ministry of the Aegean
8. Ministry of Foreign Affairs
9. Ministry of Justice
10. Ministry of the Interior
11. Ministry of Labour
12. Ministry of Culture and Sciences
13. Ministry of Environment, Planning and Public Works

14. Ministry of Finance
15. Ministry of Transport and Communications
16. Ministry of Health and Social Security
17. Ministry of Macedonia and Thrace
18. Army General Staff
19. Navy General Staff
20. Airforce General Staff
21. Ministry of Agriculture
22. General Secretariat for Press and Information
23. General Secretariat for Youth
24. General State Laboratory
25. General Secretariat for Further Education
26. General Secretariat of Equality
27. General Secretariat for Social Security
28. General Secretariat for Greeks Living Abroad
29. General Secretariat for Industry
30. General Secretariat for Research and Technology
31. General Secretariat for Sports
32. General Secretariat for Public Works
33. National Statistical Service
34. National Welfare Organization
35. Workers' Housing Organization
36. National Printing Office
37. Greek Atomic Energy Commission
38. Greek Highway Fund
39. University of Athens
40. University of the Aegean
41. University of Thessaloniki
42. University of Thrace
43. University of Ioannina
44. University of Patras
45. Polytechnic School of Crete
46. Sivitanidios Technical School
47. University of Macedonia
48. Eginitio Hospital
49. Areteio Hospital
50. National Centre of Public Administration
51. Hellenic Post (EL. TA.)
52. Public Material Management Organization
53. Farmers' Insurance Organization
54. School Building Organization

IRELAND

1. Main purchasing entities
Office of Public Works
2. Other departments
 - President's Establishment
 - Houses of the Oireachtas (Parliament)
 - Department of the Taoiseach (Prime Minister)
 - Office of the Tanaiste (Deputy Prime Minister)
 - Central Statistics Office
 - Department of Arts, Culture and the Gaeltacht
 - National Gallery of Ireland
 - Department of Finance
 - State Laboratory
 - Office of the Comptroller and Auditor General
 - Office of the Attorney General
 - Office of the Director of Public Prosecutions
 - Valuation Office
 - Civil Service Commission
 - Office of the Ombudsman
 - Office of the Revenue Commissioners

- Department of Justice
 - Commissioners of Charitable Donations and Bequests for Ireland
 - Department of the Environment
 - Department of Education
 - Department of the Marine
 - Department of Agriculture, Food and Forestry
 - Department of Enterprise and Employment
 - Department of Trade and Tourism
 - Department of Defence (1)
 - Department of Foreign Affairs
 - Department of Social Welfare
 - Department of Health
 - Department of Transport, Energy and Communications
- (1) Non-warlike materials contained in Annex II.

ITALY

Purchasing entities

1. Ministry of the Treasury (1)
 2. Ministry of Finance (2)
 3. Ministry of Justice
 4. Ministry of Foreign Affairs
 5. Ministry of Education
 6. Ministry of the Interior
 7. Ministry of Public Works
 8. Ministry for Coordination (International Relations and EC Agricultural Policies)
 9. Ministry of Industry, Trade and Craft Trades
 10. Ministry of Employment and Social Security
 11. Ministry of Health
 12. Ministry of Cultural Affairs and the Environment
 13. Ministry of Defence (1)
 14. Budget and Economic Planning Ministry
 15. Ministry of Foreign Trade
 16. Ministry of Posts and Telecommunications (3)
 17. Ministry of the Environment
 18. Ministry of University and Scientific and Technological Research
- (1) Ente centrale d'acquisto per la maggiore parte degli altri ministeri ed enti.
 (2) Esclusi gli acquisti effettuati dal monopolio dei sali e tabacchi.
 (3) Soltanto i servizi postali.

LUXEMBOURG

1. Ministre d'État: Service central des imprimés et des fournitures de l'État
 2. Ministre de l'agriculture: Administration des services techniques de l'agriculture
 3. Ministre de l'éducation nationale: Lycées d'enseignement secondaire et d'enseignement secondaire technique
 4. Ministre de la famille et de la solidarité sociale: maisons de retraite
 5. Ministre de la force publique: Armée (1) - Gendarmerie - Police
 6. Ministre de la justice: Établissements pénitentiaires
 7. Ministre de la santé publique: Hopital neuropsychiatrique
 8. Ministre des travaux publics: batiments publics - Ponts et chaussées
 9. Ministre des Communications: Centre informatique de l'État
 10. Ministre de l'environnement: Commissariat général a la protection des eaux
- (1) Matériel non de guerre contenu a l'annexe II.

THE NETHERLANDS

List of entities

Ministries and central government bodies

1. Ministry of General Affairs - Ministerie van Algemene Zaken
- Advisory Council on Government Policy - Bureau van de Wetenschappelijke Raad voor het Regeringsbeleid

- National Information Office - Rijksvoorlichtingsdienst
- 2. Ministry of the Interior - Ministerie van Binnenlandse Zaken
 - Government Personnel Information System Service - Dienst Informatievoorziening Overheidspersoneel
 - Redundancy Payment and Benefits Agency - Dienst Uitvoering Ontslaguitkeringsregelingen
 - Public Servants Medical Expenses Agency - Dienst Ziektekostenvoorziening Overheidspersoneel
 - RPD Advisory Service - RPD Advies
 - Central Archives and Interdepartmental Text Processing - CAS/ITW
- 3. Ministry of Foreign Affairs and Directorate-General for Development Cooperation of the Ministry of Foreign Affairs - Ministerie van Buitenlandse Zaken en Ministerie voor Ontwikkelingssamenwerking
- 4. Ministry of Defence - Ministerie van Defensie (1)
 - Directorate of material Royal Netherlands Navy - Directie materieel Koninklijke Marine
 - Directorate of material Royal Netherlands Army - Directie materieel Koninklijke Landmacht
 - Directorate of material Royal Netherlands Air Force - Directie materieel Koninklijke Luchtmacht
- 5. Ministry of Economic Affairs - Ministerie van Economische Zaken
 - Economic Investigation Agency - Economische Controledienst
 - Central Plan Bureau - Centraal Planbureau
 - Netherlands Central Bureau of Statistics - Centraal Bureau voor de Statistiek
 - Senter - Senter
 - Industrial Property Office - Bureau voor de Industriële Eigendom
 - Central Licensing Office for Import and Export - Centrale Dienst voor de In- en Uitvoer
 - State Supervision of Mines - Staatstoezicht op de Mijnen
 - Geological Survey of the Netherlands - Rijks Geologische Dienst
- 6. Ministry of Finance - Ministerie van Financiën
 - State Property Department - Dienst der Domeinen
 - Directorates of the State Tax Department - Directies der Rijksbelastingen
 - State Tax Department/Fiscal Intelligence and Information Department - Belastingdienst/FIOD
 - State Tax Department/Computer Centre - Belastingdienst/Automatiseringscentrum
 - State Tax Department/Training - Belastingdienst/Opleidingen
- 7. Ministry of Justice - Ministerie van Justitie
 - Education and Training Organization, Directorate General for the Protection of Young People and the care of Offenders - Opleidings- en vormingsorganisatie Directoraat-Generaal Jeugdbescherming en Delinquentenzorg
 - Child Care and Protection Board - Raden voor de Kinderbescherming in de provincies
 - State Institutions for Child care and Protection - Rijksinrichtingen voor de Kinderbescherming in de provincies
 - Prisons - Penitentiaire inrichtingen in de provincie
 - State Institutions for Persons Placed under Hospital Order - Rijksinrichtingen voor TBS - verpleging in de provincies
 - Internal Facilities Service of the Directorate for Young Offenders and Young Peoples Institute - Dienst Facilitaire Zaken van de Directie Delinquentenzorg en Jeugdinrichtingen
 - Legal Aid Department - Dienst Gerechtelijke Ondersteuning in de arrondissementen
 - Central Collection Office for the Courts - Centraal Ontvangstkantoor der Gerechten
 - Central Debt Collection Agency of the Ministry of Justice - Centraal Justitie Incassobureau
 - National Criminal Investigation Department - Rijksrecherche
 - Forensic Laboratory - Gerechtelijk Laboratorium
 - National Police Services Force - Korps Landelijke Politiediensten
 - District offices of the Immigration and Naturalization Service - Districtskantoren Immigratie- en Naturalisatiedienst
- 8. Ministry of Agriculture, Nature Management and Fisheries - Ministerie van Landbouw, Natuurbeheer en Visserij
 - National Forest Service - Staatsbosbeheer
 - Agricultural Research Service - Dienst Landbouwkundig Onderzoek
 - Agricultural Extension Service - Dienst Landbouwvoorlichting
 - Land Development Service - Landinrichtingsdienst
 - National Inspection Service for Animals and Animal Protection - Rijksdienst voor de Keuring van Vee en Vlees

