



KÖZBESZERZÉSI  
HATÓSÁG

# PRESIDENT'S BRIEFING

2 March 2016

26

2016

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## The briefing of the President of the Public Procurement Authority on the public procurement thresholds applicable in 2016 (from 1 January)

(Public Procurement Bulletin, n° 26/2016; 2 March 2016)

Article 15(5) of the **Act CXLIII of 2015 on Public Procurement** (hereinafter referred to as the 'PPA') stipulates that EU thresholds and national thresholds concerning each subject-matter of public procurement shall be published by the Public Procurement Authority in the Public Procurement Bulletin, at the beginning of each year.

In order to meet this requirement of notification, the Public Procurement Authority hereby notifies the participants of contract award procedures of the thresholds applicable in 2016 (from 1 January) as follows.

### I. EU thresholds

The EU thresholds established in the public procurement directives shall be **verified** by the European Commission (hereinafter referred to as the 'Commission'), as a general rule, **every two years**, in conformity with the procedure set out in the relevant directives (Article 6 of Directive 2014/24/EU<sup>1</sup>, Article 17 of Directive 2014/25/EU<sup>2</sup> and Article 9 of Directive 2014/23/EU)<sup>3</sup>, and shall, if necessary, be revised in accordance with the thresholds set in the WTO Agreement on Government Procurement (GPA). Accordingly, Article 15(2) of the PPA provides that the EU thresholds expressed in euro and in national currencies are determined by the European Commission for a given period, and are published in the Official Journal of the European Union.

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<sup>1</sup> **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 94/65, 2014)

<sup>2</sup> **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 94/243, 2014)

<sup>3</sup> **Directive 2014/23/EU** of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94/1, 2014)



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As a result of the latest revision, which has taken place at the end of the year 2015, Commission Delegated Regulation (EU) 2015/2170 amending Directive 2014/24/EU of the European Parliament and of the Council in respect of the application thresholds for the procedures for the award of contracts, Commission Delegated Regulation (EU) 2015/2171 amending Directive 2014/25/EU of the European Parliament and of the Council in respect of the application thresholds for the procedures for the award of contracts, and Commission Delegated Regulation (EU) 2015/2172/EU amending Directive 2014/23/EU of the European Parliament and of the Council in respect of the application thresholds for the procedures for the award of contracts have been adopted. The abovementioned sources of law stipulate that the EU thresholds shall be applied for a two year period as of 1 January 2016.

As a next step, in conformity with the relevant provisions of the EU directives on public procurement, the Commission has published **Communication 2015/C 392/01**<sup>4</sup> (hereinafter referred to as the 'Communication'), in which it disclosed the amounts of EU thresholds expressed in national currencies.

In compliance with the Communication, in addition to the threshold values in euro, this briefing contains the thresholds expressed in the Hungarian national currency as well.

*1. For the purposes of Part Two – except for procedures of entities operating in the water, energy, transport and postal services sectors - of the PPA:*

In case of public supplies and public services:

- in the case of contracting authorities under Article 5(1)(a)-(b) of the PPA, and in case of such contracting authorities for the procurement of supplies in the field of defence, provided the given supply in the field of defence is covered by Annex 2 to the PPA: **EUR 135 000 – HUF 41 427 450;**

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<sup>4</sup> Communication from the Commission - Corresponding values of the thresholds of Directives 2014/23/EU, 2014/24/EU and 2014/25/EU of the European Parliament and of the Council [OJC C 392/01, 25 November 2015]



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- in the case of other contracting authorities under Article 5 of the PPA, and in case of contracting authorities under Article 5(1)(a)-(b) of the PPA, provided the given supply in the field of defence is not listed in Annex 2 to the PPA: **EUR 209 000 – HUF 64 135 830**;
- in the case of contracting authorities under Article (5) of the PPA, provided the given social and other specific services is covered by Annex 3 to the PPA: **EUR 750 000 – HUF 230 152 500**.

In the case of public works:

**- EUR 5 225 000 – HUF 1 603 395 750.**

In the case of design contests - *except for procedures of entities operating in the water, energy, transport and postal services sectors* -, where the design contest results in a public service contract; and for the total amount of the prize and the fees payable to candidates:

- in the case of contracting authorities under Article 5(1)(a) of the PPA,: **EUR 135 000 – HUF 41 427 450**;
- in the case of other contracting authorities under Article 5 of the PPA: **EUR 209 000 – HUF 64 135 830**;

*2. For the purposes of Part Two of PPA, in case of procedures of entities operating in the water, energy, transport and postal services sectors:*

In the case of public supplies and public services: **EUR 418 000 – HUF 128 271 660**.

In the case of public works: **EUR 5 225 000 – HUF 1 603 395 750**.

In the case of social and other specific services covered by Annex 3 to the PPA: **EUR 1 000 000 – HUF 306 870 000**.

In the case of design contests, where the design contest results in a public service contract; and for the total amount of the prize and the fees payable to candidates: **EUR 418 000 – HUF 128 271 660**.



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3. *For the purposes of Part Four of PPA:*

In the case of public works concessions and public service concessions:  
**EUR 5 225 000 – HUF 1 603 395 750.**

### **II. National thresholds**

Pursuant to Article 15(3) of the PPA, the national thresholds shall also be determined annually by the Budget Act of Hungary. Accordingly, for the period from 1 January 2016 to 31 December 2016, Article 68 of the Budget Act determines the national thresholds for public procurements exclusive of value added tax, as follows.

1. *For the purposes of Part Three – except for procedures of entities operating in the water, energy, transport and postal services sectors – of the PPA:*

In the case of public supplies: HUF 8 million,  
In the case of public works: HUF 15 million,  
In the case of public services: HUF 8 million,

2. *For the purposes of procedures of entities operating in the water, energy, transport and postal services sectors:*

In the case of public supplies: HUF 50 million,  
In the case of public works: HUF 100 million,  
In the case of public services: HUF 50 million.

3. *For the purposes of Part Four – except for procedures of entities operating in the water, energy, transport and postal services sectors – of the PPA:*

In the case of public works concessions: HUF 100 million,  
In the case of public service concessions: HUF 25 million.

*For the purposes of Part Four in the case of procedures of entities operating in the water, energy, transport and postal services sectors:*

In the case of public works concessions: HUF 200 million,  
In the case of public service concessions: HUF 100 million.