



# Directive 2014/23/EU on the award of concession contracts (the Concessions Directive)

*Brussels, 24 November 2022*

# Background

26 February 2014 – adoption of the Concessions Directive

18 April 2016 – deadline for transposition

26 February 2020- complete transposition

# The Concessions Directive

- Scope: award by contracting authorities and contracting entities, of services and works concession contracts above 5 382 000 EUR;
- Before adoption only works concessions awarded by contracting authorities were covered by EU legislation (Public Procurement Directive 2004/18/EU);
- Main objectives: to provide legal certainty;  
to provide better access to concessions markets.

# The Concessions Directive

- Art 36 Technical and functional requirements “ *The characteristics may for instance include quality levels, **environmental and climate performance levels, [...]**”*”
- Art 41. 2 Award Criteria “*The award criteria shall be linked to the subject-matter of the concession, [...]. They may include, inter alia, **environmental, social or innovation-related criteria.***”
- Recital 64 : Provides integration of environmental criteria at any stage of the life cycle of the project. Concession performance conditions pertaining to environmental considerations might include, for example, waste minimisation or resource efficiency

# Public procurement data- Tenders Electronic Daily (TED)

## Numbers

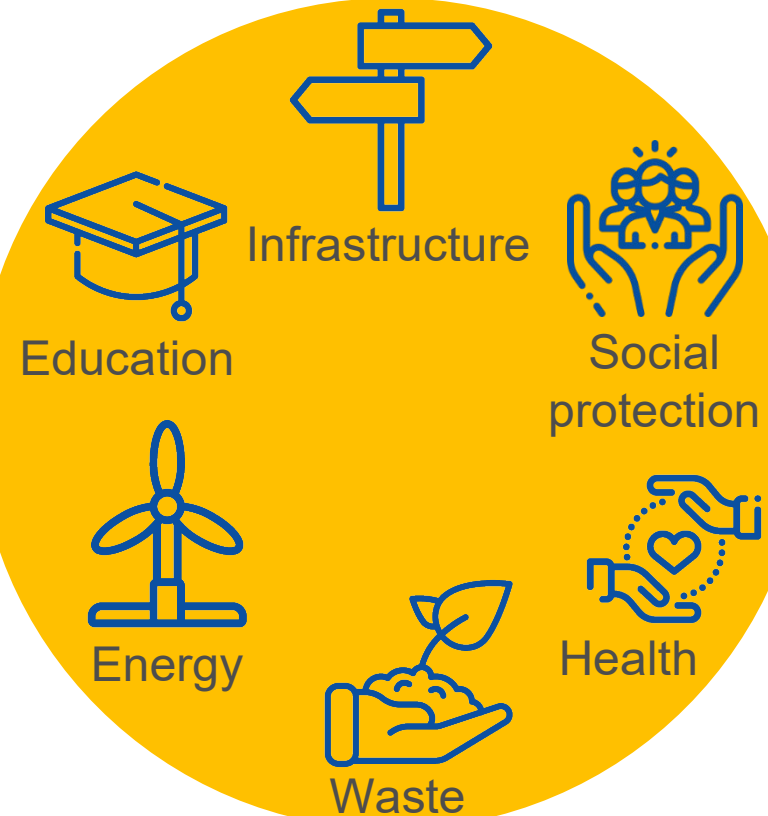
EUR  
2 Trillion or  
13,6% of  
GDP

250.000  
Public  
buyers

Above  
thresholds  
(TED)

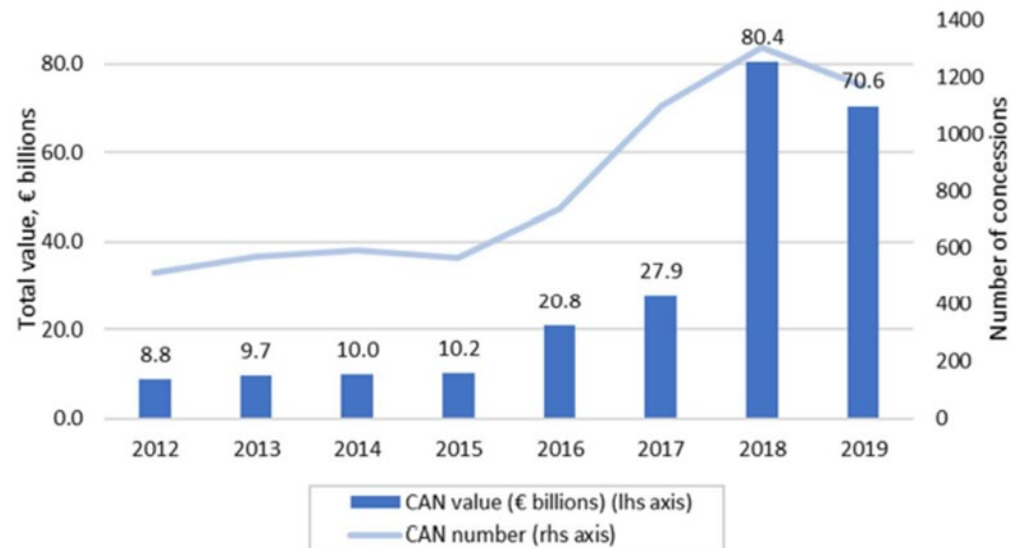
Below  
Thresholds  
(MS)

## Sectors



# Concession market in the EU

- 12% of the total public procurement covered by the four Public Procurement Directives (classic, utilities, concessions and defence) in terms of value;
- Total number of concessions published in Tender Electronic Daily increased after the entry into force of the Concessions Directive;



# Concessions market in the EU

- France and Italy account for 69% of concessions, and together with Spain and Germany account for 84% of all concessions (in terms of number);
- The proportion of service concessions increased following the Concessions Directive and accounts for up to 92% of all concessions. Works concessions decreased in number.
- Main sectors in number: (1) hotel, restaurants and retail services; (2) recreational, cultural and sporting activities and (3) construction works. Public utilities account for the largest share in terms of value.

# Thank you



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