- Plant Protection Service - Plantenziektenkundige Dienst
- General Inspection Service - Algemene Inspectiedienst
- National Fisheries Research Institute - Rijksinstituut voor Visserijonderzoek
- Government Institute for Quality Control of Agricultural Products - Rijkskwaliteit Instituut voor Land- en Tuinbouwprodukten
- National Institute for Nature Management - Instituut voor Bos- en Natuuronderzoek
- Game Fund - Jachtfonds
- 9. Ministry of Education and Science - Ministerie van Onderwijs en Wetenschappen
 - Royal Library - Koninklijke Bibliotheek
 - Institute for Netherlands History - Instituut voor Nederlandse Geschiedenis
 - Netherlands State Institute for War Documentation - Rijksinstituut voor Oorlogsdocumentatie
 - Institute for Educational Research - Instituut voor Onderzoek van het Onderwijs
 - National Institute for Curriculum Development - Instituut voor de Leerplan Ontwikkeling
- 10. Ministry of Social Affairs and Employment - Ministerie van Sociale Zaken en Werkgelegenheid
 - Wages Inspection Service - Loontechnische dienst
 - Inspectorate for Social Affairs and Employment - Inspectie en Informatie Sociale Zaken en Werkgelegenheid
 - National Social Assistance Consultancies Services - Rijksconsulentschappen Sociale Zekerheid
 - Steam Equipment Supervision Service - Dienst voor het Stoomwezen
 - Conscientious Objectors Employment Department - Tewerkstelling erkend gewetensbezwaarden militaire dienst
 - Directorate for Equal Opportunities - Directie Emancipatie
- 11. Ministry of Transport, Public Works and Water Management - Ministerie van Verkeer en Waterstaat
 - Directorate-General for Transport - Directoraat-Generaal Vervoer
 - Directorate-General for Public Works and Water Management - Directoraat-Generaal Rijkswaterstaat
 - Directorate-General for Civil Aviation - Directoraat-Generaal Rijksluchtvaartdienst
 - Telecommunications and Post Department - Hoofddirectie Telecommunicatie en Post
 - Regional Offices of the Directorates-General and General Management, Inland Waterway Navigation Service - De regionale organisatie van de directoraten-generaal en de hoofddirectie Vaarwegmarkeringsdienst
- 12. Ministry of Housing, Physical Planning and Environment - Ministerie van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer
 - Directorate-General for Environment Management - Directoraat-Generaal Milieubeheer
 - Directorate-General for Public Housing - Directoraat-Generaal van de Volkshuisvesting
 - Government Buildings Agency - Rijksgebouwendienst
 - National Physical Planning Agency - Rijksplanologische Dienst
- 13. Ministry of Welfare, Health and Cultural Affairs - Ministerie van Welzijn, Volksgezondheid en Cultuur
 - Social and Cultural Planning Office - Sociaal en Cultureel Planbureau
 - Inspectorate for Child and Youth Care and Protection Services - Inspectie Jeugdhulpverlening en Jeugdbescherming
 - Medical Inspectorate of Health Care - Inspecties van het Staatstoezicht op de Volksgezondheid
 - Cultural Castle Council - Rijksdienst Kastelenbeheer
 - National Archives Department - Rijksarchiefdienst
 - Department for the Conservation of Historic Buildings and Sites - Rijksdienst voor de Monumentenzorg
 - National Institute of Public Health and Environmental Protection - Rijksinstituut voor Milieuhygiene
 - National Archeological Field Survey Commission - Rijksdienst voor het Oudheidkundig Bodemonderzoek
 - Netherlands Office for Fine Arts - Rijksdienst Beeldende Kunst
- 14. Cabinet for Netherlands Antillean and Aruban Affairs - Kabinet voor Nederlands-Antilliaanse en Arubaanse zaken
- 15. Higher Colleges of State - Hogere Colleges van Staat
- 16. Council of State - Raad van State
- 17. Netherlands Court of Audit - Algemene Rekenkamer

18. National Ombudsman - Nationale Ombudsman

(1) Niet voor oorlogsdoeleinden bestemd materiaal vermeld in bijlage II.

