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LIMITE

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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Competitiveness and Growth (Public Procurement)
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Subject:	Sectoral Files with Public Procurement Provisions: State of Play, September 2025

Delegations will find in the Annex a revised table of the sectoral files in the Council with Public Procurement provisions with the state of play as of 8 September 2025.

Delegated acts and upcoming files have been included in the newly revised document, as well as an update of the state of play of the ongoing and adopted files.

The present document will serve as reference for the discussion at the Working Party meeting of Competitiveness and Growth (Public Procurement) on 12 September 2025.

Table of EU Legislative Files with Public Procurement Provisions: State of Play on 8 September 2025

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UPCOMING – initiatives with PP provisions (NEW)		Reference	Expected proposal from COM
File	Title		
Industry Decarbonization Accelerator Act	“The Industrial Decarbonisation Accelerator Act will introduce resilience and sustainability criteria to foster clean European supply for energy-intensive sectors. These criteria (e.g. clean, resilient, circular, cybersecure) will strengthen demand for EU-made clean products, building on the experience of the Net Zero Industry Act for clean tech, promoting innovation as well as EU environmental and social standards and ensure a level playing field. This could widen the application of non-price criteria to the EU budget, national support programmes as well as public and private procurement benefitting energy-intensive industries	“ Clean Industrial Deal ” from 26. February 2025, see: https://eur-lex.europa.eu/legal-content/DA/TXT/HTML/?uri=CELEX:52025DC0085	Q4 2025
e-Invoicing	Revise the acquis on e-Invoicing in public procurement turning the existing Directive into a Regulation and making the EU e-Invoicing standard mandatory for public procurement	“ Single Market Strategy ” from 21. May 2025, see: https://single-market-economy.ec.europa.eu/document/download/d92c78d0-7d47-4a16-b53f-1cead54bcb49_en?filename=Communication%20-%20Single%20Market%20Strategy.pdf	Q4 2026
Quantum Act	“Fourth, accelerating the industrial uptake of quantum technologies. The EU will implement a coordinated approach to foster lead users across both the public and private sectors. In this respect, public procurement will be a key tool to drive early adoption and create first market opportunities. The EuroHPC JU is already supporting the purchase of the first quantum computers through public procurement. In addition, the Commission will support innovation-oriented procurement schemes that enable hospitals, infrastructure operators, critical public services, and government agencies to act as launch customers for quantum enabled solutions.[...]”	“ Quantum Europe Strategy ” from 2. July 2025, see: https://digital-strategy.ec.europa.eu/en/library/quantum-europe-strategy	2026
Implementing Act to Net Zero Industry Act, NZIA	Commission Implementing Regulation (EU) .../... on laying down rules for the application of Regulation (EU) 2024/1735 of the European Parliament and of the Council as regards the list of net-zero technology final products and their main specific components for the purposes of assessing the contribution to resilience (SWD(2025) 932 – Assessment of the delegated acts, which includes the unpublished yet Implementing Act) C(2025) 9033		Autumn 2025

Table of Ongoing EU Legislative Files with Public Procurement Provisions: State of Play on 8 September 2025

ONGOING – files with PP provisions					
File	Title	WP	PP provisions	Substance	State of play
Single Market and Customs Programme SMCP (part of MFF, adopted on 16 July 2025)	Proposal for a Regulation establishing the Single Market and Customs Programme for the period 2028-2034 and repealing Regulations (EU) 2021/444, (EU) 2021/690, (EU) 2021/785, (EU) 2021/847 and (EU) 2021/1077 COM(2025) 590 Final	Competitiveness and Growth (Internal Market)	Articles 3, 8, 9 and recitals: objectives, implementation, funding, linked to the Financial Regulation)	Procurement – public, joint, Commission – is a key policy area in the whole programme, Customs part included.	Received on 4 September 2025.
Competitiveness Fund ECF (part of MFF adopted on 16 July 2025))	Proposal for a Regulation on establishing the European Competitiveness Fund (ECF), including the specific programme for defence research and innovation activities, repealing Regulations (EU) 2021/522, (EU) 2021/694, (EU) 2021/697, (EU) 2021/783, repealing provisions of Regulations (EU) 2021/696, (EU) 2023/588, and amending Regulation (EU) [EDIP] COM(2025) 555 Final	Ad Hoc WP on the Multiannual Financial Framework (AHWP MFF) - European Competitiveness Fund	Recitals and Article 3: objectives; Articles 9, 12: implementation; Chapter II: Article 28: SME's business support; Article 39: digital sovereignty; Articles 44 – 49: defence and military procurement; Article 52: funding rates; Article 54: common procurement; Article 65: joint procurement for access to space; Articles 69-70: eligibility; Articles 72-74: complementary rules;		Received on 16 July 2025. Commission presentation of the IA on 04/09/25. Commission Presentation of the proposal on 09/09/25.

