

DECISION OF THE EUROPEAN CENTRAL BANK
of 19 June 2012
amending Decision ECB/2007/5 laying down the Rules on Procurement
(ECB/2012/10)
(2012/367/EU)

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

HAS ADOPTED THIS DECISION:

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 11.6 thereof,

Having regard to Decision ECB/2004/2 of 19 February 2004 adopting the Rules of Procedure of the European Central Bank ⁽¹⁾, and in particular Article 19 thereof,

Whereas:

- (1) The thresholds for public tender procedures laid down in Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts ⁽²⁾ have been changed by Commission Regulation (EU) No 1251/2011 of 30 November 2011 amending Directives 2004/17/EC, 2004/18/EC and 2009/81/EC of the European Parliament and of the Council in respect of their application thresholds for the procedures for the award of contracts ⁽³⁾.
- (2) The European Central Bank (ECB), although not subject to Directive 2004/18/EC, intends to apply the same thresholds for its public tender procedures.
- (3) Decision ECB/2007/5 of 3 July 2007 laying down the Rules on Procurement ⁽⁴⁾ should therefore be amended accordingly,

Article 1

Amendments

Article 4(3) of Decision ECB/2007/5 is replaced by the following:

‘3. The following threshold amounts shall apply:

- (a) EUR 200 000 for supply and service contracts;
- (b) EUR 5 000 000 for works contracts.’

Article 2

Entry into force

1. This Decision shall enter into force on 1 September 2012.
2. Tender procedures started before the entry into force of this Decision shall be completed in accordance with the provisions of Decision ECB/2007/5 in force at the date when the tender procedure started. For the purpose of this provision a tender procedure is deemed to start on the date on which the contract notice was sent to the *Official Journal of the European Union* or, in cases where no such notice is required, on the date when the ECB invited one or several suppliers to submit a tender.

Done at Frankfurt am Main, 19 June 2012.

The President of the ECB
Mario DRAGHI

⁽¹⁾ OJ L 80, 18.3.2004, p. 33.

⁽²⁾ OJ L 134, 30.4.2004, p. 114.

⁽³⁾ OJ L 319, 2.12.2011, p. 43.

⁽⁴⁾ OJ L 184, 14.7.2007, p. 34.