

Competitiveness test - Proposal for the revision on the EU rules on procurement

The following competitiveness test is based on the Commission's (COM's) [impact assessment](#) for the revision of the EU rules on procurement. The test focuses, in line with the Implementation Council's directive, on *the proposal's impact on Swedish businesses' costs and competitiveness*. The impact is assessed for competition, international competitiveness, innovation and small and medium-sized enterprises. The overall assessment of each dimension is compared with the COM's assessment. The performance of a complete national impact assessment of the proposal is outside the scope of the Implementation Council's directive but should be carried out where in turn this test can be supportive. Page references apply to the COM's impact assessment unless otherwise stated.

Step 1: Starting points and basic data, such as identification of affected industries (SNI2 level)	
Abbreviations in the COM Impact Assessment (the four objectives)	FLX: Simplifications and flexibility, ESI: Environment, social, and innovation, BEU: European Preference, MPL: Digital marketplace (för beskrivning se s. 21)
Most advantageous combination of options under COM	FLX2, ESI2, BEU2 and MPL1 (see p.67 for a summary table)
About the impact assessment	
Fundamentals of COM's Impact Assessment	For a description of zero alternatives (FLX0, ESI0, BEU0 and MPL0), see page 21f. The impact assessment captures the costs and savings that are added in addition to the zero alternatives. For assumed calculation values, see Appendix 8, Table 35, p. 219. It was not possible to quantify all impacts (e.g. "once only"), mainly due to a lack of credible statistics. The impact assessment is based on Ecorys (2025). ¹ Data sources for Ecorys' analysis are EU's procurement database TED (Tenders Electronic Daily), extracts from national procurement data from 17 Member States and a survey conducted in the same 17 Member States. Part on SME participation is based on SILO (2026), which relies on TED data. ²
Comments from the Implementation Council	TED data has long been plagued by quality problems, mainly inaccurate reports and lack of data. According to Policy Department D for Budgetary Affairs (2019), ³ this mainly applies to data from northern Europe, especially Sweden and Finland. Rosa et al. (2025) ⁴ also warn against using only TED data as a basis for analysis. Among the 17 member countries that Ecorys (2025) draws from current national procurement data, neither Sweden, Finland nor Denmark are included. According to Ecorys (2025, p. 42), the response rate was 1–2%. All the above has the consequence that Swedish circumstances are limited accounted for in COM's impact assessment.
Calculations	
COM Impact Assessment	Estimated cost to an economic operator per procurement procedure (p. 67): FLX2: savings of around 1,900 SEK (165 euros) ESI2: cost of 5 600 SEK (495 euros) BEU2: cost of 80 sek (7 euros) MPL1: savings of 15,200 SEK (1,348 euros)

¹ Se [Cost-benefit analysis on the quality and efficiency of public procurement procedures - Publications Office of the EU](#)

² Se <https://op.europa.eu/en/publication-detail/-/publication/0d31c03a-abf4-11f1-b9e5-01aa75ed71a1/language-en>

³ See [https://www.europarl.europa.eu/RegData/etudes/IDAN/2019/621804/IPOL_IDA\(2019\)621804_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2019/621804/IPOL_IDA(2019)621804_EN.pdf)

⁴ Se <https://op.europa.eu/en/publication-detail/-/publication/f586c022-a7ea-11f0-a7c5-01aa75ed71a1/language-en>

		Total: savings of 11,400 SEK (1,011 euros)
Comments from the Implementation Council		COM assumes 3.3 bids per procurement (Ecorys (2025)). According to the National Agency for Public Procurement, the Swedish average is 5.2 bids per procurement for the years 2020–2024. ⁵ This signals that COM's analysis should be read with caution capturing Swedish conditions and an in-depth analysis is required to further investigate this. In addition, there are uncertainties about the implementation itself that may entail additional costs. However, based on the circumstances, the COM's calculations are of reasonably high quality.
The Implementation Council's calculation model		The Implementation Council's calculation model is not applicable in this case. The act affects virtually all business sectors. It is only for BEU2 that KOM specifically singles out the construction industry and the pharmaceutical industry/medical equipment. In the council's business information, it is not possible to distinguish between businesses active in procurement and those not.
Step 2. What impact does the initiative have on cost and price competition?	++/+/0/-/--/ n.a.	Motivation
2.1 Are the production costs of businesses affected?	0/-	Production is not expected to be significantly affected, other than through a possible negative impact as a result of Buy European (BEU2).
2.2 Are compliance costs of businesses affected?	+	For: Greater opportunity for negotiation/clarification. Simplification. (FLX2). Against: Uncertainty about feasibility (FLX2) and boundaries with BEU2, possibly prolonged with added costs.
2.3 Is the number or supply of suppliers limited?	+ /0	Pro: Increased supply in simplification (FLX2). Limits fraud (MPL1). Against: Only one winner in a tender (award mechanism; exclusive right?), BEU2 (Buy European) possible restriction.
2.4 Will the impact on costs and prices differ between the short and long term?	0/-	For: Better intra-EU trade (in the long term), based on short-term costs. Against: More green and social procurement increases costs and prices (ESI2), unclear in the long term. For BPQR: criteria increase costs (and prices) (ESI2), according to studies it is about less costs.
Step 2. Overall assessment	+ /0	Works in both directions. See Step 1/Calculations. Mainly FLX2 is positive but also MPL1 (although with uncertainties about implementation). ESI2 and BEU2 work in the other direction but to a lesser extent.
COM's assessment (p. 95)	+ /0	
Step 3. What impact will the initiative have on the international competitiveness of businesses?	++/+/0/-/--/n.a.	Motivation
3.1 Is Swedish businesses' ability to compete within the EU affected?	+ /0	Non-EU competitors are limited with Buy European (BEU2). Mostly to the advantage of Germany and Italy (p. 52). But to what extent is it to the advantage of Sweden?
3.2 Is Swedish businesses' ability to compete globally affected?	0/-	Buy European could backfire on the EU (BEU2), in the short term. In the long term, will the production of Swedish businesses improve? At the moment uncertain impact, see page 52 - too optimistic? See report by Confederation by Swedish Enterprise. ⁶
3.3. Does the initiative affect cross-border investment flows , including the relocation of economic activities to or from Sweden?	+ /0	The focus on the EU may entail relocation to the EU (and Sweden), the demarcation within BEU2.
3.4 Does the proposal show digital by default ?	++ /+	Focus on increased digitalization in procurement, especially FLX2 and MPL1. However, uncertainty about the feasibility in the EU/Sweden.

