

# **Legislation and policies on SPP**

## **The SME point of view**

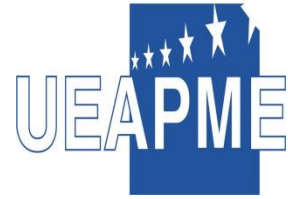
**EcoProcura**

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Malmö, 19 September 2012



# A few words about UEAPME



## UEAPME is the European Craft and SME association:

- Representing **12 million SMEs** from 32 Countries in Europe
- **85** European (branches) and national (horizontal) **members**
- UEAPME exists because **80% of legislation and regulations** affecting SMEs comes from Europe
- I am **Director for Economic and Fiscal Policy** as well as **Head of the UEAPME Study Unit.**

My responsibilities include:

- SME finance and relation to banks
- R&D and Innovation
- Public Procurement Legislation

## Some principles of UEAPME positions on green paper and COM proposal:

- best value for money – against lowest price
- fair and open competition
- transparency and predictability
- support for life cycle costing – but in a way accessible for SMEs

**Every public authority has to freedom to chose the product and services they want to have**

- choose which environmental or social standards
- and bear any extra costs it may create
- responsibility of public authority toward its population
- **Problem: wrong incentives for administrations**

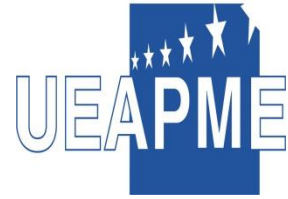
## Fair competition and transparency as regards eco- and social procurement

- eco- and social criteria must be strictly related to the contract in question
- every company that fulfills the legal standards must be allowed to participate
- criteria must be objective and accessible for SMEs
- **Problem: too often misused to manipulated the outcome**

**If the legislator wants higher standards as regards to protection of environmental, climate or social aspects, general regulation is needed.**

- Do not use public procurement to introduce new standards for companies through the back-door.
- Criteria beyond those related to the contract will open the door for arbitrage and unfair competition.

# How make to make it more attractive for SMEs



**Use the instruments foreseen in the code of good practices to facilitate SMEs' participation in PP, included in the SBA 2008, especially:**

- division into lots and facilitate participation of consortia
- allow variants – important for innovation
- protect subcontractors
- preference to the economically most advantageous offer

- 1. Eco- and social procurement can be done under the current EU legislation.**
- 2. Procurement agencies have the wrong incentives to apply eco- and social procurement; the political backing is missing.**
- 3. SMEs are afraid that eco- and social procurement is misused to protect incumbents and large competitors.**



**Thank you for your attention!**



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