

**ELECTRONIC PROCUREMENT****SECTION 3.2 OF THE COMMISSION COMMUNICATION  
"PUBLIC PROCUREMENT IN THE EUROPEAN UNION"  
[COM (98) 143]****UNICE POSITION PAPER****1. General Comments**

UNICE considers the introduction of Electronic Commerce to be of central importance for the further development of public procurement. Concepts and technologies like EDI (Electronic Data Interchange), CALS (Continuous Acquisition and Logistics Support) as well as Internet, Intranet and Extranet have brought revolutionary innovations to business. As is the case with participants in 'business to business relations', the actors involved in public procurement should be able to benefit from the above mentioned innovations in computer-based communication.

UNICE estimates that the electronic support for the various business processes within public procurement should not be focussed on one single electronic concept or technology. On the contrary, the different concepts/technologies should be applied according to the practical necessities of the different business processes in public procurement.

The publication of tender notices could be performed by an Internet-solution. For the transmission of structured data, which in the process chain between public purchasers, suppliers and business partners should be communicated without the risk of errors caused by recreation of data, the internationally accepted standard UN/EDIFACT (United Nations/Electronic Data Interchange for Administration, Commerce and Transport) should be used wherever possible. For single, non-repeated transmissions of non-structured data, E-Mail can be used.

**2. Amendments to the EU Directives allowing the use of Electronic Commerce in Public Procurement (Section 3.2.3)**

In general UNICE welcomes that the European Commission intends to propose amendments to the Directives to put electronic means of exchanging information on an equal footing with other means. In doing this, on the one hand it will be important to allow the use of Electronic Commerce without

breaking European procurement rules, but on the other hand the amendments should allow for a protection of sensitive data.

Given the fast development of information and communication technologies, the amendments to the Directives should be formulated in a way allowing the application of different electronic concepts/technologies (see also Section 1).

UNICE welcomes the intention of the Commission to run pilot projects before amending the Directives. In this regard it is of vital importance that the pilot projects already existing or actually being prepared be developed. For projects which should be run at European level, active support of the European Commission will be needed (see also Section 3).

### **3. Necessity to run pilot projects (Section 3.2.2)**

UNICE estimates that the running of concrete, manageable pilot projects at European level is needed very urgently. While the Commission has to date mainly obviously focussed itself on the data exchange between contracting authorities and suppliers, it should also pay attention to the testing of direct electronic communication between these parties.

In this regard, support from the Commission is especially needed for the related pilot project prepared in the European working group “EEG 12 – Subgroup 1”. In order to safeguard the desirable EU-wide coordination and necessary technical assistance, financial support by the European Commission is indispensable for this project.

### **4. Deadlines in public procurement rules (Section 3.2.1)**

In the context of the introduction of electronic procurement, a shortening of the current deadlines in public procurement rules may be considered. Initially however, paper communication will provisionally exist besides electronic communication. Therefore an ultimate shortening of deadlines should only take place after a general migration to electronic communication.

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