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European Union

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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	11 July 2016
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2016) 453 final - Annex 1
Subject:	ANNEX to the Proposal for a Council Decision on the position to be adopted on behalf of the European Union in the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other

Delegations will find attached document COM(2016) 453 final - Annex 1.

Encl.: COM(2016) 453 final - Annex 1



Brussels, 11.7.2016
COM(2016) 453 final

ANNEX 1

ANNEX

to the

Proposal for a Council Decision

on the position to be adopted on behalf of the European Union in the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other

DRAFT

**DECISION NO 2/2016 OF THE EU-REPUBLIC OF MOLDOVA ASSOCIATION
COMMITTEE IN TRADE CONFIGURATION**

of ... 2016

updating Annex XVI to the Association Agreement

THE ASSOCIATION COMMITTEE IN TRADE CONFIGURATION,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, signed in Brussels on 27 June 2014, and in particular Article 173 and Article 436 thereof,

Whereas:

- (1) In accordance with Article 464 of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States of the one part, and the Republic of Moldova, of the other part ('the Agreement'), parts of the Agreement, including provisions on technical barriers to trade, standardisation, metrology, accreditation and conformity assessment are applied provisionally as of 1 September 2014.
- (2) Article 173 of the Agreement provides that the Republic of Moldova shall gradually achieve conformity with the relevant Union *acquis* in accordance with the provisions of Annex XVI to the Agreement.
- (3) Several Union acts listed in Annex XVI to the Agreement have been recast or repealed and replaced by a new Union act since the initialling of the Agreement on 29 November 2013. In particular, the Union adopted and notified to the Republic of Moldova the following acts:
 - (a) Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (recast)¹.
 - (b) Directive 2014/29/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of simple pressure vessels (recast)².
 - (c) Directive 2014/30/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility (recast)³.

¹ OJ L 96, 29.3.2014, p.357-374.

² OJ L 96, 29.3.2014, p.45-78.

³ OJ L 96, 29.3.2014, p.79-106.

- (d) Directive 2014/34/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to equipment and protective systems intended for use in potentially explosive atmospheres (recast)⁴.
- (e) Directive 2014/28/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market and supervision of explosives for civil uses (recast)⁵.
- (f) Directive 2014/33/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts (recast)⁶.
- (g) Directive 2014/32/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of measuring instruments (recast)⁷.
- (h) Directive 2014/31/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of non-automatic weighing instruments (recast)⁸.
- (i) Directive 2014/68/EU of the European Parliament and of the Council of 15 May 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment (recast)⁹.
- (j) Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC¹⁰
- (k) Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC¹¹.
- (l) Directive 2013/29/EU of the European Parliament and of the Council of 12 June 2013 on the harmonisation of the laws of the Member States relating to the making available on the market of pyrotechnic articles (recast)¹².
- (m) Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council

⁴ OJ L 96, 29.3.2014, p.309-356.

⁵ OJ L 96, 29.3.2014, p.1-44.

⁶ OJ L 96, 29.3.2014, p.251-308.

⁷ OJ L 96, 29.3.2014, p.149-250.

⁸ OJ L 96, 29.3.2014, p.107-148.

⁹ OJ L 189, 27.6.2014, p.164-259.

¹⁰ OJ L 153, 22.5.2014, p.62-106.

¹¹ OJ L 354, 28.12.2013, p.90-131.

¹² OJ L 178, 28.6.2013, p.27-65.

Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC¹³.

- (n) Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles¹⁴.
 - (o) Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles¹⁵.
 - (p) Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals¹⁶.
 - (q) Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC¹⁷.
 - (r) Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE)¹⁸.
- (4) Certain Union acts listed in Annex XVI are also listed in Annex IV (Consumer Protection) and Annex XI (Environment) to the Agreement. For the purpose of clarity, the applicable deadlines for approximation of these acts listed in Annex XVI should be aligned to the deadlines specified in Annex IV (Consumer Protection) and Annex XI (Environment) to the Agreement.
- (5) It is necessary to update Annex XVI to the Agreement in order to reflect the evolution of the Union *acquis* listed in that Annex, in accordance with Article 436(3) of the Agreement. For the purpose of clarity, the sections of Annex XVI to the Agreement affected by the changes should be updated in their entirety.
- (6) The Republic of Moldova continues the process of approximating its legislation to the Union *acquis*, in accordance with the timelines and priorities set out in Annex XVI to the Agreement. It is therefore appropriate to ensure that the recent updates to the Union *acquis* are promptly and efficiently integrated in the ongoing process of approximation and take into account the progress already made by the Republic of Moldova.
- (7) It is appropriate to provide for transition periods to the Republic of Moldova in order to reflect the new Union acts in its domestic legislation as applicable and to provide an adaptation period to the manufacturers' and importers' community. Accordingly, the deadlines for approximation of its legislation to those Union acts are extended.
- (8) Article 436 of the Agreement provides that the EU-Republic of Moldova Association Council shall have the power to update or amend the Annexes to the Agreement. The

¹³ OJ L 165, 30.6.2010, p.1-18.

¹⁴ OJ L 60, 2.3.2013, p.52-128.

¹⁵ OJ L 60, 2.3.2013, p.1-51.

¹⁶ OJ L 201, 27.7.2012, p.60-106.

¹⁷ OJ L 197, 24.7.2012, p.1-37.

¹⁸ OJ L 197, 24.7.2012, p.38-71.

