

PROCUREMENT

List provided for in Article 49 of the Framework Agreement

INTRODUCTION

When the legal acts referred to in this Annex contain notions or refer to procedures which are specific to the EU legal order, such as:

- recitals;
- the addressees of the EU legal acts;
- references to territories or languages of the EU;
- references to rights and obligations of EU Member States, their public entities, undertakings or individuals in relation to each other; and
- references to information and notification procedures;

Framework Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO

1. 32014 L 0023: Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1), as corrected by OJ L 114, 5.5.2015, p. 24, as amended by:
 - 32017 R 2366: Commission Delegated Regulation (EU) 2017/2366 of 18 December 2017 (OJ L 337, 19.12.2017, p. 21),
 - 32019 R 1827: Commission Delegated Regulation (EU) 2019/1827 of 30 October 2019 (OJ L 279, 31.10.2019, p. 23),
 - 32021 R 1951: Commission Delegated Regulation (EU) 2021/1951 of 10 November 2021 (OJ L 398, 11.11.2021, p. 21).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be three years from the date of entry into force of this Agreement.

2. 32014 L 0024: Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65), as amended by:
 - 32017 R 2365: Commission Delegated Regulation (EU) 2017/2365 of 18 December 2017 (OJ L 337, 19.12.2017, p. 19),

- 32019 R 1828: Commission Delegated Regulation (EU) 2019/1828 of 30 October 2019 (OJ L 279, 31.10.2019, p. 25),
- 32021 R 1952: Commission Delegated Regulation (EU) 2021/1952 of 10 November 2021 (*OJ L 398, 11.11.2021, p. 23*).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be three years from the date of entry into force of this Agreement.

3. 32016 R 0007: Commission Implementing Regulation (EU) 2016/7 of 5 January 2016 establishing the standard form for the European Single Procurement Document (OJ L 3, 6.1.2016, p. 16).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be three years from the date of entry into force of this Agreement.

4. 32014 L 0025: 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), as amended by:
 - 32017 R 2364: Commission Delegated Regulation (EU) 2017/2364 of 18 December 2017 (OJ 337, 19.12.2017, p. 17),
 - 32019 R 1829: Commission Delegated Regulation (EU) 2019/1829 of 30 October 2019 amending Directive 2014/25/EU of the European Parliament and of the Council in respect of the thresholds for supply, service and works contracts, and design contests (OJ L 279, 31.10.2019, p. 27),
 - 32021 R 1953: Commission Delegated Regulation (EU) 2021/1953 of 10 November 2021 amending Directive 2014/25/EU of the European Parliament and of the Council in respect of the thresholds for supply, service and works contracts, and design contests (OJ L 398, 11.11.2021, p. 25).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be three years from the date of entry into force of this Agreement.

5. 389 L 0665: Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts (OJ No L 395, 30.12.1989, p. 33), as corrected by OJ L 63, 10.3.2016, p. 44, as amended by:
 - 32007 L 0066: Directive 2007/66/EC of the European Parliament and of the Council of 11 December 2007 (OJ L 335, 20.12.2007, p. 31),
 - 32014 L 0023: Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 (OJ L 94, 28.3.2014, p. 1), as corrected by OJ L 114, 5.5.2015, p. 24.

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be three years from the date of entry into force of this Agreement.

6. 392 L 0013: Council Directive 92/13/EEC of 25 February 1992 coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (OJ No L 76, 23.3.1992, p. 14), as amended by:
 - 32007 L 0066: Directive 2007/66/EC of the European Parliament and of the Council of 11 December 2007 (OJ L 335, 20.12.2007, p. 31),
 - 32014 L 0023: Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 (OJ L 94, 28.3.2014, p. 1), as corrected by OJ L 114, 5.5.2015, p. 24.

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be three years from the date of entry into force of this Agreement.

