

93. For discussion of the proposed directive, see Europe, No. 5334 (new series), September 22, 1990, p. 11.
94. Id. The proposed directive, however, excludes legal, hotel, catering and certain other services.
95. See Council Directive of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts (89/665/EEC), OJ No L 395, 30.12.1989. These procedures must provide for the possible suspension of contract proceedings until an infringement of the procurement rules is corrected, or for the awarding of damages to persons harmed by an infringement of the procurement rules.
96. See Commission of the European Communities, Proposal for a Council Directive coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (COM(90) 297), July 30, 1990. The proposals for the water, energy, transport and telecommunications sectors, however, differ in a number of respects from the measures contained in the supplies and public works procurement directives. For example, Chapter 2 of the proposed directive sets forth an alternative approach for dealing with infringements of the Utilities Directive procurement rules in cases where the relevant Member State considers that remedies, such as the suspension of award procedures or the setting aside of decisions of the contracting body, are inappropriate.
97. Commission of the European Communities, Public Procurement: Regional and Social Aspects, COM(89) 400, July 24, 1989. The communication suggests that permissible preferences might include, for example, the granting of a transparent price advantage to firms in poor regions in the range of 5 to 10%.
98. See "Air France Wins EC Approval for Acquisition: Terms Call for Paris to Liberalize Policies," Wall Street Journal, October 31, 1990.
99. See EC Commission Press Release, IP(88)131, March 9, 1988, CMR 10, 981.
100. For other cases, see EC Commission Press Release, IP(90)521, June 27, 1990, and CMR 95, 252, 95, 253, 95,472 and 95,391.
101. See, in particular, EC Council Regulation Nos. 3975/87 (CMR 2831) and 3976/87 (CMR 2755), and EC Commission Regulation Nos. 4261/88 (CMR 2833), 2671/88 (CMR 2758), 2672/88 (CMR 2761) and 2673/88 (CMR 2764). The