			Article 81: EU support as procurement.		
Connecting Europe Facility (part of MFF adopted on 16 July 2025))	Proposal for a Regulation establishing the Connecting Europe Facility for the period 2028-2034, amending Regulation (EU) 2024/1679 and repealing Regulation (EU) 2021/1153 COM(2025) 547 final	Ad Hoc WP on Connecting Europe Facility (AHWP CEF)		Procurement mechanisms for the implementation of the budget.	Received on 17 July 2025. First presented by the Commission on 22 July 2025.
Critical Medicines Act (CMA)	Proposal for a Regulation laying a framework for strengthening the availability and security of supply of critical medicinal products as well as the availability of, and accessibility of, medicinal products of common interest, and amending Regulation (EU) 2024/795 COM(2025) 102 Final	WP on Pharmaceuticals and Medical Devices (Critical Medicines Act)	Article 1 and 3: objectives and definitions; Articles 18-19: incentives; Article 21: cross border procurement ; Article 22 : Commission procurement ; Article 23 : joint procurement ; Article 24 : agreed procedures. And all the Recitals.	EU preference; Cross border procurement; Joint and collaborative procurement ; Commission procuring on behalf of Member States (Financial Regulation applies); Non price-based requirements; incentives.	Received on 12/03/25. Presented by Commission on 8/04/25. On 20 June 2025 at EPSCO (Health), Ministers held a policy debate on the CMA proposal in Luxembourg. No full IA but Commission subsequently published a working document (SWD (2025) 263). WP on 3/09/25.
Omnibus Defence Readiness V:	Proposal for a Directive of the European Parliament and of the Council amending Directives 2009/43/EC and 2009/81/EC, as regards the simplification of intra-EU transfers of defence-related products and the simplification of security and defence procurement COM(2025)823	Antici WP on Simplification (in collaboration with WP on Compet. and Growth (Public Procurement) and WP on Defence Industry (DIWP)		How to strike the right balance between moving towards a single market for defence equipment and respecting Member States' competences for transfer and export control.	Received on 18 June 2025. Mandate to start negotiations with EP is expected before end of 2025. Trilogues may start also before end of 2025.

