



Public procurement in Norway – revision process in Norway and the EU



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The rules on public procurement are in Norway based on the current EU-directives from 2014 – implemented as a part of the obligations under the EEA-agreement with the EU member states.

In 2022 the Norwegian government appointed a committee to review the current rules and suggest changes, which was done in two comprehensive official reports: NOU [2023:26](#) of 10 November 2023 and [NOU 2024:9](#) of 16 May 2024.

While the first report suggested a new structure of the rules, simplifications and clarifications relating to inclusion of societal interests in procurement procedures, the second report suggested new national systems regarding enforcement with e.g. enhanced authorities to the Norwegian Complaint Board for Public Procurement and certain surveillance authorities for the Norwegian Competition Authority. At present, the Norwegian Ministry of Trade, Industry and Fisheries is assessing the reports for a potential proposal for the Norwegian Parliament.

The European Commission is also in process of considering and revising the EU directives on public procurement and has now – as a start - invited the public to provide feedback on whether the current rules have worked as intended with a deadline until [7 March 2025](#). A [special report from the European Court of Auditors](#) ("ECA") found inter alia that the level of competition for public contracts to deliver works, goods and services, decreased over the past 10 years in the EU single market and a high level of direct contract awards. Consequently, the ECA concluded that the 2014 directives on public procurement has not had a demonstrable effect; bidders and contracting authorities still consider that public procurement procedures give rise to a significant administrative burden.

There are many aspects which need to be taken into consideration to find an appropriate level of flexibility and at the same time prevent corruption, include environmental and societal interests and respect the fundamental requirements for competition, predictability, transparency and equal treatment. In any event, the Norwegian rules must respect any development from the EU and the future rules on public procurement remains to be seen. DLA Piper public procurement team follows this process closely.

Fagområder Offentlige anskaffelser
