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MI 1098	SOC 704
COMPET 1282	EMPL 412
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IND 653	SAN 746
ENT 292	FORETS 147
INDEF 193	FIN 1530
PROCIV 206	FISC 385
HYBRID 130	EF 283
ENV 1343	ECOFIN 1402
CLIMA 606	FOOD 151
ENER 727	GAF 51
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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on public contracts and concessions, repealing Directives 2014/23/EU, 2014/24/EU and 2014/25/EU, and amending Regulations (EC) No 1370/2007, (EU) 2023/1542, (EU) 2024/1157, (EU) 2024/1252, (EU) 2024/1735, (EU) 2024/1781, (EU) 2024/2847, (EU) 2024/3110 and (EU) 2025/40, and Directives 2008/98/EC, (EU) 2019/882, (EU) 2022/2381, (EU) 2023/1791 and (EU) 2024/1760 (Public Procurement Act) - Optional consultation of the Committee of the Regions

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1. On 9 September 2026, the Commission submitted to the Council the proposal for a Regulation of the European Parliament and of the Council on public contracts and concessions, repealing Directives 2014/23/EU, 2014/24/EU and 2014/25/EU, and amending Regulations (EC) No 1370/2007, (EU) 2023/1542, (EU) 2024/1157, (EU) 2024/1252, (EU) 2024/1735, (EU) 2024/1781, (EU) 2024/2847, (EU) 2024/3110 and (EU) 2025/40, and Directives 2008/98/EC, (EU) 2019/882, (EU) 2022/2381, (EU) 2023/1791 and (EU) 2024/1760 (Public Procurement Act)[1].

2. The proposal aims to make procurement simpler, more flexible and more digital, as well as strengthen strategic procurement, including security and resilience, as well as environmental, social and innovation considerations. The proposal also introduces European preference criteria for public procurement, in line with the EU's international commitments.

3. This proposal is based on Article 114 of the Treaty on the Functioning of the European Union (TFEU).

4. The above-mentioned legal basis does not require the consultation of the Committee of the Regions.

5. Despite the central role of public procurement in delivering public services and implementing strategic objectives at national, regional and local level, the proposal would replace the existing procurement directives with a single directly applicable regulation, thereby significantly reshaping the framework under which local and regional contracting authorities operate. As these authorities will be directly responsible for applying the new procedures, digital requirements and strategic procurement criteria, their practical experience is essential to ensure that the new rules remain enforceable, proportionate and supportive of the proper functioning of the Single Market. Given the direct impact of the proposal on regional and local authorities, it appears appropriate to consult the Committee of the Regions.

[1] 12969/26 + ADD1-5

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6. The Permanent Representatives Committee is therefore invited to:

– Decide, in accordance with Article 307 TFEU and Article 19(7)(h) of the Council's Rules of Procedure[2], to consult the Committee of the Regions on this proposal[3].

– Request the Committee of the Regions to deliver its opinion as soon as possible but no later than by 4 February 2027.

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[2] Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure, OJ L 325, 11.12.2009, ELI: http://data.europa.eu/eli/dec/2009/937/oj.

[3] The sole purpose of this note is to decide on the consultation of another institution/body and not on the substance.

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