

85. See Amended Proposal for a Second Council Directive on the coordination of laws, regulations and administrative provisions relating to direct life assurance, laying down provisions to facilitate the effective exercise of freedom to provide services amending Directive 79-267-EEC, COM(9) 46 final SYN-177, Brussels, 1 March 1990.
86. See Commission of the European Communities, "Public Procurement in the Excluded Sectors," Bulletin of the European Communities, Supplement 6/88.
87. Commission of the European Communities, supra, note 2, pp. 23-24 and Annex, p. 22.
88. See Council Directive of 22 March 1988 amending Directive 77/62/EEC relating to the coordination of procedures on the award of public supply contracts and repealing certain provisions of Directive 80/767/EEC, OJ No 210, 20.5.1988 and Council Directive of 18 July 1989 amending Directive 71/305/EEC concerning coordination of procedures for the award of public works contracts, OJ No L 210, 21.7.1989.
89. The specific amendments adopted included provisions to clarify the definition of contracts subject to the procurement rules, narrow the definition of exempted entities and contracts, and make the use of available Community technical standards mandatory. In addition, the revised directives include measures to prevent the splitting or under-evaluation of contracts to lower their value below the thresholds requiring the use of competitive contracting procedures. These thresholds are, in the case of supplies contracts, 200,000 ECU (130,000 ECU if subject to the GATT Procurement Code) and, in the case of public works, 5 million ECU. Most Member States were required to fully implement these amendments by July 19, 1990.
90. See "EC opens up public procurement," Financial Times, September 18, 1990, p. 4.
91. There are several noteworthy exceptions to this coverage. For example, pending further development of EC energy policy, certain energy purchases are currently not subject to the Utilities Directive. Also, procurement relating to air and sea transportation is exempt on the basis that it is already competitive. In addition, purchases relating to drinking water but not other water are covered by the Directive.
92. See Europe, No. 5201 (new series), February 24, 1990, p. 6.