Association Council empowered the Association Committee in Trade configuration by Decision No. 3/2014 of 16 December 2014 to update or amend certain trade-related annexes,

HAS ADOPTED THIS DECISION:

Article 1

Section "Horizontal legislative framework for marketing of products", Section "Legislation based on the principles of the new approach which provide for CE marking", Section "Directives based on the principles of the New Approach or the Global Approach, but which do not provide for CE marking", Sub-Section 2 "Two- or three-wheel motor vehicles" and Sub-Section 3 "Wheeled agricultural and forestry tractors" of Section "Construction of motor vehicles", Sub-Section 1 "REACH and REACH implementation", Sub-Section 2 "Dangerous chemicals" and Sub-Section 3 "Classification, packaging and labelling" of Section "Chemicals" of Annex XVI to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States of the one part, and the Republic of Moldova, of the other part, are hereby replaced as set out in the Appendix to this Decision.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at ..., ...

*For the Association Committee
in Trade configuration*

The Chair

UPDATE OF ANNEX XVI TO THE ASSOCIATION AGREEMENT

Section "Horizontal legislative framework for marketing of products", Section "Legislation based on the principles of the new approach which provide for CE marking", Section "Directives based on the principles of the New Approach or the Global Approach, but which do not provide for CE marking", Sub-Section 2 "Two- or three-wheel motor vehicles" and Sub-Section 3 "Wheeled agricultural and forestry tractors" of Section "Construction of motor vehicles", Sub-Section 1 "REACH and REACH implementation", Sub-Section 2 "Dangerous chemicals" and Sub-Section 3 "Classification, packaging and labelling" of Section "Chemicals" of Annex XVI to the Agreement are hereby replaced and shall read as follows:

"

Union legislation	Deadline for approximation
HORIZONTAL LEGISLATIVE FRAMEWORK FOR MARKETING OF PRODUCTS	
Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products	Approximated on the date of entry into force of the Law No 235 of 1 December 2011
Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products	
Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety	2016
Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products	2012
Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation	2015
Council Directive 80/181/EEC of 20 December 1979 on the approximation of the laws of the Member States relating to units of measurement as amended by Directive 2009/3/EC of the European Parliament and of the Council	2015
LEGISLATION BASED ON THE PRINCIPLES OF THE NEW APPROACH WHICH PROVIDE FOR CE MARKING	
Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (recast)	2017
Directive 2014/29/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of simple pressure vessels (recast)	2017
Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products	Full approximation: 2015
Directive 2014/30/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility (recast)	2017
Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment	Review and full approximation: 2015
Directive 2009/142/EC of the European Parliament and of the Council of 30 November 2009 relating to appliances burning gaseous fuels	Review and full approximation: 2016
Directive 2000/9/EC of the European Parliament and of the Council	2015

of 20 March 2000 relating to cableway installations designed to carry persons	
Directive 2014/34/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to equipment and protective systems intended for use in potentially explosive atmospheres (recast)	2017
Directive 2014/28/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market and supervision of explosives for civil uses (recast)	2017
Commission Decision 2004/388/EC of 15 April 2004 on an Intra-Community transfer of explosives document	
Commission Directive 2008/43/EC of 4 April 2008 setting up, pursuant to Council Directive 93/15/EEC, a system for the identification and traceability of explosives for civil uses	
Directive 2014/33/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts (recast)	2017
Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery	2015
Directive 2014/32/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of measuring instruments (recast)	2017
Council Directive 93/42/EEC of 14 June 1993 concerning medical devices	Review and full approximation: 2015
Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices	
Directive 98/79/EC of the European Parliament and of the Council of 27 October 1998 on <i>in vitro</i> diagnostic medical devices	
Council Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels	Full approximation: 2017
Directive 2014/31/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of non-automatic weighing instruments (recast)	2017
Directive 2014/68/EU of the European Parliament and of the Council of 15 May	2017

2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment (recast)	
Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC	2017
Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC	2018
Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys	Review and full approximation: 2015
Directive 2013/29/EU of the European Parliament and of the Council of 12 June 2013 on the harmonisation of the laws of the Member States relating to the making available on the market of pyrotechnic articles (recast)	2017
DIRECTIVES BASED ON THE PRINCIPLES OF THE NEW APPROACH OR THE GLOBAL APPROACH, BUT WHICH DO NOT PROVIDE FOR CE MARKING	
European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste	2015
Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC	2017
CONSTRUCTION OF MOTOR VEHICLES	
2. Two- or Three-wheel motor vehicles	
Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles	2017
3. Wheeled agricultural or forestry tractors	
Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles	2016
Directive 2008/2/EC of the European Parliament and of the Council of 15 January 2008 on the field of vision and windscreen wipers for wheeled agricultural or forestry tractors	2016
CHEMICALS	

1. REACH and REACH implementation	
Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) and establishing a European Chemicals Agency	2019
Commission Regulation (EC) No 440/2008 of 30 May 2008 laying down test methods pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)	2019
2. Dangerous chemicals	
Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of dangerous chemicals	2017
Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC	2021
Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment	2014
Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE)	2016
Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators	2013-14
Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT)	Approximated in 2009
Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants	2013-14
3. Classification, packaging and labelling	
Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures	2021

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**DECISION NO 3/2016 OF THE EU-REPUBLIC OF MOLDOVA ASSOCIATION
COMMITTEE IN TRADE CONFIGURATION**

of ...2016

updating Annex XXIX to the Association Agreement

THE ASSOCIATION COMMITTEE IN TRADE CONFIGURATION,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, signed in Brussels on 27 June 2014, and in particular Article 269, Article 273 and Article 436 thereof,

Whereas:

