



# Organization of public procurement system in Republic of Slovenia

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# History

- 1997 – first legislative framework
  - Transparency
  - Simplification
- Directive 2004/17/EC; Directive 2004/18/EC
  - Procedures
  - Competition
  - Secondary policies
  - EU publication



# Public procurement objectives

- Legal
- Economic
- Demographic
- Sociological
- Ecological



# Procurement rules

- Procurement rules affect contract law
  - Terms and conditions for the selection of contracting party
- Ensuring competition
- Prevent unequal treatment
- Efficient use of public funds

# Fundamental principles

- Principle derived from the treaty on the functioning of the European union:
  - freedom of movement of goods, freedom of establishment, freedom to provide services
- Principles of economy, efficiency and effectiveness
- Principle of competition among tenderers
- Principle of transparency of public procurement
- Principle of equal treatment of tenderers
- Principle of proportionality



# Public Procurement System Institutions

- Ministry of Finance
- Public Procurement Agency
- National Review Commission for Reviewing Public Procurement Award Procedures (National Review Commission)
- Court of Audit of the Republic of Slovenia

# Ministry of Finance

- Public Assets Directorate
  - Public Private Partnership and Public Procurement System
- Harmonization of Slovenian legislation in the field of public procurement with the acquis
- Preparation of regulations governing public procurement

# Public Procurement Agency

- Public Procurement Agency Act
- Centralized body for government procurements (also other public bodies, such as local governments and other agencies and institutions )
- Efficiency, rationality and transparency
- Centralized knowledge and know-how on public procurement issues



# National Review Commission

- Specific, independent, professional and expert state institution providing legal protection to tenderers at all procedural levels of the award of public contracts
- Two-stage procedure
  - Contracting Authority
  - National Review Commission
- Two types of decisions: a claim can be rejected as unsubstantiated or a claim can be sustained and the procedure in question partially or entirely invalidated.

# Court of Audit

- The highest body for supervising state accounts, the state budget and all public spending in Slovenia.
- It may audit any act on past operations as well as the act on the planned operations of public fund users