

# The New European Rules on Concessions: What Will they Mean in Practice?

Maastricht (NL), 13-14 September 2012



European Institute of Public Administration  
Institut européen d'administration publique



## Introduction

### Target group

The seminar will be of particular interest to those planning to award, or currently involved in awarding, contracts which are defined as concessions in EU law or may be capable of being defined as concessions. These include policy makers in EU Member States, public officials from Contracting Authorities, private sector service providers and legal and other professional advisers in EU Member States, candidate countries and beyond. It should also be of interest to academics and to officials in European institutions and organisations.

### Description

Are you currently responsible for launching or planning to launch an award procedure for a concession? Are you sure that the procedure followed complies with EU law and will provide value for money in difficult times for the public finances? What does the European Commission and national governments think needs to be done about concessions? Will their ideas work in practice? Could the Competitive Dialogue award procedure be a solution to your problems? The European Commission has now launched a new legislative initiative which sets out new rules for the award of concessions in EU law. These rules - long anticipated - aim to provide greater legal clarity and certainty about the rules governing award of concessions contracts.

### Method

EIPA's new seminar will explain the new rules and what they mean for Contracting Authorities awarding concessions for the delivery of public services and to assess how and to what extent they address current issues in awarding such concessions. At the end of the seminar you will go away with a better understanding of the rules for the award of concessions proposed in the new legislative initiative and how to apply them in practice.

### Objectives

The seminar will address legal, economic, financial and operational considerations and the aim will be to use experience to date as a means of:

- Developing a common assessment of the risks, challenges and opportunities arising from the current use of concessions as a means of delivering public services
- Exploring solutions which enable Contracting Authorities to award concessions in a way which meets both the need to secure value for money and to comply with EU law.

It will draw together experience of different countries and stakeholders in the European arena.

# Programme

## THURSDAY 13 SEPTEMBER 2012

- 09.30 **Welcome and introduction to seminar**  
*Michael Burnett*, Project Leader, Expert, Public Management Unit, EIPA, Maastricht (NL)
- 09.45 **How concessions are used and why “do nothing” is not an option at European level**  
*Michael Burnett*
- 10.45 Coffee
- 11.15 **The European new rules on concessions – Proposals, impact and state of implementation: The European Commission’s perspective**  
*Lukasz Rozanski*, European Commission, DG Internal Market & Services, Brussels (BE)
- 12.45 Lunch
- 14.15 Guided walking tour of historic Maastricht
- 15.45 Coffee break
- 16.00 **The European new rules on concessions – Proposals, impact and state of implementation: The view of EU Member States**  
*Peter Bennett*, EU Developments Adviser, HM Treasury, London and UK member of the European Commission’s Advisory Committee on Public Contracts, London (UK)
- 17.30 **End of Day 1**
- 20.00 Dinner at a restaurant in Maastricht

## FRIDAY 14 SEPTEMBER 2012

- 09.30 **Introduction to Day 2**
- 09.45 **The European new rules on concessions – Proposals, impact and state of implementation : A private sector perspective**  
*Peter Braun*, Partner, Orrick, Hölters and Elsing law firm, Frankfurt am Main (DE)
- 11.15 Coffee break
- 11.45 **Using Competitive Dialogue - a possible solution?**  
*Michael Burnett*
- 13.00 Evaluation
- 13.15 **Lunch and end of seminar**

## CONTRIBUTORS

### ***Michael Burnett***

Project Leader, Expert, Public Management Unit EIPA, Maastricht (NL)

### ***Lukasz Rozanski***

European Commission, DG Internal Market & Services, Brussels (BE)

### ***Peter Bennett***

EU Developments Adviser, HM Treasury, London and UK member of the European Commission’s Advisory Committee on Public Contracts, London (UK)

### ***Peter Braun***

Partner, Orrick, Hölters and Elsing law firm, Frankfurt am Main (DE)

# General Information

## Programme

The programme will commence on Thursday at 9.30 and will finish on the Friday at 13.15 with a lunch.

## Seminar Venue

The seminar will take place in the Blue Conference Room (0.18) at the European Institute of Public Administration, O.L. Vrouweplein 22, NL-6211 HE Maastricht, tel.: +31 43 32 96 222, fax: +31 43 32 96 296.

## Working language

The course will be conducted in English

## Fee

The participation fee is €900 and includes documentation, a guided walking tour, 2 lunches, 1 dinner and refreshments. Accommodation and travel costs are at the expense of the participants or their administration.