⁵ See [4.6 tenders per procurement in 2024 | National Agency for Public Procurement](#)

⁶ Svenskt näringslivs rapport [European Preference and Competitiveness under the Industrial Accelerator Act](#)

Step 3. Overall assessment	+ / 0	Uncertainty about the impact of Buy European and the implementation of FLX2 and MPL1. KOM's assessment does not really account for associated uncertainties.
COM's assessment (p. 95)	+	
Step 4. What impact does the initiative have on businesses' capacity and incentives to innovate?	++ / + / 0 / - / -- / n.a.	Justification
4.1. What is the impact of the initiative on the capacity and incentives of businesses to innovate?	++ / +	For: Simplifies innovation procurement (ESI2). Intellectual property rights (IPR) are retained within the businesses (ESI2). Against: Innovation procurement is still a relatively extensive procedure (p.43).
4.2. Does the initiative affect businesses' access to venture capital and/or other financing?	++ / +	Pro: Enabling innovation procurement (ESI2). Against: A relatively extensive procedure and it is unclear to what extent it is preferable for businesses compared to seeking other forms of financing.
4.3 Are the costs and time required for compliance affected by the development of innovative technologies/solutions?	-	Another procedure for businesses with costs to participate. In the event of a winning bid, reporting and similar activities will be added.
4.4 Does the measure relate to an area with a rapid pace of innovation where legislation is at risk of not keeping up with technological developments?	+ / 0	Parts of innovation procurement (ESI2) move in this area and is seen more as an opportunity and not as an obstacle.
Step 4. Overall assessment	+	Slightly weak overall "+". COM's assessment seems slightly overoptimistic. Despite improvements, the question remains how extensive innovation procurement still is and how interesting it is for the businesses concerned.
COM assessment (p. 95)	++	
Step 5. What is the impact of the initiative on the competitiveness of small and medium-sized enterprises (SMEs)?	++ / + / 0 / - / -- / n.a.	Justification
5.1. Is the impact of the initiative on the competitiveness of SMEs different from the impact on large businesses?	+ / 0	Pro: Less focus on price (ESI2), dividing contract and simplification (FLX2, MPL1) (lower entry and compliance costs, p.65) Against: Still relatively more complicated for SMEs to participate in procurement. Gone from a minimum of 30 days to a minimum of 20 days to submit tenders. Neutral: BPQR has a mixed impact for different sectors (ESI2).
5.2. Does the initiative include measures to mitigate the impact on SMEs?	+	For: Simplification (FLX2, MPL1) and Intellectual Property Law, IPR (ESI2), p.44. Against: 10 fewer guaranteed days to submit tenders.
5.3. Is the competitiveness of SMEs likely to be affected by their position in the value chain or by subcontracting relationships?	+	Slightly weak "+". For: Sort out supply chains (although there is a risk that this becomes general restrictions), equivalent payment terms throughout the supply chain (ESI2). Higher participation (FLX2) and Buy European (BEU2). Against: General uncertainty about feasibility and possible increased administrative burdens.
5.4. Is the impact on the competitiveness of micro-enterprises likely to be different from the impact on SMEs?	0 / -	Although micro-enterprises are not specifically addressed in the COM's Impact Assessment, they are particularly sensitive to administrative burden, tender costs, short deadlines and liquidity requirements.
Step 5. Overall assessment	+ / 0	The COM's assessment seems somewhat overoptimistic. Despite improvements, uncertainties remain about how much better off SMEs will actually be. Insufficient analysis capturing Swedish circumstances, especially availability to high-quality statistics (see Step 1).
COM assessment (p. 95)	+	