- (1) In accordance with Article 464 of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States of the one part, and the Republic of Moldova, of the other part ('the Agreement'), parts of the Agreement, including provisions on public procurement, are applied provisionally as of 1 September 2014.
- (2) Article 269 of the Agreement provides that the value thresholds for public procurement contracts provided for in Annex XXIX-A are to be revised regularly, beginning in the year of entry into force of the Agreement and such revision is to be adopted by decision of the Association Committee in Trade configuration, as set out in Article 438(4) of the Agreement.
- (3) Article 273 of the Agreement provides that the Republic of Moldova is to ensure that its public procurement legislation is gradually made compatible with the relevant Union *acquis*, in line with the schedule provided in Annex XXIX to the Agreement.
- (4) Several Union acts listed in Annex XXIX to the Agreement have been recast or repealed and replaced by a new Union act since the initialling of the Agreement on 29 November 2013. In particular, the Union adopted and notified to the Republic of Moldova the following acts:
 - (a) Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts¹⁹
 - (b) Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC²⁰
 - (c) Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC²¹

¹⁹ OJ L 94, 28.3.2014, p.1-64.

²⁰ OJ L 94, 28.3.2014, p.65-242.

- (5) The above-mentioned new Directives amended the value thresholds for public procurement contracts provided for in Annex XXIX-A.
- (6) It is necessary to update Annex XXIX to the Agreement in order to reflect the changes made to the Union *acquis* listed in that Annex, in accordance with Article 269, Article 273 and Article 436 of the Agreement.
- (7) The new Union *acquis* on public procurement has a new structure. It is appropriate to reflect this new structure in Annex XXIX. In the interest of clarity, Annex XXIX should be updated in its entirety and replaced by the Annex as set out in the Appendix to this Decision. It is furthermore appropriate to take into account the progress made by the Republic of Moldova in the process of approximation to the Union *acquis*.
- (8) Article 436(3) of the Agreement provides that the EU-Republic of Moldova Association Council shall have the power to update or amend the Annexes to the Agreement. The Association Council empowered the Association Committee in Trade configuration in its Decision No. 3/2014 of 16 December 2014 to update or amend certain trade-related annexes,

HAS ADOPTED THIS DECISION:

Article 1

Annex XXIX to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States of the one part, and the Republic of Moldova, of the other part, is hereby replaced by the Annex set out in the Appendix to this Decision.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at ..., ...

*For the Association Committee
in Trade configuration*

The Chair

²¹ OJ L 94, 28.3.2014, p.243-374.

UPDATE OF ANNEX XXIX TO THE ASSOCIATION AGREEMENT

Annex XXIX to the Agreement is hereby replaced and shall read as follows:

"ANNEX XXIX

PUBLIC PROCUREMENT

ANNEX XXIX-A

THRESHOLDS

1. The value thresholds mentioned in Article 269(3) of this Agreement shall be for both Parties:
 - (a) EUR 134.000 for public supply and service contracts awarded by central government authorities and design contests awarded by such authorities;
 - (b) EUR 207.000 in the case of public supply and public service contracts not covered by point a);
 - (c) EUR 5.186.000 in the case of public works contracts;
 - (d) EUR 5.186.000 in the case of works contracts in the utilities sector;
 - (e) EUR 5.186.000 in the case of concessions;
 - (f) EUR 414.000 in the case of supply and service contracts in the utilities sector;
 - (g) EUR 750.000 for public service contracts for social and other specific services;
 - (h) EUR 1.000.000 for service contracts for social and other specific services in the utilities sector.

2. The EUR thresholds quoted in paragraph 1 shall be adapted to reflect the thresholds applicable under Directives 2014/23/EU, 2014/24/EU and 2014/25/EU at the moment of the entry into force of this Agreement.

ANNEX XXIX-B

**INDICATIVE TIME SCHEDULE FOR INSTITUTIONAL REFORM,
APPROXIMATION AND MARKET ACCESS**

Phase		Indicative time schedule	Market access granted to the EU by Moldova	Market access granted to Moldova by the EU	
1	Implementation of Articles 270(2) and 271 of this Agreement Agreement of the Reform Strategy set out in Article 272 of this Agreement	9 months after the entry into force of this Agreement	Supplies for central government authorities	Supplies for central government authorities	
2	Approximation and implementation of basic elements of Directive 2014/24/EU and of Directive 89/665/EEC	5 years after the entry into force of this Agreement	Supplies for state, regional and local authorities and bodies governed by public law	Supplies for state, regional and local authorities and bodies governed by public law	Annexes XXIX-C and XXIX-N
	Approximation and implementation of basic elements of Directive 2014/25/EU and of Directive 92/13/EEC	5 years after the entry into force of this Agreement	Supplies for all contracting entities in the utilities sector	Supplies for all contracting entities	Annexes XXIX-G and XXIX-Q
	Approximation and implementation of other elements of Directive 2014/24/EU.	5 years after the entry into force of this Agreement	Service and works contracts for all contracting authorities	Service and works contracts for all contracting authorities	Annexes XXIX-D, XXIX-E, and XXIX-O
3	Approximation and implementation of Directive 2014/23/EU	6 years after the entry into force of this Agreement	Concessions for all contracting authorities	Concessions for all contracting authorities	Annexes XXIX-K and XXIX-L
4	Approximation and implementation of other elements of Directive 2014/25/EU	8 years after the entry into force of this Agreement	Service and works contracts for all contracting entities in the utilities sector	Service and works contracts for all contracting entities in the utilities sector	Annexes XXIX-H, XXIX-I and XXIX-R

ANNEX XXIX-C

BASIC ELEMENTS OF DIRECTIVE 2014/24/EU

of the European Parliament and of the Council of 26 February 2014 on public procurement
and repealing Directive 2004/18/EC

(Phase 2)

TITLE I

Scope, definitions and general principles

CHAPTER I

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(13), (18), (19), (20), (22), (23), (24)