AUSTRIA

1. Bundeskanzleramt - Amtswirtschaftsstelle
 2. Bundesministerium für auswärtige Angelegenheiten
 3. Bundesministerium für Gesundheit und Konsumentenschutz
 4. Bundesministerium für Finanzen
 - (a) Amtswirtschaftsstelle
 - (b) Abteilung VI/5 (EDV-Beschaffung des Bundesministeriums für Finanzen und des Bundesrechenamtes)
 - (c) Abteilung III/1 (Beschaffung von technischen Geräten, Einrichtungen und Sachgütern für die Zollwache)
 5. Bundesministerium für Jugend und Familie - Amtswirtschaftsstelle
 6. Bundesministerium für wirtschaftliche Angelegenheiten
 7. Bundesministerium für Inneres
 - (a) Abteilung I/5 (Amtswirtschaftsstelle)
 - (b) EDV-Zentrum (Beschaffung von elektronischen Datenverarbeitungssystemen (Hardware))
 - (c) Abteilung II/3 (Beschaffung von technischen Geräten und Einrichtungen für die Bundespolizei)
 - (d) Abteilung I/6 (Beschaffung von Sachgütern (mit Ausnahme der von der Abteilung II/3 zu beschaffenden Sachgüter) für die Bundespolizei)
 - (e) Abteilung IV/8 (Beschaffung von Fluggeräten)
 8. Bundesministerium für Justiz - Amtswirtschaftsstelle
 9. Bundesministerium für Landesverteidigung (1)
 10. Bundesministerium für Land- und Forstwirtschaft
 11. Bundesministerium für Arbeit und Soziales - Amtswirtschaftsstelle
 12. Bundesministerium für Unterricht und kulturelle Angelegenheiten
 13. Bundesministerium für öffentliche Wirtschaft und Verkehr
 14. Bundesministerium für Wissenschaft, Forschung und Kunst
 15. Österreichisches Statistisches Zentralamt
 16. Österreichische Staatsdruckerei
 17. Bundesamt für Eich- und Vermessungswesen
 18. Bundesversuchs- und Forschungsanstalt-Arsenal (BVFA)
 19. Bundesstaatliche Prothesenwerkstätten
 20. Austro Control GmbH - Österreichische Gesellschaft für Zivilluftfahrt mit beschränkter Haftung
 21. Bundesprüfanstalt für Kraftfahrzeuge
 22. Generaldirektion für die Post- und Telegraphenverwaltung (nur Postwesen)
 23. Bundesministerium für Umwelt - Amtswirtschaftsstelle
- (1) Material außer Kriegsmaterial gemäß Anhang II.

PORTUGAL

Prime Minister's Office
Legal Centre
Centre for Studies and Training (Local Government)
Government Computer Network Management Centre
National Council for Civil Defence Planning
Permanent Council for Industrial Conciliation
Department for Vocational and Advanced Training
Ministerial Department with special responsibility for Macao
Ministerial Department responsible for Community Service by Conscientious Objectors
Institute for Youth
National Administration Institute
Secretariat General, Prime Minister's Office
Secretariat for Administrative Modernization
Social Services, Prime Minister's Office
Ministry of Home Affairs
Directorate-General for Roads

Ministerial Department responsible for Studies and Planning
Civilian administrations
Customs Police
Republican National Guard
Police
Secretariat General
Technical Secretariat for Electoral Matters
Customs and Immigration Department
Intelligence and Security Department
National Fire Service
Ministry of Agriculture
Control Agency for Community Aid to Olive Oil Production
Regional Directorate for Agriculture (Beira Interior)
Regional Directorate for Agriculture (Beira Litoral)
Regional Directorate for Agriculture (Entre Douro e Minho)
Regional Directorate for Agriculture (Tris-os-Montes)
Regional Directorate for Agriculture (Alentejo)
Regional Directorate for Agriculture (Algarve)
Regional Directorate for Agriculture (Ribatejo e Oeste)
General Inspectorate and Audit Office (Management Audits)
Viticulture Institute
National Agricultural Research Institute
Institute for the Regulation and Guidance of Agricultural Markets
Institute for Agricultural Structures and Rural Development
Institute for Protection of Agri-food Production
Institute for Forests
Institute for Agricultural Markets and Agri-Foods Industry
Secretariat General
IFADAP (Financial Institute for the Development of Agriculture and Fishing) (1)
INGA (National Agricultural Intervention and Guarantee Institute) (1)
Ministry of the Environment and Natural Resources
Directorate-General for Environment
Institute for Environmental Promotion
Institute for the Consumer
Institute for Meteorology
Secretariat General
Institute for Natural Conservancy
Ministerial Department for the Improvement of the Estoril Coast
Regional Directorates for Environment and Natural Resources
Water Institute
Ministry of Trade and Tourism
Commission responsible for the Application of Economic Penalties
Directorate-General for Competition and Prices
Directorate-General for Inspection (Economic Affairs)
Directorate-General for Tourism
Directorate-General for Trade
Tourism Fund
Ministerial Department responsible for Community Affairs
ICEP (Portuguese Foreign Trade Institute)
General Inspectorate for Gambling
National Institute for Training in Tourism
Regional Tourist Boards
Secretariat General
Enatur (National Tourism Enterprise) - Public enterprise (1)
Ministry of Defence (2)
National Security Authority
National Council for Emergency Civil Planning
Directorate-General for Armaments and Defence Equipment
Directorate-General for Infrastructure
Directorate-General for Personnel
Directorate-General for National Defence Policy
Secretariat General
Office of the Chief of Staff of the Armed Forces (2)

Administrative Council of the Office of the Chief of Staff of the Armed Forces
Commission of Maintenance of NATO Infrastructure
Executive Commission of NATO Infrastructure
Social Works of the Armed Forces
Office of the Chief of Staff, Airforce (2)
(1) Authority under joint Ministry of Finance and Ministry of Agriculture control.
(2) Material nco bélico constante do anexo II.
Airforce Logistics and Administrative Commando
General Workshop for Aeronautical Equipment
Office of the Chief of Staff, Army (1)
Logistics Department
Directorate for Army Engineering
Directorate for Army Communications
Service Directorate for Fortifications and Army Works
Service Directorate for the Army Physical Education
Service Directorate Responsible for the Army Computer
Service Directorate for Intendancy
Service Directorate for Equipment
Service Directorate for Health
Directorate for Transport
Main Army Hospital
General Workshop of Uniforms and Equipment
General Workshop of Engineering Equipment
Bakery
Army Laboratory for Chemical and Pharmaceutical Products
Office of the Chief of Staff, Navy (1)
Directorate for Naval Facilities
Directorate-General for Naval Equipment
Directorate for Instruction and Training
Directorate of the Service of Naval Health
The Navy Hospital
Directorate for Supplies
Directorate for Transport
Directorate of the Service of Maintenance
Armed Computer Service
Continent Naval Commando
Aeores Naval Commando
Madeira Naval Commando
Commando of Lisbon Naval Station
Army Centre for Physical Education
Administrative Council of Central Navy Administration
Naval War Height Institute
Directorate-General for the Navy
Directorate-General for Lighthouses and School for Lighthouse Keepers
The Hydrographic Institute
Vasco da Gama Aquarium
The Alfeite Arsenal
Ministry of Education
Secretariat General
Department for Planning and Financial Management
Department for Higher Education
Department for Secondary Education
(1) Material nco bélico constante do anexo II.
Department for Basic Education
Department for Educational Resources Management
General Inspectorate of Education
Bureau for the Launching and Coordination of the School Year
Regional Directorate for Education (North)
Regional Directorate for Education (Centre)
Regional Directorate for Education (Lisbon)
Regional Directorate for Education (Alentejo)
Regional Directorate for Education (Algarve)
Camões Institute