7. 32009 L 0081: 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), as amended by:
 - 32009 R 1177: Commission Regulation (EC) No 1177/2009 of 30 November 2009 (OJ L 314, 1.12.2009, p. 64),
 - 32011 R 1251: Commission Regulation (EU) No 1251/2011 of 30 November 2011 (OJ L 319, 2.12.2011, p. 43),
 - 32013 L 0016: Council Directive 2013/16/EU of 13 May 2013 (OJ L 158, 10.6.2013, p. 184),
 - 32013 R 1336: Commission Regulation (EU) No 1336/2013 of 13 December 2013 (OJ L 335, 14.12.2013, p. 17),
 - 32017 R 2367: Commission Regulation (EU) 2017/2367 of 18 December 2017 (OJ L 337, 19.12.2017, p. 22),

- 32019 R 1243: Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 (OJ L 198, 25.7.2019, p. 241),
- 32019 R 1830: Commission Delegated Regulation (EU) 2019/1830 of 30 October 2019 (OJ L 279, 31.10.2019, p. 29),
- 32021 R 1950: Commission Delegated Regulation (EU) 2021/1950 of 10 November 2021 (OJ L 398, 11.11.2021, p. 19).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 4 of Framework Protocol 1 to this Agreement shall apply. During the suspension referred to in Article 4(2) of Framework Protocol 1, Andorra shall not authorise the award of contracts that fall within the field of application of this Directive.

8. 371 R 1182: Regulation (EEC/Euratom) No 1182 of 3 June 1971 determining the rules applicable to periods, dates and time limits (OJ No L 124, 8.6.1971, p. 1).
9. 32002 R 2195: Regulation (EC) No 2195/2002 of the European Parliament and of the Council of 5 November 2002 on the Common Procurement Vocabulary (CPV) (OJ L 340, 16.12.2002, p. 1), as amended by:
 - 32003 R 2151: Commission Regulation (EC) No 2151/2003 of 16 December 2003 amending Regulation (EC) No 2195/2002 of the European Parliament and of the Council (OJ L 329, 17.12.2003, p. 1), as corrected by OJ L 330, 18.12.2003, p. 34,

- 32008 R 0213: Commission Regulation (EC) No 213/2008 of 28 November 2007 (OJ L 74, 15.3.2008, p. 1),
 - 32022 R 0943: Commission Regulation (EU) 2022/943 of 17 June 2022 correcting certain language versions of Annex I to Regulation (EC) No 2195/2002 of the European Parliament and of the Council on the Common Procurement Vocabulary (CPV) (OJ L 164, 20.6.2022, p. 6).
10. 32014 L 0055: Directive 2014/55/EU of the European Parliament and of the Council of 16 April 2014 on electronic invoicing in public procurement (OJ L 133, 6.5.2014, p. 1).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be three years from the date of entry into force of this Agreement.

11. 32019 R 1780: Commission Implementing Regulation (EU) 2019/1780 of 23 September 2019 establishing standard forms for the publication of notices in the field of public procurement and repealing Implementing Regulation (EU) 2015/1986 (eForms) (OJ L 272, 25.10.2019, p. 7), as amended by:
- 32022 R 2303: Commission Implementing Regulation (EU) 2022/2303 of 24 November 2022 amending Implementing Regulation (EU) 2019/1780 establishing standard forms for the publication of notices in the field of public procurement (OJ L 305, 25.11.2022, p. 12).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be three years from the date of entry into force of this Agreement.

12. 32016 D 1804: Commission Implementing Decision (EU) 2016/1804 of 10 October 2016 on the detailed rules for the application of Articles 34 and 35 of Directive 2014/25/EU of the European Parliament and of the Council on procurement by entities operating in the water, energy, transport and postal services sectors (OJ L 275, 12.10.2016, p. 39).

The provisions of this Decision shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be three years from the date of entry into force of this Agreement.

ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 32015 D 1302: Commission Decision (EU) 2015/1302 of 28 July 2015 on the identification of Integrating the Healthcare Enterprise profiles for referencing in public procurement (OJ L 199, 29.7.2015, p. 43).
2. 32016 D 1765: Commission Implementing Decision (EU) 2016/1765 of 3 October 2016 on the identification of ICT Technical Specifications for referencing in public procurement (OJ L 269, 4.10.2016, p. 20).