European Defence Industry Programme (EDIP)	<p>Proposal for a Regulation establishing the European Defence Industry Programme and a framework of measures to ensure the timely availability and supply of defence products COM(2024) 150 Final</p> <p>Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A new European Defence Industrial Strategy: Achieving EU readiness through a responsive and resilient European Defence Industry (EDIS) – NLE file JOIN(2024) 10 Final</p>	WP on Defence Industry (DIWP)	<p>Common procurement across the EU.</p> <p>Derogations and modifications to Directive 81/2009 on defence procurement.</p> <p>Procurement provisions cover the whole text.</p>	<p>Recitals 1, 4, 5a, 15, 17ab, 18a, 20-21a, 30a, 30ab, 39; 48, 49, 69a and Articles 2, 4, 8, 10 -12, 15, 19a, 19da, et al:</p> <p>Common and joint procurement, award criteria; efficient procurement; close procurement partnership with Ukraine; the limits in the financial envelope; Role of the Commission (Financial Regulation Art. 168(2)) in support of Member States and Ukraine; joint procurements as well as its ability to act as a “central purchasing body” (Art. 35); On Directive 81/2009: using it for changes or derogations, on the basis of its Articles 10, 12(c), 13(f), 29(2), 32, 34, 39 to 46.</p> <p>To stimulate cross-border procurement and competitiveness.</p>	<p>Mandate reached on 23 June 2025. Trilogues expected to start in Autumn 2025. Joint committees responsible: Rapporteurs appointed for SEDE (EPP) and ITRE (S&D). Awaiting Parliament's position in 1st reading.</p>
CMDI* Review - Bank Recovery and Resolution Directive (BRRD) *Crisis Management and Deposit Insurance (CMDI) Framework	<p>Proposal for a Directive amending Directive 2014/59/EU as regards early intervention measures, conditions for resolution and financing of resolution action COM(2023) 227 Final</p>	WP on Financial Services and the Banking Union (CMDI) and Financial Services Attachés	Amendment to Article 10 of Directive 2014/24/EU	<p>The Commission proposal did not include a reference to procurement. The Council's mandate includes new article 126a “Amendment to Directive 2014/24/EU, in article 10, the following point (k): Services needed for the preparation, application and exercise of resolution tools and powers provided for in Title IV of Directive 2014/59/EU</p> <p>The EP's mandate does not include any references to public procurement.</p>	<p>Still at Trilogues stage after the 8th trilogue. Coreper was debriefed on 27 June on latest trilogue. Divisions between the co-legislators on several core aspects of the file.</p>
Child Sexual Abuse	<p>Proposal for a Directive on combating the sexual abuse and sexual exploitation of children and child sexual abuse material and replacing Council Framework Decision 2004/68/JHA (recast) COM/2024/60 final</p>	WP on Judicial Cooperation in Criminal Matters (COPEN) (Child sexual abuse)	Exclusion grounds in Article 14	<p>“Member States shall take the necessary measures to ensure that a legal person held liable pursuant to Article 13 is punishable by effective, proportionate and dissuasive sanctions, which shall include criminal or non-criminal fines and may include other sanctions, such as: [...] (b) exclusion from access to public funding, including tender procedures, grants and concessions;”.</p>	<p>GA in December 2024. EP Rapporteur EPP appointed on 24/9/2024. The EP voted its report in June 2025 and the first political trilogue will take place on 23 June. First trilogue started on 1-2 July 2025.</p>

European Works Councils	Proposal for a Directive amending Directive 2009/38/EC as regards the establishment and functioning of European Works Councils and the effective enforcement of transnational information and consultation rights COM(2024) 14 final	Social Questions	Recital 27 on social sustainability criteria		GA reached in June2024. Rapporteur EPP appointed on 24/9/2024. At Coreper 1 on 28/05/25 – analysis of final compromise text in view of agreement. Approved text is under lawyer linguistic revision.
Late Payments	Communication from the Commission to the EP, the Council, the European Economic and Social Committee and the Committee of the Regions (SME Relief Package) – NLE file COM(2023) 535 Final Proposal for a Regulation of the European Parliament and of the Council on combating late payment in commercial transactions COM(2023) 533 Final	WP on Competitiveness and Growth (Industry)	Articles 3 and 4, Recital 14	SMEs and procurement Article 71(3) of Directive 2014/24/EU and Article 88(7) of Directive 2014/25/EU on public procurement offer Member States the possibility to lay down provisions on direct payments to subcontractors.	The next meeting of the Working Party is scheduled in early October (date tbc).
Combating Corruption	Proposal for a Directive of the EP and of the Council on combatting corruption, replacing Council Framework Decision 2003/568/JHA and the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and amending Directive (EU) 2017/1371 of the EP and of the Council COM(2023) 234 final	COPEN	Articles 15 and 17	Exclusion grounds: Article 17(2)(c) Sanctions for legal persons: “The temporary or permanent exclusion from public procurement”. The Council mandate amended the Commission proposal into “exclusions from access to public funding, including tender procedures, grants, concessions and licenses”. The EP’s mandate keeps the Commission proposal on exclusion, and adds under Article 3(5)(5a) Prevention of corruption: “Member States shall take appropriate measures to promote transparency and accountability in the management of public finances. Member States shall, in particular,	Fifth trilogue to take place in September 2025.