Article 3 Mixed procurement

Section 2 – Thresholds

Article 4 Threshold amounts

Article 5 Methods for calculating the estimated value of procurement

Section 3 – Exclusions

Article 7 Contracts in the water, energy, transport and postal services sectors

Article 8 Specific exclusions in the field of electronic communications

Article 9 Public contracts awarded and design contests organised pursuant to international
rules

Article 10 Specific exclusions for service contracts

Article 11 Service contracts awarded on the basis of an exclusive right

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TITLE II

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TITLE III

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CHAPTER I

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ANNEX IX	CONTENTS OF THE INVITATIONS TO SUBMIT A TENDER, TO PARTICIPATE IN THE DIALOGUE OR TO CONFIRM INTEREST PROVIDED FOR UNDER ARTICLE 54
ANNEX X	LIST OF INTERNATIONAL SOCIAL AND ENVIRONMENTAL CONVENTIONS REFERRED TO IN ARTICLE 18(2)
ANNEX XII	MEANS OF PROOF OF SELECTION CRITERIA
ANNEX XIV	SERVICES REFERRED TO IN ARTICLE 74

ANNEX XXIX-D
OTHER MANDATORY ELEMENTS OF DIRECTIVE 2014/24/EU

(Phase 2)

TITLE I

Scope, definitions and general principles

CHAPTER I

Scope and definitions

Section 1 – Subject-matter and definitions

Article 2 Definitions (paragraph 1 point (21))

Article 22 Rules applicable to communication: paragraph 1

TITLE II

Rules on public contracts

CHAPTER I

Procedures

Article 26 Choice of procedures: paragraph 3, second alternative of paragraph 4

Article 30 Competitive dialogue

Article 31 Innovation Partnership

CHAPTER II

Techniques and instruments for electronic and aggregated procurement

Article 33 Framework agreements

Article 34 Dynamic purchasing systems

Article 35 Electronic auctions

Article 36 Electronic catalogues

Article 38 Occasional joint procurement

CHAPTER III

Conduct of the procedure

Section 2 – Publication and Transparency

Article 50 Contract award notices: paragraphs 2 and 3

TITLE III

Particular procurement regimes

CHAPTER II

Rules governing design contests

Article 78 Scope

Article 79 Notices

Article 80 Rules on the organisation of design contests and the selection of participants

Article 81 Composition of the jury

Article 82 Decisions of the jury

ANNEXES

ANNEX V INFORMATION TO BE INCLUDED IN NOTICES

Part E: INFORMATION TO BE INCLUDED IN DESIGN CONTEST NOTICES (as referred to in Article 79(1))

Part F: INFORMATION TO BE INCLUDED IN NOTICES OF THE RESULTS OF A CONTEST (as referred to in Article 79(2))

ANNEX VI INFORMATION TO BE INCLUDED IN THE PROCUREMENT DOCUMENTS RELATING TO ELECTRONIC AUCTIONS (ARTICLE 35(4))

ANNEX XXIX-E

OTHER NON-MANDATORY ELEMENTS OF DIRECTIVE 2014/24/EU

(Phase 2)

The elements of the Directive set out in this Annex are not mandatory but recommended for approximation. The Republic of Moldova may approximate these elements within the time-frame set in Annex XXIX-B.

TITLE I

Scope, definitions and general principles

CHAPTER I

Scope and definitions

Section 1 – Subject-matter and definitions

Article 2 Definitions (paragraph 1, point (14), (16))

Article 20 Reserved contracts

CHAPTER II

Techniques and instruments for electronic and aggregated procurement

Article 37 Centralised purchasing activities and central purchasing bodies

CHAPTER III

Conduct of the procedure

Section 3 – Choice of participants and award of contracts

Article 64 Official lists of approved economic operators and certification by bodies established under public or private law

TITLE III

Particular procurement regimes

CHAPTER I

Article 77 Reserved contracts for certain services

ANNEX XXIX-F

PROVISIONS OF DIRECTIVE 2014/24/EU OUTSIDE THE SCOPE OF APPROXIMATION

The elements listed in this Annex are not subject to the process of approximation.

TITLE I

Scope, definitions and general principles

CHAPTER I

Scope and definitions

Section 1 – Subject-matter and definitions

Article 1 Subject-matter and scope: paragraphs 3 and 4

Article 2 Definitions: paragraph 2

Section 2 – Thresholds

Article 6 Revision of the thresholds and of the list of central government authorities

TITLE II

Rules on public contracts

CHAPTER I

Procedures

Article 25 Conditions relating to the GPA and other international agreements

CHAPTER II

Techniques and instruments for electronic and aggregated procurement

Article 39 Procurement involving contracting authorities from different Member States

CHAPTER III

Conduct of the procedure

Section 1 – Preparation

Article 44 Test reports, certification and other means of proof: paragraph 3

Section 2 – Publication and transparency

Article 51 Form and manner of publication of notices: second subparagraph of paragraph 1, paragraphs 2, 3, 4, second subparagraph of paragraph 5, paragraph 6

Article 52 Publication at national level

Section 3 – Choice of participants and award of contracts

Article 61 Online repository of certificates (e-Certis)

Article 62 Quality assurance standards and environmental management standards: paragraph 3

Article 68 Life-cycle costing: paragraph 3

Article 69 Abnormally low tender: paragraph 5

TITLE IV

GOVERNANCE

Article 83	Enforcement
Article 84	Individual reports on procedures for the award of contracts
Article 85	National reporting and statistical information
Article 86	Administrative Cooperation

