Statement by the Committee on Finance 2011/12:FiU45
Subsidiarity check of proposal for a Directive of the European Parliament and of the Council on public procurement of water, etc. COM(2011) 895

APPENDIX 2

Reasoned opinion

The Commission's proposal for a directive on public procurement of entities operating in the water, energy, transport and postal services sectors (COM(2011) 895 final), which is presented in the statement from the Committee on Finance 2011/12: FiU45, has been examined by the Riksdag on the basis of the application of the principle of subsidiarity. The Riksdag welcomes the Commission's proposal and is mainly positive to the proposed revision of the Directive, many parts of which are in line with Sweden's response to the green paper which formed the basis of the review. In common with the Government, the Riksdag considers that those parts of the proposal that deal with supervision and guidance are important. In the opinion of the Riksdag, it should be the task of every member state to decide how to set up a system for supervision and knowledge centres for support and guidance. These can then be designed in accordance with the constitutional conditions of each member state. The issue of how authorities are to be organised is a national responsibility and there is no reason to lay down at EU level the organisational measures to be taken by a member state. Effective systems for supervision and knowledge centres are best achieved by means of national rules. Each member state has its own constitutional conditions. It is therefore the opinion of the Riksdag that the proposal in those parts dealing with supervision, education, guidance and support for procurers and companies conflicts with the principle of subsidiarity In the view of the Riksdag, the Commission should present a reworked proposal corresponding to the proposal now considered by the Riksdag, but with the amendment that systems for supervision and knowledge centres for support and guidance should not be regulated at the EU level.