Institute for Innovation in Education Antonio Aurélio da Costa Ferreira
Institute for Sports
Department of European Affairs
Ministry of Education Press
Ministry of Employment and Social Security
National Insurance and Occupational Health Fund
Institute for Development and Inspection of Labour Conditions
Social Welfare Funds
Casa Pia de Lisboa (1)
National Centre for Pensions
Regional Social Security Centres
Commission on Equal Opportunity and Rights for Women
Statistics Department
Studies and Planning Department
Department of International Relations and Social Security Agreements
European Social Fund Department
Department of European Affairs and External Relations
Directorate-General for Social Works
Directorate-General for the Family
Directorate-General for Technical Support to Management
Directorate-General for Employment and Vocational Training
Directorate-General for Social Security Schemes
Social Security Financial Stabilization Fund
General Inspectorate for Social Security
Social Security Financial Management Institute
Employment and Vocational Training Institute
National Institute for Workers' Leisure Time
Secretariat General
National Secretariat for Rehabilitation
Social Services
Santa Casa de Misericórdia de Lisboa (1)
(1) Authority under joint control of the Ministry of Employment and Social Security and the Ministry of Health Control.
Ministry of Finance
ADSE (Directorate-General for the Protection of Civil Servants)
Legal Affairs Office
Directorate-General for Public Administration
Directorate-General for Public Accounts and General Budget Supervision
Directorate-General for the State Loans Board
Directorate-General for the Customs Service
Directorate-General for Taxation
Directorate-General for State Assets
Directorate-General for the Treasury
Ministerial Department responsible for Economic Studies
Ministerial Department responsible for European Affairs
GAFEEP (Ministerial Department responsible for Studies on the Funding of the State and Public Enterprises)
General Inspectorate for Finance
Institute for Information Technology
State Loans Board
Secretariat General
SOFE (Social Services of the Ministry of Finance)
Ministry of Industry and Energy
Regional Delegation for Industry and Energy (Lisbon and Tagus Valley)
Regional Delegation for Industry and Energy (Alentejo)
Regional Delegation for Industry and Energy (Algarve)
Regional Delegation for Industry and Energy (Centre)
Regional Delegation for Industry and Energy (North)
Directorate-General for Industry
Directorate-General for Energy
Geological and Mining Institute
Ministerial Department responsible for Studies and Planning
Ministerial Department responsible for Oil Exploration and Production

Ministerial Department responsible for Community Affairs
National Industrial Property Institute
Portuguese Institute for Quality
Ineti (National Institute for Industrial Engineering and Technology)
Secretariat General
Pedip Manager's Department
Legal Affairs Office
Commission for Emergency Industrial Planning
Commission for Emergency Energy Planning
IAPMEI (Institute for support of small and medium-sized enterprises and investments)
Ministry of Justice
Centre for Legal Studies
Social Action and Observation Centres
The High Council of the Judiciary (Conselho Superior de Magistratura)
Central Registry
Directorate-General for Registers and Other Official Documents
Directorate-General for Computerized Services
Directorate-General for Legal Services
Directorate-General for the Prison Service
Directorate-General for the Protection and Care of Minors Prison Establishments
Ministerial Department responsible for European Law
Ministerial Department responsible for Documentation and Comparative Law
Ministerial Department responsible for Studies and Planning
Ministerial Department responsible for Financial Management
Ministerial Department responsible for Planning and Coordinating Drug Control
Sco Joco de Deus Prison Hospital
Corpus Christi Institute
Guarda Institute
Institute for the Rehabilitation of Offenders
Sco Domingos Benfica Institute
National Police and Forensic Science Institute
Navarro Paiva Institute
Padre António Oliveira Institute
Sco Fiel Institute
Sco José Institute
Vila Fernando Institute
Criminology Institutes
Forensic Medicine Institutes
Criminal Investigation Department
Secretariat General
Social Services
Ministry of Public Works, Transport and Communications
Council for Public and Private Works Markets
Directorate-General for Civil Aviation
Directorate-General for National Buildings and Monuments
Directorate-General for Road and Rail Transport
Ministerial Department responsible for River Crossings (Tagus)
Ministerial Department for Investment Coordination
Ministerial Department responsible for the Lisbon Railway Junction
Ministerial Department responsible for the Oporto Railway Junction
Ministerial Department responsible for Navigation on the Douro
Ministerial Department responsible for the European Communities
General Inspectorate for Public Works, Transport and Communications
Independent Executive for Roads
National Civil Engineering Laboratory
Social Works Department of the Ministry of Public Works, Transport and Communications
Secretariat General
Institute for Management and Sales of State Housing
CTT - Post and Telecommunications of Portugal SA (1)
(1) Unicamente servieos postais.
Ministry of Foreign Affairs
Directorate-General for Consular Affairs and for Financial Administration
Directorate-General for the European Communities

Directorate-General for Cooperation
Institute for Portuguese Emigrants and Portuguese Communities Abroad
Institute for Economic Cooperation
Secretariat General
Ministry of Territorial Planning and Management
Academy of Science
Legal Affairs Office
National Centre for Geographical Data
Regional Coordination Committee (Centre)
Regional Coordination Committee (Lisbon and Tagus Valley)
Regional Coordination Committee (Alentejo)
Regional Coordination Committee (Algarve)
Regional Coordination Committee (North)
Central Planning Department
Ministerial Department for European Issues and External Relations
Directorate-General for Local Government
Directorate-General for Regional Development
Directorate-General for Town and Country Planning
Ministerial Department responsible for Coordination of the Alqueva Project
General Inspectorate for Territorial Administration
National Statistical Institute
António Sérgio Cooperative Institute
Institute for Scientific and Tropical Research
Geographical and Land Register Institute
National Scientific and Technological Research Board
Secretariat General
Ministry of the Sea
Directorate-General for Fishing
Directorate-General for Ports, Navigation and Maritime Transport
Portuguese Institute for Maritime Exploration
Maritime Administration for North, Centre and South
National Institute for Port Pilotage
Institute for Port Labour
Port Administration of Douro and Leixões
Port Administration of Lisbon
Port Administration of Setúbal and Sesimbra
Port Administration of Sines
Independent Executive for Ports
Infante D. Henrique Nautical School
Portuguese Fishing School and School of Sailing and Marine Craft
Secretariat General
Ministry of Health
Regional Health Administrations
Health Centres
Mental Health Centres
Histocompatibility Centres
Regional Alcoholism Centres
Department for Studies and Health Planning
Health Human Resource Department
Directorate-General for Health
Directorate-General for Health Installations and Equipment
National Institute for Chemistry and Medicaments
Support Centres for Drug Addicts
Institute for Computer and Financial Management of Health Services
Infirmary Technical Schools
Health Service Technical Colleges
Central Hospitals
District Hospitals
General Inspectorate of Health
National Institute of Emergency Care
Dr Ricardo Jorge National Health Institute
Dr Jacinto De Magalhães Institute of Genetic Medicine
Dr Gama Pinto Institute of Ophthalmology

