



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12.06.2002

SEC(2002) 687 final

2001/0179 (COD)

**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT**

pursuant to the second subparagraph of Article 251 (2) of the EC Treaty

concerning the

**common position of the Council on the adoption of a Regulation of the European
Parliament and of the Council on the Common Procurement Vocabulary (CPV)**

**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT**

pursuant to the second subparagraph of Article 251 (2) of the EC Treaty

concerning the

**common position of the Council on the adoption of a Regulation of the European
Parliament and of the Council on the Common Procurement Vocabulary (CPV)**

1- BACKGROUND

Date of transmission of the proposal to the EP and the Council [document COM(2001)449 final – 2001/0179(COD)]: 03/08/2001.

Date of the opinion of the Economic and Social Committee: 28/11/2001.

Date of the opinion of the European Parliament, first reading: 13/03/2002.

Date of adoption of the common position: 07/06/2002.

2- OBJECTIVE OF THE COMMISSION PROPOSAL

The Common Procurement Vocabulary (CPV) aims at simplifying the technical requirements of procurement procedures, mainly the description of the purchases in notices and as a consequence can be used for determining fields of application of rules and for statistical purposes. It will contribute to enhanced efficiency, including easier and more accurate identification of the contents of contracts. Set out as an annex to the articles of the CPV regulation, the main vocabulary is based on a five-level hierarchical structure, while the supplementary vocabulary has two levels.

Already recommended by the Commission as a useful system in 1996, it obtained the central place as a search criterion for potential tenders, however without a proper legal basis. The regulation can therefore now contribute to streamlining public procurement under one heading, that is the CPV, which would replace by virtue of the public procurement Directives currently undergoing the co-decision procedure the other classification systems currently in use (such as CPA, NACE, CPC Prov. and CN (Combined Nomenclature)).

3- COMMENTS ON THE COMMON POSITION

The Common Position agreed upon by the Council fully endorses the objectives of the proposal, that is to simplify the existing nomenclature and to facilitate the work of both contracting authorities and economic operators. The revision procedure established assigns implementation powers to the Commission, which will need to keep the vocabulary up-to-date. The Commission will be assisted by the Advisory Committee on Public Contracts. In substance, any changes and updates will be influenced by comments of users of the system.

This flexible mechanism integrated to include future modifications has been approved as being entirely appropriate. In this way, any possible shortcomings in the codes (which cannot be excluded from the outset given the detailed classification of goods, works and services on more than 8,200 positions), as well as improvements and adjustments to the technological and market developments will be efficiently accommodated.

With regard to the articles, the Council only made some minor modifications, predominantly the standard wording of the article for the comitology procedure, which is a purely editorial point, and a longer time period for the entry into force of the regulation of the CPV. The latter was justified in order to further facilitate the application of CPV in the future. These changes have been reflected in the recitals together with minor modifications making it clearer that the CPV would be introduced in the public procurement regime through the public procurement Directives, leaving thus their different fields of application unchanged.

4- CONCLUSION

Therefore, the Commission agrees on the text of the Common Position agreed upon by the Council.