



Brussels, 10 January 2022
(OR. en)

15248/21

MAP 38
MI 972
COMPET 930
IND 395
POLARM 13
COARM 259
CFSP/PESC 1268
DELECT 285

'I/A' ITEM NOTE

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

No. Cion doc.: ST 13774/21 - C(2021) 7927 Final

Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 10.11.2021 amending Directive 2009/81/EC of the European Parliament and of the Council in respect of the thresholds for supply, service and works contracts - Intention not to raise objections

1. On 10 November 2021, the Commission submitted the above Delegated Regulation to the Council in accordance with Articles 8 and 68 (1) of Directive 2009/81/EC¹ and in accordance with Articles 15 (a)(b) and 17 of Directive 2014/25/EU². The thresholds in the two Directives have to be aligned at the same time.

¹ Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC (OJ L 216, 20.8.2009, p. 76–136);

² 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);

2. On 10 November 2021, delegations were invited by 21 December 2021 to indicate their possible opposition to the above draft Delegated Regulation. No delegation raised any relevant grounds for opposition. The official three-month deadline expires on 11 February 2022.

 3. Against this background, the Permanent Representatives Committee is invited to recommend to the Council to confirm the non-opposition to the draft Delegated Regulation, as set out in document ST 13774/21 as an item without discussion at one of its forthcoming meetings.
-