Portuguese Blood Institute
General Practitioners Institutes
Secretariat General
Service for Prevention and Treatment of Drug Dependence
Social Services, Ministry of Health

FINLAND

>TABLE POSITION>

SWEDEN

>TABLE POSITION>

UNITED KINGDOM

Cabinet Office
Chessington Computer Centre
Civil Service College
Recruitment and Assessment Service
Civil Service Occupational Health Service
Office of Public Services and Science
Parliamentary Counsel Office
The Government Centre on Information Systems (CCTA)
Central Office of Information
Charity Commission
Crown Prosecution Service
Crown Estate Commissioners (Vote Expenditure only)
Customs and Excise Department
Department for National Savings
Department for Education
Higher Education Funding Council for England
Department of Employment
Employment Appeals Tribunal
Industrial Tribunals
Office of Manpower Economics
Department of Health
Central Council for Education and Training in Social Work
Dental Practice Board
English National Board for Nursing, Midwifery and Health Visitors
National Health Service Authorities and Trust
Prescriptions Pricing Authority
Public Health Laboratory Service Board
United Kingdom Central Council for Nursing, Midwifery and Health Visiting
Department of National Heritage
British Library
British Museum
Historic Buildings and Monuments Commission for England (English Heritage)
Imperial War Museum
Museums and Galleries Commission
National Gallery
National Maritime Museum
National Portrait Gallery
Natural History Museum
Royal Commission on Historical Manuscripts
Royal Commission on Historical Monuments of England
Royal Fine Arts Commission (England)
Science Museum
Tate Gallery
Victoria and Albert Museum
Wallace Collection
Department of Social Security

Medical Boards and Examining Medical Officers (War Pensions)
Regional Medical Service
Independent Tribunal Service
Disability Living Allowance Advisory Board
Occupational Pensions Board
Social Security Advisory Committee
Department of the Environment
Building Research Establishment Agency
Commons Commissioners
Countryside Commission
Valuation Tribunal
Rent Assessment Panels
Royal Commission on Environmental Pollution
The Buying Agency
Department of the Procurator General and Treasury Solicitor
Legal Secretariat to the Law Officers
Department of Trade and Industry
Laboratory of the Government Chemist
National Engineering Laboratory
National Physical Laboratory
National Weights and Measures Laboratory
Domestic Coal Consumers' Council
Electricity Committees
Gas Consumers' Council
Central Transport Consultative Committees
Monopolies and Mergers Commission
Patent Office
Department of Transport
Coastguard Services
Transport and Road Research Laboratory
Export Credits Guarantee Department
Foreign and Commonwealth Office
Wilton Park Conference Centre
Government Actuary's Department
Government Communications Headquarters
Home Office
Boundary Commissions for England
Gaming Board for Great Britain
Inspectors of Constabulary
Parole Board and Local Review Committees
House of Commons
House of Lords
Inland Revenue, Board of
Intervention Board for Agricultural Produce
Lord Chancellor's Department
Combined Tax Tribunal
Council on Tribunals
Immigration Appellate Authorities
Immigration Adjudicators
Immigration Appeals Tribunal
Lands Tribunal
Law Commission
Legal Aid Fund (England and Wales)
Pensions Appeals Tribunals
Public Trust Office
Office of the Social Security Commissioners
Supreme Court Group (England and Wales)
Court of Appeal: Criminal
Circuit Offices and Crown, County and Combined Courts (England and Wales)
Transport Tribunal
Ministry of Agriculture, Fisheries and Food
Agricultural Development and Advisory Service
Agricultural Dwelling House Advisory Committees

Agricultural Land Tribunals
Agricultural Wages Board and Committees
Cattle Breeding Centre
Plant Variety Rights Office
Royal Botanic Gardens, Kew
Ministry of Defence (1)
Meteorological Office
Procurement Executive
National Audit Office
National Investment and Loans Office
Northern Ireland Court Service
Coroners Courts
County Courts
Court of Appeal and High Court of Justice in Northern Ireland
Crown Court
Enforcement of Judgments Office
Legal Aid Fund
Magistrates Court
Pensions Appeals Tribunals
Northern Ireland, Department of Agriculture
Northern Ireland, Department for Economic Development
Northern Ireland, Department of Education
Northern Ireland, Department of the Environment
Northern Ireland, Department of Finance and Personnel
Northern Ireland, Department of Health and Social Services
Northern Ireland Office
Crown Solicitor's Office
Department of the Director of Public Prosecutions for Northern Ireland
Northern Ireland Forensic Science Laboratory
Office of Chief Electoral Officer for Northern Ireland
Police Authority for Northern Ireland
Probation Board for Northern Ireland
State Pathologist Service
Office of Fair Trading
Office of Population Censuses and Surveys
National Health Service Central Register
Office of the Parliamentary Commissioner for Administration and Health
Service Commissioners
Ordnance Survey
Overseas Development Administration
Natural Resources Institute
Paymaster General's Office
Postal Business of the Post Office
Privy Council Office
Public Record Office
Registry of Friendly Societies
Royal Commission on Historical Manuscripts
Royal Hospital, Chelsea
Royal Mint
Scotland, Crown Office and Procurator Fiscal Service
Scotland, Registers of Scotland
Scotland, General Register Office
Scotland, Lord Advocate's Department
Scotland, Queen's and Lord Treasurer's Remembrancer
Scottish Courts Administration
Accountant of Court's Office
Court of Justiciary
Court of Session
Lands Tribunal for Scotland
Pensions Appeal Tribunals
Scottish Land Court
Scottish Law Commission
Sheriff Courts

Social Security Commissioners' Office
The Scottish Office Central Services
The Scottish Office Agriculture and Fisheries Department
Crofters Commission
Red Deer Commission
Royal Botanic Garden, Edinburgh
The Scottish Office Industry Department
The Scottish Office Education Department
National Galleries of Scotland
National Library of Scotland
National Museums of Scotland
Scottish Higher Education Funding Council
The Scottish Office Environment Department
Rent Assessment Panel and Committees
Royal Commission on the Ancient and Historical Monuments of Scotland
Royal Fine Art Commission for Scotland
The Scottish Office Home and Health Departments
HM Inspectorate of Constabulary
Local Health Councils
National Board for Nursing, Midwifery and Health Visiting for Scotland
Parole Board for Scotland and Local Review Committees
Scottish Council for Postgraduate Medical Education
Scottish Crime Squad
Scottish Criminal Record Office
Scottish Fire Service Training School
Scottish National Health Service Authorities and Trusts
Scottish Police College
Scottish Record Office
HM Stationery Office (HMSO)
HM Treasury
Forward
Welsh Office
Royal Commission of Ancient and Historical Monuments in Wales
Welsh National Board for Nursing, Midwifery and Health Visiting
Local Government Boundary Commission for Wales
Valuation Tribunals (Wales)
Welsh Higher Education Funding Council
Welsh National Health Service Authorities and Trusts
Welsh Rent Assessment Panels.
(1) Non-warlike materials provided for in Annex II.´

ANNEX II

'ANNEX III

MODEL NOTICE OF SERVICES CONTRACTS

A. PRIOR INFORMATION

1. Name, address, telegraphic address, telephone, telex and fax numbers of the contracting authority, and, if different, of the service from which additional information may be obtained.
2. Intended total procurement in each of the service categories listed in Annex I A.
3. Estimated date for initiating the award procedures, per category.
4. Other information.
5. Date of dispatch of the notice.