				take the necessary steps to establish appropriate systems of procurement, based on transparency, competition and objective criteria in decision-making. Member States shall publish information in open data formats including, but not limited to, government budgets, government spending, public procurement, voting records, permits and concessions, and state subsidies”.	
Green Claims	Proposal for a Directive of the EP and of the Council on substantiation and communication of explicit environmental claims (Green Claims Directive) COM(2023) 166 final	Environment	Article 17; Recital 17	Exclusion grounds: The Commission proposed under Article 17(3)(c) Penalties: “temporary exclusion for a maximum period of 12 months from public procurement processes and from access to public funding, including tendering procedures, grants and concessions. The Council’s mandate deletes the provision altogether.	Revised mandate at Coreper on 4/06/25. 3 rd trilogue on 10/06/25. Debriefing at Coreper on 11/06/25. In EP: leading Committee ENVI (S&D). Reached agreement, not published yet.
‘Facilitation Directive’ (migrant smuggling)	Proposal for a Directive laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit, and stay in the Union, and replacing Council Directive 2002/90/EC and Council Framework Decision 2002/946 JHA. COM/2023/755 final	COPEN	Article 6(5d), Article 7, not explicitly; Article 8	Exclusion grounds	GA in December 2024. EP position probably ready in July 2025 Trilogues to start in September and last until December 2025 Target: agreement in December 2025.

Tables of Adopted EU Legislation with Public Procurement (PP) Provisions: State of Play, 8 September 2025

ADOPTED – sectoral regulations with PP provisions		PP Provisions	Grounds for implementing (I)/ delegated acts (D)/ guidance on PP (G)	Entry into force/expiration
Foreign Subsidies Regulation (FSR)	Regulation (EU) 2022/2560 of the EP and of the Council of 14 December 2022 on foreign subsidies distorting the internal market	Chapter I, Chapter II, Chapter IV, Chapter V – Modification of PP procurement procedures by notification procedure on foreign subsidies.	Article 47(1)- I - detailed arrangements for procurement procedures. Article 49(5) - D - amending thresholds for notification.	12 January 2023
International Procurement Instrument (IPI)	Regulation (EU) 2022/1031 of the EP 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	All provisions.	Article 6(1)- I - measures restricting the access of economic operators, goods or services from a third country to the EU public procurement procedures.	29 August 2022
Enforcement Regulation	Regulation (EU) No 654/2014 of the EP and of the Council of 15 May 2014 concerning the exercise of the Union's rights for the application and enforcement of international trade rules and amending Council Regulation (EC) No 3286/94 laying down Community procedures in the field of the common commercial policy in order to ensure the exercise of the Community's rights under international trade rules, in particular those established under the auspices of the World Trade Organization	Article 5(1)(c); 5(2) - content of EU commercial policy measures.	Article 5(1)(c)- I -suspension of concessions regarding goods, services or suppliers in the area of public procurement.	13 February 2021
Anti-Coercion Instrument (ACI)	Regulation (EU) 2023/2675 of the EP and of the Council of 22 November 2023 on the protection of the Union and its Member States from economic coercion by third countries	Annex I point 4. - content of EU response measures.	Article 8(1)- I – EU' response measures.	27 December 2023
Sanctions against Russia because of Ukraine	Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine	5k - exclusion grounds.		24 February 2022


EU Financial Regulation	Regulation (EU, Euratom) 2024/2509 of 23 September 2024 on the financial rules applicable to the general budget of the Union (recast)	Title I Subject matter, definitions and general principles, Chapter 8 of Title II Principle of transparency-Article 38 - publication of information on recipients and other information, Article 62 - methods of budget implementation, Article 115 - types of payments, Article 116 - time limits for payments, Title V Common rules, Title VI Indirect management, Title VII Procurement and concessions, Article 164 - Annex on procurement and delegation of powers, Article 165 - mixed contracts and common procurement vocabulary.		30 September 2024
Passenger transport services by rail and by road	Regulation (EC) No 1370/2007 of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70	All provisions.		3 December 2009
European Standardisation Regulation	Regulation (EU) No 1025/2012 of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council [amended by Regulation (EU) 2022/2480]	Article 14 - use of ICT technical specifications in public procurement for hardware, software and information technology services	Article 13 (1) (2) – Commission may identify ICT technical specifications which may be referenced in public procurement	1 January 2013

