



Council of the
European Union

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(OR. en)

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COMPET 789
IND 301
CFSP/PESC 927
DELECT 220

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

No. Cion doc.: ST 13697/19

Subject: Commission Delegated Regulation (EU) .../... of 30.10.2019 amending Directive 2014/25/EU of the European Parliament and of the Council in respect of the thresholds for supply, service and works contracts, and design contests
- Intention not to raise objections to a Delegated Act

1. On 30 October 2019, the Commission submitted the above delegated act to the Council in accordance with Article 290 TFEU, and Article 17(1)(3)(4) on calculation of thresholds and Article 104 for use of urgency procedure as set out in Directive 2014/25/EU¹.
2. The delegated act is based on Article 17 of same Directive 2014/25/EU for the mechanism of recalculation. The Council has until 30 December 2019 to object to it.

¹ 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 - OJ L 94, 28.3.2014, p. 243–374.
Latest consolidated version dates 01/01/2018;

3. The Working Party on Public Procurement examined the delegated act by silent procedure, and by 2 December 2019 concluded that there are no grounds for the Council to object to it.

 4. Against this background, the Permanent Representatives Committee could invite the Council to confirm that the Council has no intention to object to the delegated act, and that the Commission and the European Parliament are to be informed thereof. This implies that unless the European Parliament objects to it, the delegated act as set out in document ST 13697/19 shall be published and enter into force on 1 January 2020 in accordance with Article 109 of Directive 2014/24/EU.
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