6. Date of receipt of the notice by the Office for Official Publications of the European Communities.

7. Indication whether the procurement is covered by the Agreement.

B. OPEN PROCEDURE

1. Name, address, telegraphic address, telephone, telex and fax numbers of the contracting authority.

2. Category of service and description. CPC reference number. Quantity including, where applicable, any options for further procurement and, if known, an estimate of the timing when such options may be exercised. In the case of regular or of recurring contracts, also, if known, an estimate of the timing of the subsequent calls for tender for the services to be procured.

3. Place of delivery.

4. (a) Indication of whether the execution of the service is reserved by law, regulation or administrative provision to a particular profession.

(b) Reference of the law, regulation or administrative provision.

(c) Indication of whether legal persons should indicate the names and professional qualifications of the staff to be responsible for the execution of the service.

5. Indication of whether service providers can tender for a part of the services concerned.

6. Where applicable, non-acceptance of variants.

7. Time limits for completion of the service or duration of the service contract and, as far as possible, time limit for starting or providing the service.

8. (a) Name and address of the service from which the necessary documents may be requested.

(b) Where applicable, final date for making such requests.

(c) Where applicable, the amount and terms of payment of any sum payable for such documents.

9. (a) Final date for receipt of tenders.

(b) Address to which they must be sent.

(c) Language or languages in which they must be drawn up.

10. (a) Persons authorized to be present at the opening of tenders.

(b) Date, time and place of such opening.

11. Where applicable, any deposits and guarantees required.

12. Main terms concerning financing and payment and/or references to the relevant provisions.

13. Where applicable, the legal form to be taken by the grouping of service providers winning the contract.

14. Information concerning the service provider's own position, and information and formalities necessary for an appraisal of the minimum economic and technical standards required of him.

15. Period during which the tenderer is bound to keep open his tender.

16. Criteria for the award of the contract and, if possible, their order of importance. Criteria other than the lowest price shall be mentioned if they do not appear in the contract documents.

17. Other information.

18. Date(s) of publication of the prior information notice in the Official Journal of the European Communities or reference to its non-publication.

19. Date of dispatch of the notice.

20. Date of receipt of the notice by the Office for Official Publications of the European Communities.

21. Indication whether the procurement is covered by the Agreement.

C. RESTRICTED PROCEDURE

1. Name, address, telegraphic address, telephone, telex and fax numbers of the contracting authority.

2. Category of service and description. CPC reference number. Quantity including, where applicable, any options for further procurement and, if known, an estimate of the timing when such options may be exercised. In the case of regular or of recurring contracts, also, if known, an estimate of the timing of the subsequent calls for tender for the services to be procured.

3. Place of delivery.

4. (a) Indication of whether the execution of the service is reserved by law, regulation or administrative provision to a particular profession.

(b) Reference of the law, regulation or administrative provision.

(c) Indication of whether legal persons should indicate the names and professional qualifications of the staff to be responsible for the execution of the service.

5. Indication of whether the service provider can tender for a part of the services concerned.

6. Envisaged number or range of service providers which will be invited to tender.

7. Where applicable, non-acceptance of variants.

8. Time limit for completion of the service or duration of the service contract and, as far as possible, time limit for starting or providing the service.

9. Where applicable, the legal form to be assumed by the grouping of service providers winning the contract.

10. (a) Where applicable, justification for the use of the accelerated procedure.
- (b) Final date for the receipt of requests to participate.
- (c) Address to which they must be sent.
- (d) Language(s) in which they must be drawn up.
11. Final date for dispatch of invitations to tender.
12. Where applicable, any deposits and guarantees required.
13. Information concerning the service provider's own position, and the information and formalities necessary for an appraisal of the minimum economic and technical standards required of him.
14. Criteria for the award of the contract and, if possible, their order of importance if these are not stated in the invitation to tender.
15. Other information.
16. Date(s) of publication of the prior information notice in the Official Journal of the European Communities or reference to its non-publication.
17. Date of dispatch of the notice.
18. Date of receipt of the notice by the Office for Official Publications of the European Communities.
19. Indication whether the procurement is covered by the Agreement.

D. NEGOTIATED PROCEDURE

1. Name, address, telegraphic address, telephone, telex and fax numbers of the contracting authority.
2. Category of service and description. CPC reference number. Quantity including, where applicable, any options for further procurement and, if known, an estimate of the timing when such options may be exercised. In the case of regular or of recurring contracts, also, if known, an estimate of the timing of the subsequent calls for tender for the services to be procured.
3. Place of delivery.
4. (a) Indication of whether the execution of the service is reserved by law, regulation or administrative provision to a particular profession.
- (b) Reference of the law, regulation or administrative provision.
- (c) Indication of whether legal persons should indicate the names and professional qualifications of the staff to be responsible for the execution of the service.
5. Indication of whether the service provider can tender for a part of the services concerned.
6. Envisaged number or range of service providers which will be invited to tender.

7. Where applicable, non-acceptance of variants.
8. Time limit for completion of the service or duration of the service contract and, as far as possible, time limit for starting or providing the service.
9. Where applicable, the legal form to be assumed by the grouping of service providers winning the contract. participate.
- (c) Address to which they must be sent.
- (d) Language(s) in which they must be drawn up.
11. Where applicable, any deposits and guarantees required.
12. Information concerning the service provider's own position, and the information and formalities necessary for an appraisal of the minimum economic and technical standards required of him.
13. Where applicable, the names and addresses of service providers already selected by the contracting authority.
14. Other information.
15. Date of dispatch of the notice.
16. Date of receipt of the notice by the Office for Official Publications of the European Communities.
17. Date(s) of previous publications in the Official Journal of the European Communities.
18. Indication whether the procurement is covered by the GPA.

E. CONTRACT AWARD NOTICE

1. Name and address of the contracting authority.
2. Award procedure chosen. In the case of the negotiated procedure without prior publication of a tender notice, justification (Article 11 (3)).
3. Category of service and description. CPC reference number. Quantity of services procured.
4. Date of award of the contract.
5. Criteria for award of the contract.
6. Number of tenders received.
7. Name and address of service provider(s).
8. Price or range of prices (minimum/maximum) paid.
9. Value of winning award(s) or the highest and lowest offer taken into account in the award of the contract.
10. Where appropriate, value and proportion of the contract which may be subcontracted to third parties.