European Health Data Space (EHDS)	Regulation (EU) 2025/327 of 11 February 2025 on the European Health Data Space and amending Directive 2011/24/EU and Regulation (EU) 2024/2847	Article 15(1) European electronic health record exchange format Article 36(2)(3) Common specifications ANNEX II Essential requirements for the harmonised software components of EHR systems and for products for which interoperability with EHR systems has been claimed	Article 15 - I - setting out the European electronic health record exchange format and updates Article 36(1) – I setting common specifications in respect of the essential requirements	26 March 2025
European Media Freedom Act	Regulation (EU) 2024/1083 establishing a common framework for media services in the internal market	Article 25 - allocation of public funds for state advertising and supply or service contracts.		7 May 2024
EDIRPA (defence procurement)	Regulation (EU) 2023/2418 of 18 October 2023 on establishing an instrument for the reinforcement of the European defence industry through common procurement	All provisions.		27 October 2023
Ammunition production (ASAP)	Regulation (EU) 2023/1525 of 20 July 2023 on supporting ammunition production	Articles 9, 11, 14 - promotion and facilitation of joint procurement of ammunition, derogation from Directive 2009/81/EC.		25 July 2023 (end of validity: 30 June 2025)
Internal Market Emergency and Resilience Act (IMERA, formerly SMEI)	Regulation (EU) 2024/2747 of 9 October 2024 establishing a framework of measures related to an internal market emergency and to the resilience of the internal market and amending Council Regulation (EC) No 2679/98	Title V, Articles 36-39 - joint procurement, procurement by the Commission in the name and on behalf of MS, Article 40 - obligation to consult and coordinate procurement in emergency mode, Article 41 - exclusivity clause.	Article 9(1)- I - contingency framework, Article 18(4)- I - list of crisis-relevant goods and services, Article 29(4)- I - priority rated requests.	28 November 2024
Cross-border threats to health	Regulation (EU) 2022/ of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU	Article 12 - joint procurement of medical countermeasures.		26 December 2022
Medical countermeasures	Council Regulation (EU) 2022/2372 of 24 October 2022 on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures in the event of a public health emergency at Union level	Article 7(4) - MS information obligation, Article 8 - procurement of crisis-relevant medical countermeasures and raw materials.	Article 7(1)- I - a shortlist of specific crisis-relevant medical countermeasures and raw materials for the preparation of measures to be taken.	26 December 2022

Chips Act	Regulation (EU) 2023/1781 of 13 September 2023 establishing a framework of measures for strengthening Europe's semiconductor ecosystem and amending Regulation (EU) 2021/694 (Chips Act)	Article 22 (3) - joint procurement rules, Article 27 - common purchasing.	Article 26(8)- priority-rated orders.	21 September 2023
Critical Raw Materials Act (CRMA)	Regulation (EU) 2024/1252 of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020	Article 25 - joint purchasing, Art. 26(1)(d) - MS obligation to adopt measures taking recycled content into account in award criteria related to public procurement.	Article 26(7)- I - list of products, components and waste streams having a relevant critical raw materials recovery potential.	23 May 2024
Ecodesign Regulation (ESPR)	Regulation (EU) 2024/1781 of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC	Articles 4 to 8 - ecodesign requirements, Article 65 - green public procurement, Article 74(3)(b) - exclusion grounds.	Art. 4(1)- D - setting ecodesign requirements, Article 65(3)- I - setting mandatory minimum green public procurement requirements.	18 July 2024
Batteries Regulation	Regulation (EU) 2023/1542 of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC	Article 85 - green public procurement.	Article 85(3)- D - setting award criteria for procurement procedures.	17 August 2023
Construction Products	Regulation (EU) 2024/3110 of 27 November 2024 laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No 305/2011	Article 83 - green public procurement.	Article 83(1)- D-with mandatory minimum environmental sustainability requirements for construction products.	7 January 2025
Packaging and packaging waste	Regulation (EU) 2025/40 of 19 December 2024 on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC	Article 63 - green public procurement.	Article 63(1)- I-with minimum mandatory requirements for public contracts for packaging or packaged products or for services using packaging or packaged products.	11 February 2025

