



STATUTORY INSTRUMENTS.

**S.I. No. 413 of 2013**



EUROPEAN UNION (PUBLIC PROCUREMENT CONTRACTS)  
(ACCESSION OF THE REPUBLIC OF CROATIA) REGULATIONS 2013

EUROPEAN UNION (PUBLIC PROCUREMENT CONTRACTS)  
(ACCESSION OF THE REPUBLIC OF CROATIA) REGULATIONS 2013

I, BRENDAN HOWLIN, Minister for Public Expenditure and Reform, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Council Directive 2013/16/EU of 13 May 2013<sup>1</sup>, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Union (Public Procurement Contracts) (Accession of the Republic of Croatia) Regulations 2013.

(2) These Regulations are deemed to have come into operation on 1 July 2013.

2. In these Regulations—

“Public Authorities’ Contracts Regulations” mean European Communities (Award of Public Authorities’ Contracts) Regulations 2006 (S.I. No. 329 of 2006);

“Utility Undertakings Regulations” mean European Communities (Award of Contracts by Utility Undertakings) Regulations 2007 (S.I. No. 50 of 2007).

3. The Public Authorities’ Contracts Regulations and the Utility Undertakings Regulations are each amended in Regulation 3(1)—

(a) by substituting for the definition of “Public Authorities Contracts Directive” the following definition:

“ ‘Public Authorities Contracts Directive’ means Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004<sup>2</sup> on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts, as amended by Council Directive 2013/16/EU of 13 May 2013<sup>1</sup>, adapting certain directives in the field of public procurement, by reason of the accession of the Republic of Croatia;”, and

(b) by substituting for the definition of “Public Utilities Contracts Directive” the following definition:

“ ‘Public Utilities Contracts Directive’ means Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004<sup>3</sup>

<sup>1</sup>OJ No. L 158, 10.6.2013, p.184

<sup>2</sup>OJ No. L 134, 30.4.2004, p.114

<sup>3</sup>OJ No. L 134, 30.4.2004, p.1

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 5th November, 2013.*

coordinating the procurement procedures of entities in the water, energy, transport and postal services sectors, as amended by Council Directive 2013/16/EU of 13 May 2013<sup>1</sup>, adapting certain directives in the field of public procurement, by reason of the accession of the Republic of Croatia;”.

4. The European Union (Award of Contracts relating to Defence and Security) Regulations 2012 (S.I. No. 62 of 2012) are amended in Regulation 3(1) by substituting for the definition of “Defence and Security Contracts Directive” the following definition:

“ ‘Defence and Security Contracts Directive’ means Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009<sup>4</sup> 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<sup>3</sup> and 2004/18/EC<sup>2</sup>, as amended by Council Directive 2013/16/EU of 13 May 2013<sup>1</sup>, adapting certain directives in the field of public procurement, by reason of the accession of the Republic of Croatia;”.



GIVEN under my Official Seal,  
29 October 2013.

BRENDAN HOWLIN,  
Minister for Public Expenditure and Reform.

<sup>1</sup>OJ No. L 158, 10.6.2013, p.184

<sup>4</sup>OJ No. L 216, 20.8.2009, p.76

<sup>3</sup>OJ No. L 134, 30.4.2004, p.1

<sup>2</sup>OJ No. L 134, 30.4.2004, p.114

EXPLANATORY NOTE

*(This note is not part of the instrument and does not purport to be a legal interpretation.)*

These Regulations provide for the technical adaption of certain legislation relating to public procurement to take account of the accession of the Republic of Croatia to the European Union.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)  
nó trí aon díoltóir leabhar.

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
52 ST. STEPHEN'S GREEN, DUBLIN 2.  
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)  
or through any bookseller.

---

€2.54



Wt. (B30168). 285. 11/13. Clondalkin. Gr 30-15.