**Press release**

Vienna, 11 May 2011

**CMS: Statement on EC Procurement Policy Green Paper**

**CMS procurement law experts published a comprehensive commentary on the Green Paper of the European Commission (EC) on the modernisation of EU public procurement policy. The expert opinion comprises legal considerations as well as practical experience of an entire team of CMS public procurement law experts.**

In their commentary, CMS public procurement law experts advocated a reduction of the abundance of regulations and red tape in European public procurement policy, which has caused many public entities to adopt an adverse attitude towards said law. It was necessary to limit the scope of applicability to procurement activities by public authorities. “This reform is an opportunity to stop undesirable developments. In light of the wealth of changes in the past years, sound judgement should be applied in the current reform to put no further strain on those who have to apply the law,” the legal experts of CMS found.

In its Green Paper of 27 January 2011, the EU Commission discussed many aspects important for the modernisation of the EU public procurement policy. The Commission regards the reform as an urgent matter given the strict budget targets and financial difficulties prevalent in many EU Member States. European public procurement policy is to become more efficient and effective to ensure that contracting authorities can award public contracts at lower transaction costs than in the past. The Green Paper invited all interested parties to state their views and raised 114 questions with practical relevance for all areas of European public procurement policy.

A CMS team answered these questions. The partners of the public procurement law teams at CMS Reich-Rohrwig Hainz, Bernt Elsner and Robert Keisler, and German affiliate CMS Hasche Sigle, Klaus Heuvels, Stefan Höß, Matthias Kuß, Hermann Müller, Christian Scherer-Leydecker, Frank Schneider and Volkmar Wagner, wrote a comprehensive 52-page commentary. Their practical experience enabled the CMS experts to include both legal aspects and observations of the market. The CMS statement offers a well-structured overview of all disputed points discussed among experts, formulates opinions on topics

relevant in everyday law practice and is thus an important contribution to the debate on the modernisation of public procurement policy.

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CMS Reich-Rohrwig Hainz was founded in Vienna in 1970 and has since emerged as one of the leading specialists in all areas of commercial and labour law. Highly-specialized teams consisting of internationally experienced lawyers primarily provide services in the following fields of law: M&A, banking and finance, real estate, taxes, labour laws, IP and IT laws, and public procurement. The company operates offices in Vienna, Belgrade, Bratislava, Brussels, Kiev, Ljubljana, Sarajevo, Sofia and Zagreb. All CMS offices together offer clients a team of more than 500 experienced specialists in 13 offices across the CEE/SEE region.

CMS Reich-Rohrwig Hainz is one of the founding members of CMS, the association of leading European legal firms and tax consultants. At present, CMS operates a network consisting of more than 700 partners, 2,800 lawyers and tax consultants, and a total of 5,000 employees working on behalf of its clients. www.cms-rrh.com

**About CMS**

CMS aims to be recognised as the best European provider of legal and tax services. Clients say that what makes CMS special is a combination of three things:

Strong, trusted client relationships

High quality advice

Industry specialization

We combine deep local expertise and the most extensive presence in Europe with cross-border consistency and coordination.

CMS has a common culture and a shared heritage which make us distinctively European. CMS operates in 27 jurisdictions, with 53 offices in Western and Central Europe and beyond. CMS was established in 1999 and today comprises nine CMS firms, employing over 2,800 lawyers. CMS is headquartered in Frankfurt, Germany.

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