EIPA offers its members a reduction of 10% of the registration fee. This reduction is available to all civil servants working for one of EIPA's member countries (i.e. AT, BE, BG, CY, CZ, DK, EE, FI, FR, DE, GR, HU, IE, IT, LT, LU, MT, NL, PL, PT, ES, SE, UK) and civil servants working for an EU institution, body or agency. Officials of the EU institutions, bodies or agencies should enquire about applicable arrangements. If you are eligible for a discount, please tick the box in the registration form. Please note that reductions cannot be accumulated. For more information, please visit EIPA's website: <http://seminars.eipa.eu> (FAQ - special discounts).

## Hotel reservation

EIPA has booked a limited number of rooms at Hotel Beaumont\*\*\*\* ([www.beaumont.nl](http://www.beaumont.nl)) in Maastricht at a special rate of € 99,99 for a single room per night including breakfast and tourist tax. If participants wish us to book accommodation for them, please indicate this on the application form together with arrival and departure dates and the number of overnight stays required. Payment is to be made directly and personally to the hotel on checking out. Please note that if you register after the closing date, hotel reservations cannot be guaranteed.

## Meals

Lunches will be served at the Institute's restaurant and dinner in the evening will be at a restaurant in town. Should you require a special menu (e.g. vegetarian, diabetic), please inform the Programme Organiser so that this can be arranged.

## Registration

Kindly complete the registration form and return it before 23 August 2012 to Ms Belinda Vetter, Programme Organiser, European Institute of Public Administration, P.O. Box 1229, NL-6201 BE Maastricht. Tel.: +31 43 32 96 382; fax: +31 43 32 96 296; e-mail: [b.vetter@eipa.eu](mailto:b.vetter@eipa.eu).

You can also submit the online registration form which you can find on EIPA's website <http://seminars.eipa.eu>

Your name and address will be part of EIPA's database for our mailing purpose only. If you do not want to be included in our mailing database, please tick the box in the registration form.

## Confirmation

Confirmation of registration will be forwarded to participants on receipt of the completed registration form.

## Payment

Prior payment is a condition for participation. Please indicate the method of payment on the registration form. For cancellations received within 15 days before the activity begins, we will have to charge an administration fee of € 150 unless a replacement participant is found.

## Cancellation policy

EIPA reserves the right to cancel the seminar up to 2 weeks before the starting date. EIPA accepts no responsibility for any costs incurred (travel, hotel, etc.). For EIPA's cancellation policy, please visit our website <http://seminars.eipa.eu> (FAQ - Cancellation policy).



# Registration Form

The New European Rules on Concessions: What Will they Mean in Practice?  
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Surname: ..... Title: ..... M/F  
First name: .....  
Current position: .....  
Organisation: .....  
Department: .....  
Work address: .....  
Postal code & town: ..... Country: .....  
Tel. no: ..... Fax no: .....  
E-mail address: .....

## Payment - 1220406

The participation fee includes participation in the seminar, documentation, 2 lunches, 1 dinner and beverages

€ 900

Discount of 10% (Please check first the conditions at [www.eipa.eu](http://www.eipa.eu) (FAQ – special discounts))

## Method of payment

Bank transfer

The participants or their administration will receive an invoice for the payment of the registration fee.

Invoice address (if different from the abovementioned address):

.....

E-mail: .....

**Credit card**

American Express Card  Eurocard/Mastercard  Visa Card

Card no.: ..... Expiry date: ..... /.....

Name Card holder: ..... (in case this differs from above)

Address Card holder: ..... (in case this differs from above)

Postal code: ..... Country: ..... (in case this differs from above)

Card Validation Code: ..... (the last three digits on the BACK of your card)

(Exempt from VAT by virtue of Article 11, para. 1 (o), subpara. 2 of the Dutch Law on VAT of 1968)

## Hotel Reservation

Please reserve hotel accommodation for me at Hotel Beaumont

Date of arrival: ..... Date of departure: ..... No. of nights: .....

No hotel reservation required

## Meals

Vegetarian:  yes  no  Fish allowed:  yes  no Other dietary requirements: .....

As the number of places is limited, please return the completed registration form before 23 August 2012 to:  
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tel.: +31 43 32 96 382, fax: +31 43 32 96 296, e-mail: [b.vetter@eipa.eu](mailto:b.vetter@eipa.eu)



Your name and address will be part of EIPA's database for our mailing purpose only.  
Please tick  if you do not want to be included in our mailing database.