

Annex 1 Key regulatory requirements in the EU

Legislation/policy	Relevance
Treaty on the Functioning of the European Union	Provides the basis for EU procurement regulation and sets out fundamental principles
Directive 2014/24/EU on public procurement and repealing Directive 2004/18/EC	Public sector procurement directive
Directive 2014/25/EU on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC	Utilities sector procurement directive
Directive 2014/23/EU on the award of concession contracts	Concessions directive (applies to both public and utilities sectors)
Europe 2020: A strategy for smart, sustainable and inclusive growth COM (2010) 2020	EU strategy which sets specific targets to be achieved by 2020. GPP is mentioned as one of the measures to achieve sustainable growth and in the Innovation Union, Resource-efficient Europe and Energy 2020 initiatives
Public procurement for a better environment COM (2008) 400	Provides guidance on how to reduce the environmental impact caused by public sector consumption and how to use GPP to stimulate innovation in environmental technologies, products and services.
Staff Working Document accompanying COM (2008) 400 SEC (2008) 2126	Provides useful guidelines for public authorities on the definition and verification of environmental criteria, tools for stimulating GPP and examples for a number of product groups. It also offers legal and operational guidance.
Closing the loop - An EU action plan for the Circular Economy COM/2015/0614 final	Identifies GPP as a key component of the circular economy, the need to address issues such as durability and reparability in GPP criteria, and for the Commission to support GPP implementation.
Pre-commercial Procurement: Driving innovation to ensure sustainable high quality public services in Europe COM (2007) 799	Sets out a methodology for the procurement of research and development services that are exempt from the directives
Directive 2012/27/EU on energy efficiency	The Energy Efficiency Directive requires central government authorities to only purchase highly energy-efficient products, services and buildings. Annex III of the Directive sets out the approach which applies to each product/service sector.

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Directive 2009/33/EC on the promotion of clean and energy-efficient road transport vehicles	The Clean Vehicles Directive sets mandatory GPP requirements for road-transport vehicles, relating to emissions and energy consumption.
Regulation No 106/2008 on a Community energy-efficiency labelling programme for office equipment	The Energy Star Regulation sets mandatory GPP requirements for office equipment purchases.
Directive 2010/31/EU on the Energy Performance of Buildings	The EPBD provides indicators and thresholds for energy efficient construction, including future mandatory requirements for nearly zero buildings.
Directive 2010/30/EU on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products	The Energy Labelling Directive requires certain products (e.g. air conditioners, dishwashers, lamps) to be labelled with a standardised energy class. These classes are currently subject to revision under a proposal from the Commission.
Regulation No 66/2010 on the EU Ecolabel	The EU Ecolabel and EU GPP criteria are harmonised to the extent possible
Directive 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products (recast)	The Ecodesign Directive provides the main EC framework for the development of environmental criteria for energy-related products
Regulation No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)	The EMAS Regulation provides reference to how EMAS may be taken into account in public procurement
Regulation No 995/2010 laying down the obligations of operators who place timber and timber products on the market	The Timber Regulation provides a framework for ensuring legality of timber available on the EU market
Directive 2012/19/EU on waste electrical and electronic equipment (WEEE)	Directive providing for the separate collection, treatment and recovery of waste electrical and electronic equipment, and setting relevant design requirements
Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS)	Sets requirements for manufacturers, importers and distributors of electrical and electronic equipment regarding hazardous substances identified in the Directive, and rules regarding the CE marking.
Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)	Manufacturers are required to register the details of the properties of their chemical substances and safety information in a central database.
Directive 2009/28/EC on the promotion of the use of energy from renewable sources	Sets mandatory national targets for share of electricity from renewable sources, rules on guarantees of origin and sustainability criteria for biofuels and bioliquids.