A public contract registry is an online repository that aims at keeping track of all procurements concluded by the state and making this information available online, thereby providing a basis for monitoring the way in which public money is spent. Establishing contract registries can be a powerful tool to highlight the way in which taxpayers’ money is used.

Contract registries should provide open, downloadable, complete, up-to-date and machine-readable information on contracts in order to maximise the usefulness of the information contained therein. Apart from the importance of publishing the full text of the contract, data such as price, signature date, names of contracting parties and description of goods and services should be disclosed in a user-friendly format and must be easily searchable. Setting smart searching functionalities is crucial in order to quickly identify and access contracts that have similar features. For instance, it should be accessible to isolate contracts concluded by the same contracting authority or awarded to the same supplier. Depending on the portal’s design and level of development, contract registries can provide more than just contractual information. MS with the most advanced contract registries also provide contract notices, as well as contract orders and deliberations.

There is no EU requirement for publishing either above- or below-threshold contracts. However, MS that have adopted the Right to Freedom of Information are increasingly making it mandatory in their national law for the content of contracts involving public funds to be published. While some MS make the publication of contracts compulsory depending on the nature of the parties involved, other MS require the mandatory publication of all contracts, regardless of the procedure.

The online publication of detailed and regularly updated public procurement data is a key component of an effective monitoring and transparency system. This can benefit a wide range of stakeholders, from the public authorities, which can use this data to monitor and evaluate their own purchasing activities, to economic operators, that can better assess public-sector markets. Furthermore, the publication of public procurement data helps civil-society groups to conduct their oversight activities on public spending.

**Summary**

- Interoperability between e-procurement systems and other government databases
- Transparency platforms

**Impact**

**Increase transparency**

The very essence of contract registries is to make contractual information public, open and downloadable, therefore bringing transparency to the way in which public money is spent. Open data offers opportunities for the oversight community to develop methods for monitoring and evaluation purposes. Transparency platforms can reuse data from the contract registry to perform statistical analysis of procurements or develop tools to detect corruption. So far, concerns over potential risks of collusion between suppliers due to increased transparency have not been justified.

**Increase competition**

Public contract registries have a twofold impact on increasing competition. On the one hand, more transparency contributes to increase bidders’ confidence that procurement procedures are conducted fairly. On the other hand, transparency provides bidders with information on previous similar contracts. This could ultimately reduce market-entry barriers for bidders and increase their participation in public tenders.

**Improve accountability**

Because abuses of public money are more likely to reach the public and turn into a scandal thanks to contract registries, contracting authorities tend to act more responsibly, fearing damage to their reputation.

**Related Good Practices**

- Interoperability between e-procurement systems and other government databases
- Transparency platforms
To make monitoring and analysis possible, it is crucial to provide thorough and high-quality data, and that this data is stored in a complete and comprehensive manner. The database should always disclose metadata, i.e. contract number, economic value, type of procedure, date, name of contracting authority and name of awarded supplier. Therefore, creating an intuitive search using multiple filters and keywords is something that should be thought through during the design phase of the contract registry. Finally, displaying the number of results found and allowing the user to go back to the same results page after consulting a specific contract (without losing the filters) saves time and contributes to a user-friendly interface.

Contract information should be disclosed in a timely manner and should provide up-to-date information, as proactive publication contributes to building trust in the probity of the procurement procedure. In addition, the data published should be updated regularly to make sure that everyone has access to accurate information.

When establishing a contact registry, defining the scope and level of information that should be published is key. Without a precise specification of what should be published (e.g. all contract annexes or only some), there is less of an incentive for contracting authorities to publish their data on the contract registry.

To ensure that the contract is published in a timely manner, some MS have decided to introduce an enforcement mechanism stating that the contract will be valid and entered into force only once it is published on the central registry. This way, suppliers can put pressure on contracting authorities to publish the contract, thereby minimising delays in contract execution.

In addition to contracts, some more digitally advanced MS also display contract notices on their contract registry portals. To do so, they have allowed the central register to be interoperable with other e-procurement platforms. Linking such platforms to the contract registry enables real-time information to be received on new contract notices, centralised and automatically published in the contract registry.
Portugal – BASE Public Contract Registry*

The Portuguese public contract registry, BASE, was created in 2009 and was spurred by the reform that Portugal undertook to change the way in which it did business. The Public Procurement Code (PPC) Decree-Law no. 18/2008, established provisions for the complete dematerialisation of public procurement procedures. One of these provisions involves increasing accessibility to contractual data by way of electronic publication on the BASE portal. BASE has been upgraded many times since 2009, with its most recent upgrade occurring in 2014.

BASE is managed by the Institute of Public Markets, Real Estate and Construction (IMPIC) and acts as a single repository of contracts accessible to everyone, but specifically aimed at economic operators wishing to access relevant data on public contracts. Such information not only includes contractual information, but also calls for tenders and subsequent notices, orders and deliberations, and accessory sanctions. Full disclosure of contracts on the BASE portal was initially required for direct-award procedures to provide ex post transparency, but now applies to all contracts. However, no control or sanction mechanism exists to enforce publication of contracts except for direct awards, where the contract must be performed or paid.

What makes BASE a particularly advanced contract registry is its interoperable component. The central registry is linked to the five private e-procurement platforms and the national official journal, and is further fed by input from contracting authorities’ IT systems. Once the data is received in the contract registry, it is centralised and published to be publicly open and accessible. The data received is both structured and unstructured. The portal’s managing entity, IMPIC, further analyses and processes the information in order for it to function as a basis for further studies and statistical analyses.

Beyond its purpose of transparency, the BASE portal also serves to promote and disseminate relevant legislation and technical content. Moreover, it is an instrument for Portuguese citizens to perform oversight of public contracts and contribute to monitor public spending. Finally, the contract registry also provides specific information on public works through the Public Works Observatory (Observatório das Obras Públicas), which is a filter for accessing works data from the contract registry.

*Feasibility study on implementing public contract registry - available on the e-library of public procurement good practices.

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Article 83.6 of Directive 2014/24/EU specifies the obligations of contracting authorities regarding access to procurement contracts.

See: [http://www.right2info.org/access-to-information-laws/access-to-information-laws#section-1](http://www.right2info.org/access-to-information-laws/access-to-information-laws#section-1)