Heavy Duty Vehicles (HDV)	Regulation (EU) 2019/1242 of 20 June 2019 setting CO2 emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC [as amended by Regulation (EU) 2024/1610 of the European Parliament and of the Council of 14 May 2024]	Article 3e - obligatory criteria of tender's contribution to the security of supply and environmental sustainability for urban buses.		26 June 2024
Net Zero Industry Act (NZIA)	Regulation (EU) 2024/1735 of 13 June 2024 on establishing a framework of measures for strengthening Europe's net-zero technology manufacturing ecosystem and amending Regulation (EU) 2018/1724	Article 25 - sustainability and resilience contribution in public procurement procedures.	Article 25(5)- I - minimum requirements on environmental sustainability for the public procurement procedures, Article 29(2)- I - list of each of the net-zero technology final products and their main specific components.	29 June 2024
Cyber Resilience Act (CRA, Cybersecurity Requirements)	Regulation (EU) 2024/2847 of 23 October 2024 on horizontal cybersecurity requirements for products with digital elements and amending Regulations (EU) No 168/2013 and (EU) No 2019/1020 and Directive (EU) 2020/1828	Article 5 - procurement or use of products with digital elements, Annex I - essential cybersecurity requirements.	Article 7(4)- I - Important products with digital elements, Article 8(1)- D - Critical products with digital elements.	10 December 2024
Single Digital Gateway (SDG)	Regulation (EU) 2018/1724 of the of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012	Article 14 - technical system for the automated exchange of evidence between competent authorities in different Member States.	Art. 14(9)- I - technical and operational specifications of the technical system.	11 December 2018
Electricity Market Design (EMD)	Regulation (EU) 2019/943 of 5 June 2019 on the internal market for electricity (recast) [as amended by Regulation (EU) 2024/1747 of the European Parliament and of the Council of 13 June 2024 amending Regulations (EU) 2019/942 and (EU) 2019/943 as regards improving the Union's electricity market design]	Article 6 - procurement of balancing capacity, Article 20 - procurement of balancing and ancillary services.		16 July 2024 (17 January 2025 - deadline for transposition)

Single European Sky 2+ package	Regulation (EU) 2024/2803 of 23 October 2024 on the implementation of the Single European Sky (recast)	Article 11(6) - conditions regarding the provision of CNS, AIS, ADS, MET and of air traffic services for approach and aerodrome control.		1 December 2024
Deforestation Regulation	Regulation (EU) 2023/1115 of 31 May 2023 on the making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No 995/2010	Article 25(2)(d) - exclusion grounds.		30 December 2025
Shipments of waste	Regulation (EU) 2024/1157 of 11 April 2024 on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056 and repealing Regulation (EC) No 1013/2006	Article 63(3)(c) - exclusion grounds.		20 May 2024
Union Secure Connectivity Programme	Regulation (EU) 2023/588 of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027	Article 7 - promotion of joint procurement, Articles 19-22 - procurement rules under the Programme.		20 March 2023
EU Space Programme Regulation	Regulation (EU) 2021/696 of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU	Title III, Chapter I procurement rules under the Programme – Articles 14 to 17.		12 May 2021

Security Action for Europe (SAFE)	Council Regulation (EU) 2025/1106 of 27 May 2025 establishing the Security Action for Europe (SAFE) through the Reinforcement of the European Defence Industry Instrument	Articles 1-2; Articles 16-19	 <p>Rules on simplified common procurement procedures for acquisition of defence products; financial assistance to defence procurement. Conditions for the participation of other third countries entities and products; Modification of framework agreements or contracts. Negotiated procedure without publication. EU-UK bilateral agreement Eligibility conditions applying to UK industry for common procurement under SAFE (Art.16).</p>	27 May 2025
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ADOPTED – sectoral directives with PP provisions		PP Provisions	Transposition deadline
e-Invoicing	Directive 2014/55/EU of 16 April 2014 on electronic invoicing in public procurement	All provisions.	18 April 2019 (optional extension for sub-central: 18 April 2020)
Women on Boards	Directive (EU) 2022/2381 of 23 November 2022 on improving the gender balance among directors of listed companies and related measures	Article 8(3) - list of companies obliged to comply with applicable obligations relating to social and labour law.	28 December 2024
Minimum wages	Directive (EU) 2022/2041 of 19 October 2022 on adequate minimum wages in the European Union	Article 9 - measures to ensure that, economic operators and their subcontractors comply with the applicable obligations regarding wages, the right to organise and collective bargaining on wage-setting, in the field of social and labour law established by Union law, national law, collective agreements or international social and labour law provisions.	15 November 2024
Clean Vehicles	Directive 2009/33/EC of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles (recast) [as amended by Directive (EU) 2019/1161 of the European Parliament and of the Council of 20 June 2019]	Article 5 - minimum procurement targets for vehicles and of passenger road transport services, Table 3 of the Annex - minimum procurement targets for clean light-duty vehicles.	2 August 2021
Accessibility	Directive (EU) 2019/882 of 17 April 2019 on the accessibility requirements for products and services	Article 24(1) and Annex I - mandatory accessibility requirements in procurement.	28 June 2022
Energy Performance of Buildings (EPFD)	Directive (EU) 2024/1275 of 24 April 2024 on the energy performance of buildings (recast)	Requirements for buildings with a view to achieving a zero-emission building stock by 2050, Article 3 - national building renovation plan, Article 5 - minimum energy performance requirements for buildings, Article 6(1) - delegated acts revising a comparative methodology framework for calculating cost-optimal levels of minimum energy performance requirements for buildings and building elements, Article 7(1) - zero-emission requirement for new buildings, Article 7(3) - delegated act with a Union framework for the national calculation of life cycle GWP, Article 8 - renovation of existing buildings.	29 May 2026