11. Other information.

12. Date of publication of the contract notice in the Official Journal of the European Communities.

13. Date of dispatch of the notice.

14. Date of receipt of the notice by the Office for Official Publications of the European Communities.

15. In the case of contracts for services listed in Annex I B, agreement by the contracting authority to publication of the notice (Article 16 (3)).`

ANNEX III

'ANNEX IV

MODEL NOTICES OF SUPPLY CONTRACTS

A. PRIOR INFORMATION

1. The name, address, telegraphic address, telephone, telex and fax numbers of the contracting authority, and if different, of the service from which additional information may be obtained.

2. The nature and quantity or value of the products to be supplied. Classification of products by activity (CPA) reference number.

3. Estimated date for initiating the award procedures in respect of the contract or contracts (if known).

4. Other information.

5. Date of dispatch of the notice.

6. Date of receipt of the notice by the Office for Official Publications of the European Communities.

7. Indication whether the procurement is covered by the Agreement.

B. OPEN PROCEDURES

1. The name, address, telegraphic address, telephone, telex and fax numbers of the contracting authority.

2. (a) The award procedure chosen.

(b) Form of the contract for which tenders are being requested.

3. (a) Place of delivery.

(b) The nature of the goods to be supplied, including whether tenders are requested for purchase, lease, rental or hire purchase or a combination of these. CPA reference number.

(c) Quantity of the goods to be supplied, including any options for further procurement and, if known, an estimate of the timing when such options may be exercised. In the case

of regular or of recurring contracts, also, if known, an estimate of the timing of the subsequent calls for tender for the supplies to be procured.

(d) Indication of whether the supplier can tender for a part of the goods required.

4. Time limit for completion of supplies or duration of the supplies contract and, as far as possible, time limit for starting or delivering supplies.

5. (a) Name and address of the service from which the contract documents and additional documents may be requested.

(b) Where applicable, the final date for making such requests.

(c) Where applicable, the amount and terms of payment of the sum to be paid to obtain such documents.

6. (a) The final date for receipt of tenders.

(b) The address to which they must be sent.

(c) The language(s) in which they must be drawn up.

7. (a) The persons authorized to be present at the opening of tenders.

(b) The date, hour and place of such opening.

8. Where applicable, any deposits and guarantees required.

9. The main terms concerning financing and payment and/or references to the relevant provisions.

10. Where applicable, the legal form to be taken by the grouping of suppliers to whom the contract is awarded.

11. Information concerning the supplier's own position, and information and formalities necessary for an appraisal of the minimum economic and technical standards required of the supplier.

12. Period during which the tenderer is bound to keep open his tender.

13. The criteria for the award of the contract. Criteria other than that of the lowest price shall be mentioned if they do not appear in the contract documents.

14. Where applicable, prohibition on variants.

15. Other information.

16. Date(s) of publication of the prior information notice in the Official Journal of the European Communities or references to its non-publication.

17. Date of dispatch of the notice.

18. Date of receipt of the notice by the Office for Official Publications of the European Communities.

19. Indication whether the procurement is covered by the Agreement.

C. RESTRICTED PROCEDURES

1. The name, address, telegraphic address, telephone, telex and fax numbers of the contracting authority.
2. (a) The award procedure chosen.
(b) Where applicable, a justification for use of the accelerated procedure.
(c) Form of the contract for which tenders are being requested.
3. (a) Place of delivery.
(b) The nature of the goods to be supplied, including whether tenders are requested for purchase, lease, rental or hire purchase or a combination of these. CPA reference number.
(c) The quantity of the goods to be supplied, including any options for further procurement and, if known, an estimate of the timing when such options may be exercised. In the case of regular or of recurring contracts, also, if known, an estimate of the subsequent calls for tender for the supplies to be procured.
(d) Indication of whether the supplier can tender for a part of the goods required.
4. Time limit for completion of supplies or duration of the supplies contract and, as far as possible, time limit for starting or delivering supplies.
5. Where applicable, the legal form to be assumed by the grouping of suppliers to whom the contract is awarded.
6. (a) The final date for the receipt of requests to participate.
(b) The address to which they must be sent.
(c) The language(s) in which they must be drawn up.
7. The final date for the dispatch of invitations to tender.
8. Where applicable, any deposits and guarantees required.
9. Information concerning the supplier's personal position, and the information and formalities necessary for an appraisal of the minimum economic and technical standards required of him.
10. The criteria for the award of the contract where they are not mentioned in the invitation to tender.
11. Envisaged number or range of suppliers which will be invited to tender.
12. Where applicable, prohibition on variants.
13. Other information.
14. Date(s) of publication of the prior information notice in the Official Journal of the European Communities or references to its non-publication.
15. Date of dispatch of the notice.

16. Date of receipt of the notice by the Office for Official Publications of the European Communities.

17. Indication whether the procurement is covered by the Agreement.

D. NEGOTIATED PROCEDURES

1. The name, address, telegraphic address, telephone, telex and fax numbers of the contracting authority.

2. (a) The award procedure chosen.

(b) Where applicable, justification for use of the accelerated procedure.

(c) Where applicable, form of contract for which tenders are invited.

3. (a) Place of delivery.

(b) The nature of the goods to be supplied, including whether tenders are requested for rental, purchase, lease or hire purchase or a combination of these. CPA reference number.

(c) The quantity of the goods to be supplied, including any options for further procurement and, if known, an estimate of the timing when such options may be exercised. In the case of regular or of recurring contracts, also, if known, an estimate of the subsequent calls for tender for the supplies to be procured.

(d) Indication of whether the suppliers can tender for a part of the goods required.

4. Time limit for completion of supplies or duration of the contract and, as far as possible, time limit for starting or delivering supplies.

5. Where applicable, the legal form to be assumed by a grouping of suppliers to whom the contract is awarded.

6. (a) The final date for the receipt of requests to participate.

(b) The address to which they must be sent.

(c) The language(s) in which they must be drawn up.

7. Where applicable, any deposits and guarantees required.

8. Information concerning the supplier's personal position, and the information and formalities necessary for an appraisal of the minimum economic and technical standards required of him.

9. Envisaged number or range of suppliers which will be invited to tender.

10. Where applicable, prohibition on variants.

11. Where applicable, the names and addresses of suppliers already selected by the contracting authority.

12. Where applicable, date(s) of previous publications in the Official Journal of the European Communities.

13. Other information.

14. Date of dispatch of the notice.

15. Date of receipt of the notice by the Office for Official Publications of the European Communities.

16. Indication whether the procurement is covered by the Agreement.

E. CONTRACT AWARDS

1. Name and address of the contracting authority.

2. Award procedure chosen. In the case of the negotiated procedure, without publication of a tender notice, justification (Article 6 (3)).