3. 32017 H 1805: Commission Recommendation (EU) 2017/1805 of 3 October 2017 on the professionalisation of public procurement – Building an architecture for the professionalisation of public procurement (OJ L 259, 7.10.2017, p. 28).
4. 32017 D 1870: Commission Implementing Decision (EU) 2017/1870 of 16 October 2017 on the publication of the reference of the European standard on electronic invoicing and the list of its syntaxes pursuant to Directive 2014/55/EU of the European Parliament and of the Council (OJ L 266, 17.10.2017, p. 19).
5. 52006 X C0801(01): Commission interpretative communication on the Community law applicable to contract awards not or not fully subject to the provisions of the Public Procurement Directives (OJ C 179, 1.8.2006, p. 2).
6. 52019 X C0813(01): Communication from the Commission – Guidance on the participation of third-country bidders and goods in the EU procurement market (OJ C 271, 13.8.2019, p. 43).
7. 32022 R 1031: Regulation (EU) 2022/1031 of the European Parliament and of the Council of 23 June 2022 on the access of third-country economic operators, goods and services to the Union's public procurement and concession markets and procedures supporting negotiations on access of Union economic operators, goods and services to the public procurement and concession markets of third countries (International Procurement Instrument – IPI) (OJ L 173, 30.6.2022, p. 1).
8. 32022 R 2560: Regulation (EU) 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market (OJ L 330, 23.12.2022, p. 1).

9. 32018 H 0624: Commission Recommendation (EU) 2018/624 of 20 April 2018 on cross-border market access for sub-suppliers and SMEs in the defence sector (OJ L 102, 23.4.2018, p. 87).

10. 52019 XC 0508(01): Commission notice on guidance on cooperative procurement in the fields of defence and security (Defence and Security Procurement Directive 2009/81/EC).

LISTS OF CENTRAL GOVERNMENT AUTHORITIES
REFERRED TO IN THE SECOND SUBPARAGRAPH OF ARTICLE 2(1)
OF DIRECTIVE 2014/24/EU

ANNEX I OF DIRECTIVE 2014/24/EU

CENTRAL GOVERNMENT AUTHORITIES

ANDORRA

- Ministeri del Cap de Govern.
- Ministeri de Presidència, Economia, Treball i Habitatge.
- Ministeri de Relacions Institucionals, Educació i Universitats.
- Ministeri de Turisme i Comerç.
- Ministeri de Finances.
- Ministeri d’Afers Exteriors.
- Ministeri de Justícia i Interior.
- Ministeri de Territori i Urbanisme.
- Ministeri d’Afers Socials i Funció Pública.
- Ministeri de Salut.
- Ministeri de Medi Ambient, Agricultura i Ramaderia i portaveu del Govern.
- Ministeri de Cultura, Joventut i Esports.

and their subordinate institutions, all national public bodies, executive agencies and other state authorities established by law or by Council of Ministers' decree having a function relating to the exercise of executive power.

LISTS OF PRODUCTS
REFERRED TO IN ARTICLE 4(b) OF DIRECTIVE 2014/24/EU
WITH REGARD TO CONTRACTS AWARDED BY
CONTRACTING AUTHORITIES IN THE FIELD OF DEFENCE

ANNEX III OF DIRECTIVE 2014/24/EU

Article 4 of Framework Protocol 1 to this Agreement shall apply with regard to Article 4(b) of Directive 2014/24/EU based on the derogation that applies to Directive 2009/81/EC. During the suspension referred to in Article 4(2) of Framework Protocol 1, Andorra shall not authorise the award of contracts that fall within the field of application of Article 4(b) of Directive 2014/24/EU.

REGISTERS REFERRED TO IN ARTICLE 58(2) OF DIRECTIVE 2014/24/EU

ANNEX XI OF DIRECTIVE 2014/24/EU

REGISTERS

The relevant professional and trade registers and corresponding declarations and certificates for Associated Parties:

- in Andorra, the Registre de Titulars d'Activitats Econòmiques (Registre de Societats Mercantils, Registre de Comerç i Indústria and Registre de Persones Autoritzades a Exercir Professions Liberals) and Registre Oficial de Licitadors i Empreses Classificades.