Energy Efficiency Directive (EED)	Directive (EU) 2023/1791 of 13 September 2023 on energy efficiency and amending Regulation (EU) 2023/955 (recast)	Article 7 - obligation to purchase only products, services buildings and works with high energy-efficiency performance; energy efficiency first principle; exceptions, Annex IV energy efficiency requirements.	11 October 2025
Renewable Energy Directive (RED III)	Directive (EU) 2018/2001 of 11 December 2018 on the promotion of the use of energy from renewable sources (recast) [as amended by: Directive (EU) 2023/2413 amending Directive (EU) 2018/2001, Regulation (EU) 2018/1999, and Directive 98/70/EC as regards the promotion of energy from renewable sources, and repealing Council Directive (EU) 2015/652]	(Article 15(2) - technical specifications which are to be met by renewable energy equipment and systems in order to benefit from support schemes and to be eligible under public procurement, Article 15(2a) - promotion of testing of innovative renewable energy technology for producing, sharing and storing of renewable energy through pilot projects, Article 15(3) - obligation to include provisions for the integration and deployment of renewable energy and for the use of unavoidable waste heat and cold, Article 15(8) - promotion and removal of barriers to long-term renewable energy purchase agreements.	21 May 2025
Waste	Directive 2008/98/EC of 19 November 2008 on waste and repealing certain Directives [as amended by: Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May 2018 amending Directive 2008/98/EC on waste)	Article 11 - promotion of sustainable criteria in public procurement.	31 December 2020
Corporate Sustainability Due Diligence	Directive (EU) 2024/1760 of 13 June 2024 on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859	Article 31 - sustainability award criteria for public and concession contracts.	26 July 2026
Electricity Market Directive	Directive (EU) 2019/944 of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (recast)	Article 31 - procurement by distribution system operators of products and services necessary for the efficient, reliable and secure operation of the electricity distribution system, Article 32 - procurement of flexibility services in distribution networks, Article 38 - energy and flexibility services procurement exemptions in closed distribution systems, Article 40 - procurement of balancing services (4) and non-frequency ancillary services (5) by transmission system operators.	31 December 2020

Employers of illegally staying third-country nationals	Directive 2009/52/EC of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals	Article 7(b) - exclusion grounds.	20 July 2011
Equal pay for equal work	Directive (EU) 2023/970 of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms	Article 24(2) - exclusion grounds.	7 June 2026
Fraud and Counterfeiting of Non-cash Means of Payment	Directive 2019/713 of 17 April 2019 on combating fraud and counterfeiting of non-cash means of payment and replacing Council Framework Decision 2001/413/JHA	Article 11(b) - exclusion grounds.	31 May 2021
Money Laundering	Directive 2018/1673 of 23 October 2018 on combating money laundering by criminal law	Article 8(b) - exclusion grounds.	3 December 2023
Breach of EU Sanctions	Directive (EU) 2024/1226 of 24 April 2024 on the definition of criminal offences and penalties for the violation of Union restrictive measures	Article 7(b) - exclusion grounds.	20 May 2025
Environmental Crimes	Directive (EU) 2024/1203 of 11 April 2024 on the protection of the environment through criminal law and replacing Directive 2008/99/EC	Articles 5(3)(c) and 7(2)(c) - exclusion grounds.	21 May 2026
Trafficking in human beings	Directive 2011/36/EU of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA [as amended by Directive (EU) 2024/1712 of the European Parliament and of the Council of 13 June 2024]	Article 6(2)(b) - exclusion grounds.	15 July 2026
Protection of the union's financial interests (PIF Directive)	Directive (EU) 2017/1371 of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law	Article 9(b) - exclusion grounds.	6 July 2019