TITLE V

DELEGATED POWERS, IMPLEMENTING POWERS AND FINAL PROVISIONS

Article 87	Exercise of the delegation of powers
Article 88	Urgency procedure
Article 89	Committee procedure
Article 90	Transposition and transitional provisions
Article 91	Repeals
Article 92	Review
Article 93	Entry into force
Article 94	Addressees

ANNEXES

ANNEX I	CENTRAL GOVERNMENT AUTHORITIES
ANNEX VIII	FEATURES CONCERNING PUBLICATION
ANNEX XI	REGISTERS
ANNEX XIII	LIST OF EU LEGISLATION REFERRED TO IN ARTICLE 68(3)
ANNEX XV	CORRELATION TABLE

ANNEX XXIX-G

BASIC ELEMENTS OF DIRECTIVE 2014/25/EU

of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC

(Phase 2)

TITLE I

Scope, definitions and general principles

CHAPTER I

Subject-matter and definitions

Article 1	Subject-matter and scope: paragraphs 1, 2, 5 and 6
Article 2	Definitions: points 1-9, 13-16 and 18-20
Article 3	Contracting authorities (paragraphs 1 and 4)
Article 4	Contracting entities: paragraphs 1-3
Article 5	Mixed procurement covering the same activity
Article 6	Procurement covering several activities

CHAPTER II

Activities

Article 7	Common provisions
Article 8	Gas and heat
Article 9	Electricity
Article 10	Water
Article 11	Transport services
Article 12	Ports and airports
Article 13	Postal services
Article 14	Extraction of oil and gas and exploration for, or extraction of, coal or other solid fuels

CHAPTER III

Material scope

Section 1 – Thresholds

Article 15 Threshold amounts

Article 16 Methods for calculating the estimated value of procurement: paragraph 1-4 and 7-14

Section 2 – Excluded contracts and design contests: Special provisions for procurement involving defence and security aspects

Subsection 1: Exclusions applicable to all contracting entities and special exclusions for the water and energy sector

Article 18 Contracts awarded for purposes of resale or lease to third parties: paragraph 1

Article 20 Contracts awarded and design contests organised pursuant to international rules

Article 21 Specific exclusions for service contracts

Article 22 Service contracts awarded on the basis of an exclusive right

Article 23 Contracts awarded by certain contracting authorities for the purchase of water and for the supply of energy or of fuels for the production of energy

Subsection 2: Procurement involving defence and security aspects

Article 24 Defence and security

Article 25 Mixed procurement covering the same activity and involving defence and security aspects

Article 26 Procurement covering several activities and involving defence and security aspects

Article 27 Contracts and design contests involving defence or security aspects which are awarded or organised pursuant to international rules

Subsection 3: Special relations (cooperation, affiliated undertakings and joint ventures)

Article 28 Contracts between contracting authorities

Article 29 Contracts awarded to an affiliated undertaking

Article 30 Contracts awarded to a joint venture or to a contracting entity forming part of a joint venture

Subsection 4: Specific situations

Article 32 Research and development services

CHAPTER IV

General principles

Article 36	Principles of procurement
Article 37	Economic operators
Article 39	Confidentiality
Article 40	Rules applicable to communication
Article 41	Nomenclatures
Article 42	Conflicts of interest

TITLE II

Rules applicable to contracts

CHAPTER I

Procedures

Article 44	Choice of procedures: paragraphs 1, 2, 4
Article 45	Open procedure
Article 46	Restricted procedure
Article 47	Negotiated procedure with prior call for competition
Article 50	Use of the negotiated procedure without prior call for competition: point (a) – (i)

CHAPTER III

Conduct of the procedure

Section 1 – Preparation

Article 58	Preliminary market consultations
Article 59	Prior involvement of candidates or tenderers
Article 60	Technical specifications
Article 61	Labels
Article 62	Test reports, certification and other means of proof
Article 63	Communication of technical specifications

Article 64	Variants
Article 65	Division of contracts into lots
Article 66	Setting time limits
Section 2 – Publication and transparency	
Article 67	Periodic indicative notices
Article 68	Notices on the existence of a qualification system
Article 69	Contract notices
Article 70	Contract award notices: paragraphs 1, 3, 4
Article 71	Form and manner of publication of notices: paragraph 1, first subparagraph of paragraph 5
Article 73	Electronic availability of procurement documents
Article 74	Invitations to candidates
Article 75	Informing applicants for qualification, candidates and tenderers
Section 3 – Choice of participants and award of contract	
Article 76	General principles
Subsection 1:	Qualification and qualitative selection
Article 78	Criteria for qualitative selection
Article 79	Reliance on the capacities of other entities: paragraph 2
Article 80	Use of exclusion grounds and selection criteria provided for under Directive 2014/24/EU
Article 81	Quality assurance standards and environmental management standards: paragraphs 1, 2
Subsection 2:	Award of the contract
Article 82	Contract award criteria
Article 83	Life-cycle costing: paragraphs 1 and 2
Article 84	Abnormally low tenders: paragraphs 1-4

CHAPTER IV Contract performance

Article 87	Conditions for performance of contracts
Article 88	Subcontracting
Article 89	Modification of contracts during their term
Article 90	Termination of contracts

TITLE III

Particular procurement regimes

CHAPTER I

Social and other specific services

Article 91	Award of contracts for social and other specific services
Article 92	Publication of notices
Article 93	Principles of awarding contracts