3. Date of award of the contract.

4. Criteria for award of the contract.

5. Number of tenders received.

6. Name and address of supplier(s).

7. The nature and quantity of goods supplied, where applicable, by supplier. CPA reference number.

8. Price or range of prices (minimum/maximum) paid.

9. Value of winning award(s) or the highest and lowest offer taken into account in the award of the contract.

10. Where appropriate, value and proportion of contract likely to be subcontracted to third parties.

11. Other information.

12. Date of publication of the tender notice in the Official Journal of the European Communities.

13. Date of dispatch of the notice.

14. Date of receipt of the notice by the Office for Official Publications of the European Communities.

ANNEX IV

'ANNEX IV

MODEL NOTICES OF WORKS CONTRACTS

A. PRIOR INFORMATION

1. Name, address, telephone number, telegraphic address, telex and fax numbers of the contracting authority.

2. (a) Site.

(b) Nature and extent of the works to be provided and, where relevant, main characteristics of any lots by reference to the work.

(c) If available, an estimate of the cost range of the proposed works.

3. (a) Estimated date for initiating the award procedures in respect of the contract or contracts.

(b) If known, estimated date for the start of the work.

(c) If known, estimated timetable for completion of the work.

4. If known, terms of financing of the work and of price revision and/or references to the provisions in which these are contained.

5. Other information.

6. Date of dispatch of the notice.

7. Date of receipt of the notice by the Office for Official Publications of the European Communities.

8. Indication whether the procurement is covered by the Agreement.

B. OPEN PROCEDURES

1. Name, address, telephone number, telegraphic address, telex and fax numbers of the contracting authority.

2. (a) Award procedure chosen.

(b) Nature of the contract for which tenders are being requested.

3. (a) Site.

(b) Nature and extent of the works to be provided and general nature of the work, including any options for further works and if known, an estimate of the timing when such options may be exercised.

(c) If the work or the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several or for all of the lots.

(d) Information concerning the purpose of the work or the contract where the latter also involves the drawing up of projects.

4. Time limit for completion of the works or duration of the works contract and, as far as possible, time limit for starting the works.

5. (a) Name and address of the service from which the contract documents and additional documents may be requested.

(b) Where applicable, the amount and terms of payment of the sum to be paid to obtain such documents.

6. (a) Final date for receipt of tenders.

(b) Address to which tenders must be sent.

(c) Language(s) in which tenders must be drawn up.

7. (a) Where applicable, the persons authorized to be present at the opening of tenders.

(b) Date, hour and place of opening of tenders.

8. Any deposit and guarantees required.

9. Main terms concerning financing and payment and/or references to the relevant provisions.

10. Where applicable, the legal form to be taken the grouping of contractors to whom the contract is awarded.

11. Information concerning the contractor's personal position and minimum economic and technical standards required of the contractor to whom the contract is awarded.

12. Period during which the tenderer is bound to keep open his tender.

13. Criteria for the award of the contract. Criteria other than that of the lowest price shall be mentioned where they do not appear in the contract documents.

14. Where applicable, prohibition on variants.

15. Other information.

16. Date of publication of the prior information notice in the Official Journal of the European Communities or references to its non-publication.

17. Date of dispatch of the notice.

18. Date of receipt of the notice by the Office for Official Publications of the European Communities.

19. Indication whether the procurement is covered by the Agreement.

C. RESTRICTED PROCEDURES

1. Name, address, telephone number, telegraphic address, telex and fax numbers of the contracting authority.

2. (a) Award procedure chosen.

(b) Where applicable, justification for the use of the accelerated procedure.

(c) Nature of the contract for which tenders are being requested.

3. (a) Site.

(b) Nature and extent of the works to be provided and general nature of the work, including any options for further works and, if known, an estimate of the timing when such options may be exercised.

(c) If the work of the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several or for all of the lots.

(d) Information concerning the purpose of the work or the contract where the latter also involves the drawing up of projects.

4. Time limit for completion of the works or duration of the works contract and, as far as possible, time limit for starting the works.

5. Where applicable, the legal form to be taken by the grouping of contractors to whom the contract is awarded.

6. (a) Final date for receipt of requests to participate.

(b) Address to which requests must be sent.

(c) Language(s) in which requests must be drawn up.

7. Final date for dispatch of invitations to tender.

8. Any deposit and guarantees required.

9. Main terms concerning financing and payment and/or the relevant provisions.

10. Information concerning the contractor's personal position and minimum economic and technical standards required of the contractor to whom the contract is awarded.

11. Criteria for the award of the contract where they are not mentioned in the invitation to tender.

12. Where applicable, prohibition on variants.

13. Other information.

14. Date of publication of the prior information notice in the Official Journal of the European Communities or reference to its non-publication.

15. Date of dispatch of the notice.

16. Date of receipt of the notice by the Office for Official Publications of the European Communities.

17. Indication whether the procurement is covered by the Agreement.

D. NEGOTIATED PROCEDURES

1. Name, address, telephone number, telegraphic address, telex and fax numbers of the contracting authority.

2. (a) Award procedure chosen.

(b) Where applicable, justification for the use of the accelerated procedure.

(c) Nature of the contract for which tenders are being requested.

3. (a) Site.

(b) Nature and extent of the services to be provided and general nature of the work, including any options for further works and, if known, an estimate of the timing when such options may be exercised.

(c) If the work of the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several or for all of the lots.

(d) Information concerning the purpose of the work or the contract where the latter also involves the drawing up of projects.

4. Time limit for completion of the works or duration of the works contract and, as far as possible, time limit for starting the works.

5. Where applicable, the legal form to be taken, the grouping of contractors to whom the contract is awarded.

6. (a) Final date for receipt of requests to participate.

(b) Address to which they must be sent.

(c) Language(s) in which they must be drawn up.

7. Any deposit and guarantees required.

8. Main terms concerning financing and payment and/or the relevant provisions.

9. Information concerning the contractor's personal position and information and formalities necessary in order to evaluate the minimum economic and technical standards required of the contractor to whom the contract is awarded.

10. Where applicable, prohibition on variants.

11. Where applicable, name and address of suppliers already selected by the awarding authority.

12. Date(s) of previous publications in the Official Journal of the European Communities.

13. Other information.

14. Date of publication of the prior information notice in the Official Journal of the European Communities.

15. Date of dispatch of the notice.

16. Date of receipt of the notice by the Office for Official Publications of the European Communities.

17. Date(s) of previous publication in the Official Journal of the European Communities.

18. Indication whether the procurement is covered by the Agreement.

E. CONTRACT AWARDS

1. Name and address of awarding authority.

2. Award procedure chosen. In the case of the negotiated procedure without prior publication of a tender notice, justification (Article 7 (4)).

3. Date of award of contract.

4. Criteria for award of contract.

5. Number of offers received.
6. Name and address of successful contractor(s).
7. Nature and extent/quantity of the works provided, general characteristics of the finished structure.
8. Price or range of prices (minimum/maximum) paid.
9. Value of winning award(s) or the highest and lowest offer taken into account in the award of the contract.
10. Where appropriate, value and proportion of contract likely to be subcontracted to third parties.
11. Other information.
12. Date of publication of the tender notice in the Official Journal of the European Communities.
13. Date of dispatch of the notice.
14. Date of receipt of the notice by the Office for Official Publications of the European Communities