NIS2 (cybersecurity)	Directive (EU) 2022/2555 of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive)	Article 7(2)(b) - MS policies on the inclusion and specification of cybersecurity-related requirements for ICT products and ICT services in public procurement, Article 24 - MS obligation to ensure that essential and important entities take appropriate and proportionate cybersecurity measures of network and information systems.	17 October 2024
Omnibus I: The part on Corporate Sustainability Due Diligence Directive (CSDDD)	Directive amending Directives (EU) 2022/2464 and (EU) 2024/1760 as regards the dates from which Member States are to apply certain corporate sustainability reporting and due diligence requirements (Directive (EU) 2024/1760 on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859)	Article 31 - sustainability award criteria for public and concession contracts. Postponing the transposition deadline as well as the application of the Directive by 1 year	16 April 2025

Table of Adopted Sectoral Delegated and Implementing Acts: State of Play on 8 September 2025

ADOPTED – delegated act with PP provisions		PP Provisions	Entry into force
Foreign Subsidies Regulation (FSR)	Commissions Implementing Regulation (EU) 2023/1441 of 10 July 2023 on detailed arrangements for the conduct of proceedings by the Commission pursuant to Regulation (EU) 2022/2560 of the EP and of the Council on foreign subsidies distorting the internal market C(2023)4622	Chapter I, Chapter II, Chapter IV, Chapter V – Modification of PP procurement procedures by notification procedure on foreign subsidies. Chapter I, Chapter II (Articles 3, 5, 7), Chapter III, Chapter IV (Article 14-16), Chapter V-VIII (without Article 23), Chapter IX (Article 26).	12 July 2023
International Procurement Instrument (IPI)	Commission Implementing Regulation (EU) 2025/1197 of 19 June 2025 imposing an International Procurement Instrument measure restricting the access of economic operators and medical devices originating in the People’s Republic of China to the European Union public procurement market for medical devices pursuant to Regulation (EU) 2022/1031 of the European Parliament and of the Council (COM 2025/1197)	All provisions. Article 6(1) IPI and Recital 33 of the implementing act: <i>An IPI measure in the form of exclusion of tenders within the meaning of Article 6(6), letter (b), of the IPI Regulation submitted by economic operators originating in the PRC and including in its scope: (i) all Union procurement procedures concerning all categories of medical devices; (ii) organised by all Union contracting authorities and contracting entities; (iii) with a value equal or above EUR 5 000 000 net of VAT; and (iv) affecting all economic operators originating in the PRC, to be adequate and proportionate with regard to the identified measures and practices put in place and implemented by the PRC, and would most effectively remedy the level of impairment of access identified.</i>	

<p>Net Zero Industry Act (NZIA)</p>	<ul style="list-style-type: none"> - Commission Delegated Regulation (EU) 2025/1463 of 23 May 2025 amending Regulation (EU) 2024/1735 of the European Parliament and of the Council as regards the identification of sub-categories within net-zero technologies and the list of specific components used for those technologies (C(2025) 2901); - Commission Delegated Regulation (EU) 2025/1477 of 21.5.2025 supplementing Regulation (EU) 2024/1735 of the European Parliament and of the Council by specifying the rules on the identification of authorised oil and gas producers who are required to contribute to the objective of reaching the Union-target for available CO2 injection capacity by 2030, on the calculation of their respective contributions, and on their reporting obligations (C(2025) 3218); 	<ul style="list-style-type: none"> - To implement the criteria, such as 'specific', 'commercial availability', 'always primarily used' and 'essential'. The methodology is then applied to all net-zero technologies in order to identify final products and specific essential components that can reasonably be considered to be primarily used for net-zero technologies. - This Delegated Regulation defines the rules for the identification of entities subject to a contribution obligation, including the production threshold below which entities are excluded from contributing (minimum threshold). 	<p>28 July 2025</p> <p>25 July 2025</p>
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