ANNEXES

ANNEX I	List of activities as set out in point (a) of point 2 of Article 2
ANNEX V	Requirements relating to tools and devices for the electronic receipt of tenders, requests to participate, applications for qualification as well as plans and projects in contests
ANNEX VI A	Information to be included in the periodic indicative notice (as referred to in Article 67)
ANNEX VI B	Information to be included in notices of publication of a periodic indicative notice on a buyer profile not used as a means of calling for competition (as referred to in Article 67(1))
ANNEX VIII	Definition of certain technical specifications
ANNEX IX	Features concerning publication
ANNEX X	Information to be included in the notice on the existence of a qualification system (as referred to in point (b) of Article 44(4) and in Article 68)
ANNEX XI	Information to be included in contract notices (as referred to in Article 69)
ANNEX XII	Information to be included in the contract award notice (as referred to in Article 70)

ANNEX XIII	Contents of the invitation to submit a tender, to participate in the dialogue, to negotiate or to confirm interest provided for under Article 74
ANNEX XIV	List of International Social and Environmental Conventions referred to in Article 36(2)
ANNEX XVI	Information to be included in notices of modifications of a contract during its term (as referred to in Article 89(1))
ANNEX XVII	Services referred to in Article 91
ANNEX XVIII	Information to be included in notices concerning contracts for social and other specific services (as referred to in Article 92)

ANNEX XXIX-H

OTHER MANDATORY ELEMENTS OF DIRECTIVE 2014/25/EU

(Phase 4)

TITLE I

Scope, definitions and general principles

CHAPTER I

Subject-matter and definitions

Article 2 Definitions: point 17

CHAPTER III

Material scope

Section 1 – Thresholds

Article 16 Methods for calculating the estimated value of procurement: paragraphs 5, 6

TITLE II

Rules applicable to contracts

CHAPTER I

Procedures

Article 44 Choice of procedures: paragraph 3

Article 48 Competitive dialogue

- Article 49 Innovation partnership
- Article 50 Use of the negotiated procedure without prior call for competition: point (j)

CHAPTER II

Techniques and instruments for electronic and aggregated procurement

- Article 51 Framework agreements
- Article 52 Dynamic purchasing systems
- Article 53 Electronic auctions
- Article 54 Electronic catalogues
- Article 56 Occasional joint procurement

CHAPTER III

Conduct of the procedure

Section 2 – Publication and transparency

- Article 70 Contract award notices: paragraph 2

Section 3 – Choice of participants and award of contract

- Subsection 1: Qualification and qualitative selection
- Article 77 Qualification systems
- Article 79 Reliance on the capacities of other entities: paragraph 1

TITLE III

Particular procurement regimes

CHAPTER II

Rules governing design contests

- Article 95 Scope
- Article 96 Notices
- Article 97 Rules on the organisation of design contests, the selection of participants and the jury

Article 98 Decision of the jury

ANNEXES

ANNEX VII Information to be included in the procurement documents relating to electronic auctions (Article 53(4))

ANNEX XIX Information to be included in the design contest notice (as referred to in Article 96(1))

ANNEX XX Information to be included in the results of design contest notices (as referred to in Article 96(1))

ANNEX XXIX-I

OTHER NON-MANDATORY ELEMENTS OF DIRECTIVE 2014/25/EU

(Phase 4)

The elements of Directive 2014/25/EU set out in this Annex are not mandatory but recommended for approximation. The Republic of Moldova may approximate these elements within the time-frame set in Annex XXIX-B.

TITLE I

Scope, definitions and general principles

CHAPTER I

Subject-matter and definitions

Article 2 Definitions: points 10-12

CHAPTER IV

General principles

Article 38 Reserved contracts

TITLE II

Rules applicable to contracts

CHAPTER I

Procedures

Article 55 Centralised purchasing activities and central purchasing bodies

TITLE III

Particular procurement regimes

CHAPTER I

Social and other specific services

Article 94 Reserved contracts for certain services

ANNEX XXIX-J

PROVISIONS OF DIRECTIVE 2014/25/EU OUTSIDE THE SCOPE OF APPROXIMATION

The elements listed in this Annex are not subject to the process of approximation.

TITLE I

Scope, definitions and general principles

CHAPTER I

Subject-matter and definitions

Article 1 Subject matter and scope: paragraphs 3 and 4

Article 3 Contracting authorities: paragraphs 2 and 3

Article 4 Contracting entities: paragraph 4

CHAPTER III

Material scope

Section 1 – Thresholds

Article 17 Revision of the thresholds

Section 2 – Excluded contracts and design contests: Special provisions for procurement involving defence and security aspects

Subsection 1: Exclusions applicable to all contracting entities and special exclusions for the water and energy sector

Article 18 Contracts awarded for purposes of resale or lease to third parties: paragraph 2

Article 19	Contracts and design contests awarded or organised for purposes other than the pursuit of a covered activity or for the pursuit of such an activity in a third country: paragraph 2
Subsection 3:	Special relations (cooperation, affiliated undertakings and joint ventures)
Article 31	Notification of information
Subsection 4:	Specific situations
Article 33	Contracts subject to special arrangements
Subsection 5:	Activities directly exposed to competition and procedural provisions relating thereto
Article 34	Activities directly exposed to competition
Article 35	Procedure for establishing whether Article 34 is applicable

TITLE II

Rules applicable to contracts

CHAPTER I

Procedures

Article 43	Conditions relating to the GPA and other international agreements
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CHAPTER II

Article 57	Procurement involving contracting entities from different Member States
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CHAPTER III

Conduct of the procedure

Section 2 – Publication and transparency

Article 71	Form and manner of publication of notices: paragraphs 2, 3, 4, 2 nd subparagraph of paragraph 5, paragraph 6
Article 72	Publication at national level

Section 3 – Choice of participants and award of contract

Article 81	Quality assurance standards and environmental management standards: paragraph 3
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Article 83 Life-cycle costing: paragraph 3

