

Linking space to user needs

Legal Framework for EUSPA's Procurements

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Overview of the Procurement Legal Framework

- Financial Regulation (2024/2509)
 - Title VII + Annex I
 - Equivalent of EU Procurement Directives (2014/23 and 2014/24)
 - Contains general procurement rules for EU bodies
- Space Regulation
 - Establishes the EU Space Programme for the relevant period (objectives, budget, rules for implementation) as well as the Agency
 - Contains specific rules for procurement/grants financed by the EU Space Programme
- Horizon Europe Regulation
 - Establishes Horizon Europe - the Framework Programme for Research and Innovation (Pillar II, Cluster 4, "Digital, Industry and Space")
 - Pre-commercial procurement and public procurement of innovative solutions
- Other
 - PRS Decision, EUCI Decision, Data Protection Regulation, IRIS2 Regulation, restrictive measures etc.

Financial Regulation

- Basic common procurement rules to be followed by all EU bodies, including EUSPA.
- **Types of contracts/procedures/award methods under FR** – which are generally used by EUSPA? What are the differences and implications for contractors?
- Procurement Process
- Modifications of contracts after signature

Space Regulation – what makes EUSPA's procurement different?



- Specific principles:
 - Technological independence [Art. 14(b)] and autonomy of the Union [Art. 14(e)]
 - Multiple sourcing [Art. 14(c)], where possible, not relying on a single provider [Art. 14(b)]
 - Service continuity and reliability [Art. 14(g)]
 - Security [Art. 14(f)]
 - Effective competition and wide participation (start-ups, new entrants and SMEs) [Art. 14(e)]
- Specific instruments:
 - Conditional stage-payment contracts [Art. 15]
 - Cost-reimbursement contracts [Art. 16]
- Specific requirements
 - Subcontracting requirements [Art. 17]
 - Participation conditions [Art. 24]

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