COMMISSION DECISION

of 9 February 2010

adjusting the thresholds referred to in Article 157(b) and Article 158(1) of Regulation (EC, Euratom) No 2342/2002 laying down detailed rules for the implementation of the Financial Regulation

(2010/78/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities [1], and in particular Article 271 thereof,

Whereas:

(1) Commission Regulation (EC) No 1177/2009 [2] adjusted the thresholds applicable to public procurement contracts pursuant to Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts [3].

(2) For reasons of consistency, it is therefore necessary to establish the thresholds referred to in Articles 157(b) and 158(1) of Regulation (EC, Euratom) No 2342/2002.

(3) Since the thresholds adjusted by Regulation (EC) No 1177/2009 are applicable from 1 January 2010, this Decision should also apply from 1 January 2010. This Decision should therefore enter into force on the day following its publication in the *Official Journal of the European Union*.

(4) Commission Decision 2004/121/EC of 6 February 2004 adjusting the thresholds referred to in Article 157(b) and Article 158(1)(a) and (c) of Regulation (EC, Euratom) No 2342/2002 laying down detailed rules for the implementation of the Financial Regulation [4], Commission Decision 2006/103/EC of 14 February 2006 adjusting the thresholds referred to in Articles 157(b) and 158(1)(a) and (c) of Regulation (EC, Euratom) No 2342/2002 laying down detailed rules for the implementation of the Financial Regulation [5] and Commission Decision 2008/102/EC of 1 February 2008 adjusting the thresholds referred to in Article 157(b) and Article 158(1) of Regulation (EC, Euratom) No 2342/2002 laying down detailed rules for the implementation of the Financial Regulation [6] have lapsed and should therefore be repealed,

HAS ADOPTED THIS DECISION:

Article 1

The euro equivalents of the thresholds applicable to public procurement contracts shall be established as follows:

— EUR 4 845 000 in Article 157(b),

— EUR 125 000 in Article 158(1)(a),

— EUR 193 000 in Article 158(1)(b),

— EUR 4 845 000 in Article 158(1)(c).

Article 2

Decisions 2004/121/EC, 2006/103/EC and 2008/102/EC are repealed.

Article 3

This Decision shall enter into force on the day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2010.

Done at Brussels, 9 February 2010.

For the Commission
The President
José Manuel BARROSO

[1] OJ L 357, 31.12.2002, p. 1.
[2] OJ L 314, 1.12.2009, p. 64.
[3] OJ L 134, 30.4.2004, p. 114.
[4] OJ L 36, 7.2.2004, p. 58.
[5] OJ L 46, 16.2.2006, p. 52.
[6] OJ L 36, 9.2.2008, p. 5.