Section 4 - Tenders comprising products originating in third countries and relations with those countries

Article 85 Tenders comprising products originating in third countries

Article 86 Relations with third countries as regards works, supplies and service contracts

TITLE IV

Governance

Article 99 Enforcement

Article 100 Individual reports on procedures for the award of contracts

Article 101 National reporting and statistical information

Article 102 Administrative cooperation

TITLE V

DELEGATED POWERS, IMPLEMENTING POWERS AND FINAL PROVISIONS

Article 103 Exercise of the delegation

Article 104 Urgency procedure

Article 105 Committee procedure

Article 106 Transposition and transitional provisions

Article 107 Repeal

Article 108 Review

Article 109 Entry into force

Article 110 Addressees

ANNEXES

ANNEX II List of Union legal acts referred to in Article 4(3)

ANNEX III List of Union legal acts referred to in Article 34(3)

ANNEX IV Deadlines for the adoption of the implementing acts referred to in Article 35

ANNEX XXIX-K

MANDATORY ELEMENTS OF DIRECTIVE 2014/23/EU

(Phase 3)

TITLE I

Subject matter, scope, principles and definitions

CHAPTER I

Scope, general principles and definitions

Section I – Subject-matter, scope, general principles, definitions and threshold

- | | |
|-----------|--|
| Article 1 | Subject-matter and scope: paragraphs 1, 2 and 4 |
| Article 2 | Principle of free administration by public authorities |
| Article 3 | Principle of equal treatment, non-discrimination and transparency |
| Article 4 | Freedom to define services of general economic interest |
| Article 5 | Definitions |
| Article 6 | Contracting authorities: paragraphs 1 and 4 |
| Article 7 | Contracting entities |
| Article 8 | Threshold and methods for calculating the estimated value of concessions |

Section II – Exclusions

- | | |
|------------|---|
| Article 10 | Exclusions applicable to concessions awarded by contracting authorities and contracting entities |
| Article 11 | Specific exclusions in the field of electronic communications |
| Article 12 | Specific exclusions in the field of water |
| Article 13 | Concessions awarded to an affiliated undertaking |
| Article 14 | Concessions awarded to a joint venture or to a contracting entity forming part of a joint venture |
| Article 17 | Concessions between entities within the public sector |

Section III – General provisions

Article 18	Duration of the concession
Article 19	Social and other specific services
Article 20	Mixed contracts
Article 21	Mixed procurement contracts involving defence or security aspects
Article 22	Contracts covering both activities referred to in Annex II and other activities
Article 23	Concessions covering both activities referred to in Annex II and activities involving defence or security aspects
Article 25	Research and development services

CHAPTER II

Principles

Article 26	Economic operators
Article 27	Nomenclatures
Article 28	Confidentiality
Article 29	Rules applicable to communication

TITLE II

Rules on the award of concessions: General principles and procedural guarantees

CHAPTER I

General principles

Article 30	General principles: paragraphs 1, 2 and 3
Article 31	Concession notices
Article 32	Concession award notices
Article 33	Form and manner of publication of notices: 1 st subparagraph of paragraph 1
Article 34	Electronic availability of concession documents
Article 35	Combating corruption and preventing conflicts of interest

CHAPTER II

Procedural guarantees

Article 36	Technical and functional requirements
Article 37	Procedural guarantees
Article 38	Selection of and qualitative assessment of candidates
Article 39	Time limits for receipt of applications and tenders for the concession
Article 40	Provision of information to candidates and tenderers
Article 41	Award criteria

TITLE III

Rules on performance of concessions

Article 42	Subcontracting
Article 43	Modification of contracts during their term
Article 44	Termination of concessions
Article 45	Monitoring and Reporting

ANNEXES

ANNEX I	LIST OF THE ACTIVITIES REFERRED TO IN POINT (7) OF ARTICLE 5
ANNEX II	ACTIVITIES EXERCISED BY CONTRACTING ENTITIES AS REFERRED TO IN ARTICLE 7
ANNEX III	LIST OF LEGAL ACTS OF THE UNION REFERRED TO IN POINT (B) OF ARTICLE 7(2)
ANNEX IV	SERVICES REFERRED TO IN ARTICLE 19
ANNEX V	INFORMATION TO BE INCLUDED IN CONCESSION NOTICES REFERRED TO IN ARTICLE 31
ANNEX VI	INFORMATION TO BE INCLUDED IN PRIOR INFORMATION NOTICES CONCERNING CONCESSIONS FOR SOCIAL AND OTHER SPECIFIC SERVICES, AS REFERRED TO IN ARTICLE 31(3)
ANNEX VII	INFORMATION TO BE INCLUDED IN CONCESSION AWARD NOTICES, AS REFERRED TO IN ARTICLE 32
ANNEX VIII	INFORMATION TO BE INCLUDED IN CONCESSION AWARD NOTICES CONCERNING CONCESSIONS FOR SOCIAL AND OTHER SPECIFIC SERVICES, AS REFERRED TO IN ARTICLE 32

ANNEX IX	FEATURES CONCERNING PUBLICATION
ANNEX X	LIST OF INTERNATIONAL SOCIAL AND ENVIRONMENTAL CONVENTIONS REFERRED TO IN ARTICLE 30(3)
ANNEX XI	INFORMATION TO BE INCLUDED IN NOTICES OF MODIFICATIONS OF A CONCESSION DURING ITS TERM ACCORDING TO ARTICLE 43

ANNEX XXIX-L

OTHER NON-MANDATORY ELEMENTS OF DIRECTIVE 2014/23/EU

(Phase 3)

The elements of Directive 2014/23/EU set out in this Annex are not mandatory but recommended for approximation. The Republic of Moldova may approximate these elements within the time-frame set in Annex XXIX-B.

