

**Question for written answer E-005584/2021
to the Commission**
Rule 138
Billy Kelleher (Renew)

Subject: Scope of the Procurement Directive

When drafting the Procurement Directive, what was the intended scope of the legislation with respect to the following scenarios:

1. Where a contract of indefinite duration predates the Procurement Directive and has had no material change, was it envisioned that it would fall under the remit of the directive?
2. Where a contractual relationship between bodies is governed by public law, was it intended that they would be exempt from public procurement requirements under the relevant directives?
3. If the Commission's intent was for contracts that preceded the directive to be exempt, are there any circumstances under which a Member State is now required to put such a contract out to tender?