TITLE I

Subject matter, scope, principles and definitions

CHAPTER I

Scope, general principles and definitions

Section IV – Specific situations

Article 24 Reserved Concessions

ANNEX XXIX-M

PROVISIONS OF DIRECTIVE 2014/23/EU OUTSIDE THE SCOPE OF APPROXIMATION

The elements listed in this Annex are not subject to the process of approximation.

TITLE I

Subject matter, scope, principles and definitions

CHAPTER I

Scope, general principles and definitions

Section I – Subject-matter, scope, general principles, definitions and threshold

Article 1 Subject-matter and scope: paragraph 3

Article 6 Contracting authorities: paragraphs 2 and 3

Article 9 Revision of the threshold

Section II – Exclusions

Article 15 Notification of information by contracting entities

Article 16 Exclusion of activities which are directly exposed to competition

TITLE II

Rules on the award of concessions: General principles and procedural guarantees

CHAPTER I

General principles

Article 30 General principles: paragraph 4

Article 33 Form and manner of publication of notices: 2nd subparagraph of paragraph 1, paragraphs 2, 3 and 4

TITLE IV

Amendments to Directive 89/665/EEC and 92/13/EEC

Article 46 Amendments to Directive 89/665/EEC

Article 47 Amendments to Directive 92/13/EEC

TITLE V

Delegated powers, implementing powers and final provisions

Article 48 Exercise of the delegation

Article 49 Urgency procedure

Article 50 Committee procedure

Article 51 Transposition

Article 52 Transitional provisions

Article 53 Monitoring and reporting

Article 54 Entry into force

Article 55 Addressees

ANNEX XXIX-N

BASIC ELEMENTS OF DIRECTIVE 89/665/EEC

of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts as amended by Directive 2007/66/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directives 89/665/EEC and No 92/13/EEC with regard to improving the effectiveness of review procedures concerning the award of public contracts and by Directive 2014/23/EU
(Phase 2)

Article 1	Scope and availability of review procedures
Article 2	Requirements for review procedures
Article 2a	Standstill period
Article 2b	Derogations from the standstill period Point (b) of the first paragraph of Article 2b
Article 2c	Time limits for applying for review
Article 2d	Ineffectiveness Paragraph 1(b) Paragraphs 2 and 3
Article 2e	Infringements of this Directive and alternative penalties
Article 2f	Time limits

ANNEX XXIX-O

OTHER ELEMENTS OF DIRECTIVE 89/665/EEC

(Phase 2)

Article 2b	Derogations from the standstill period Point (c) of the first paragraph of Article 2b
Article 2d	Ineffectiveness Point (c) of the first paragraph of Article 2d Paragraph 5

ANNEX XXIX-P

PROVISIONS OF DIRECTIVE 89/665/EEC OUTSIDE THE SCOPE OF APPROXIMATION

The elements listed in this Annex are not subject to the process of approximation.

Article 2b	Derogations from the standstill period
	Point (a) of the first paragraph of Article 2b
Article 2d	Ineffectiveness
	Point (a) of the first paragraph of Article 2d
	Paragraph 4
Article 3	Corrective Mechanisms
Article 3a	Content of the notice for voluntary ex ante transparency
Article 3b	Committee Procedure
Article 4	Implementation
Article 4a	Review

ANNEX XXIX-Q

BASIC ELEMENTS OF COUNCIL DIRECTIVE 92/13/EEC

of 25 February 1992 coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (Directive 92/13/EEC)

as amended by Directive 2007/66/EC and Directive 2014/23/EU

(Phase 2)

Article 1	Scope and availability of review procedures
Article 2	Requirements for review procedures
Article 2a	Standstill period
Article 2b	Derogations from the standstill period
	Point (b) of the first paragraph of Article 2b
Article 2c	Time limits for applying for review
Article 2d	Ineffectiveness
	Paragraph 1(b)
	Paragraphs 2 and 3
Article 2e	Infringements of this Directive and alternative penalties

Article 2f Time limits

ANNEX XXIX-R

OTHER ELEMENTS OF DIRECTIVE 92/13/EEC

(Phase 4)

Article 2b Point (c) of the first paragraph of Article 2b
Paragraph 5

ANNEX XXIX-S

PROVISIONS OF DIRECTIVE 92/13/EEC OUTSIDE THE SCOPE OF APPROXIMATION

The elements listed in this Annex are not subject to the process of approximation.

Article 2b Derogations from the standstill period
Point (a) of the first paragraph of Article 2b

Article 2d Ineffectiveness
Point (a) of the first paragraph of Article 2b
Paragraph 4

Article 3a Content of the notice for voluntary ex ante transparency

Article 3b Committee Procedure

Article 8 Corrective Mechanisms

Article 12 Implementation

Article 12a Review

ANNEX XXIX-T

REPUBLIC OF MOLDOVA: INDICATIVE LIST OF ISSUES FOR COOPERATION

1. Training, in the Union and the Republic of Moldova, of officials of the Republic of Moldova from government bodies engaged in public procurement.
2. Training of suppliers interested participating in public procurement.
3. Exchange of information and experience on best practice and regulatory rules in the sphere of public procurement.

4. Enhancement of the functionality of the public procurement website and establishment of a system of public procurement monitoring.
5. Consultations and methodological assistance from the Union in application of modern electronic technologies in the sphere of public procurement.
6. Strengthening the bodies charged with guaranteeing a coherent policy in all areas related to public procurement and the independent and impartial consideration (review) of contracting authorities' decisions. (Cf. Article 270 of this Agreement).