

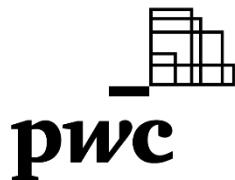


Slovenia

COUNTRY PROFILE – Benchmarking of national policy frameworks for innovation procurement

This is the country profile of Slovenia in the 2024 Europe wide benchmarking of national policy frameworks for innovation procurement. It is based on the most recent available data: Indicators 1 to 10 reflect the status of national policies that support innovation procurement at the end of 2023. The part of indicator 10 that uses data from the EU single market scoreboard uses the 2022 data from that scoreboard.

This report was prepared for the European Commission by PwC EU Services EESV



Internal identification

Contract Number: LC-01986029

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Slovenia

1. National policy framework for innovation procurement

Governance and legal framework

The 2016 Public Procurement Act (ZJN – 3)¹ applies to public authorities and utilities and the 2012 act (ZJNPOV)² applies to public procurements in the field of defence and security.

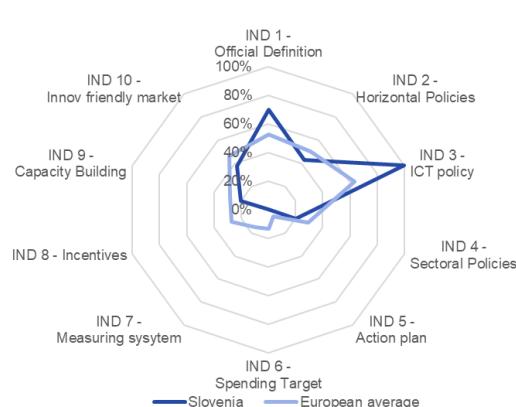
The Slovenian Government has committed to implement appropriate reforms of the public procurement system to increase the levels of competitiveness and efficiency of the public procurement market. The progress of these reforms - which form part of the National Recovery and Resilience Plan - will be monitored, and they are expected to achieve concrete results by the end of 2024. Regarding innovation procurement, the following steps have already been taken:

The **Ministry of the Economy, Tourism and Sport (MGTS)** has taken a leading role in putting innovation procurement more prominently on the political agenda and in mobilising other ministries to cooperate on promoting this as a strategic tool to modernize public services and boost industrial competitiveness. In 2023, it created National Guidelines on Innovation Procurement and in 2024, it plans to adopt a national action plan for innovation procurement.

The **Ministry of Public Administration (MJU)**, and in particular its Public Procurement Directorate, develops national public procurement policy and legislation and provides support to public buyers in the area of public procurement. So far, it published, with the help of MGTS, the above **National Guidelines on Innovation Procurement**³ for public procurers.

Innovation Procurement Policy Framework Benchmarking (2024)

In the benchmarking of national innovation procurement policy frameworks across Europe, Slovenia is at the 18th position of the overall ranking with a total score of 29.71%. Even though the country increased its score a bit (from 27.8% to 29.71%), its position in the overall ranking remains the same compared to the previous benchmarking as other countries increased their policy framework faster. Out of the 30 countries analysed, Slovenia is one of the low performers as its performance is below the European average (33.05%) on two out of ten indicators. As Slovenia has not yet implemented one third of the policy measures to establish a comprehensive policy framework for innovation procurement, a strong reinforcement of the policy framework is still required in Slovenia for it to realize its full potential.



Strengths

Clear support from the R&I and ICT policies for innovation procurement. Guidelines on innovation procurement bring clarity to public procurers and promote innovation friendly IPR regime, although this is not anchored in legislation yet.

Weaknesses

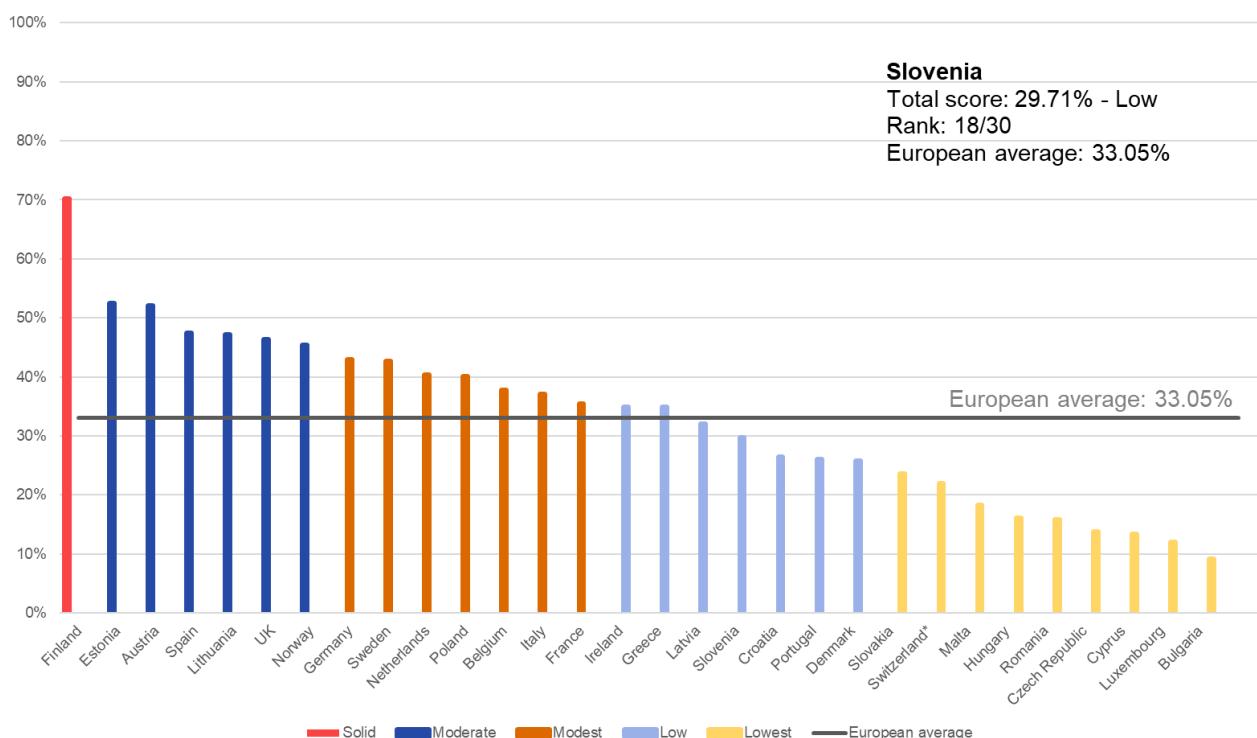
Lack of structural measures to mainstream innovation procurement: no action plan, target, monitoring system for innovation procurement, nor incentives for public buyers. Apart from the environmental and energy sector, no other sectorial policies plan innovation procurements. 4 out of 7 horizontal policies don't support it yet either. Reinforcing support in policies for strategic technologies and financial incentives for R&D procurements in key technologies and sensitive sectors could help boost strategic autonomy. Capacity building activities are still underdeveloped. Structural underutilisation of value for money criteria, variants and preliminary market consultations. Need to improve transparency and competition level on the procurement market to help innovative companies find and compete for innovation procurement business opportunities.

¹ http://www.djn.mju.gov.si/resources/files/Predpisi/ZJN-3_ang_prevod.pdf

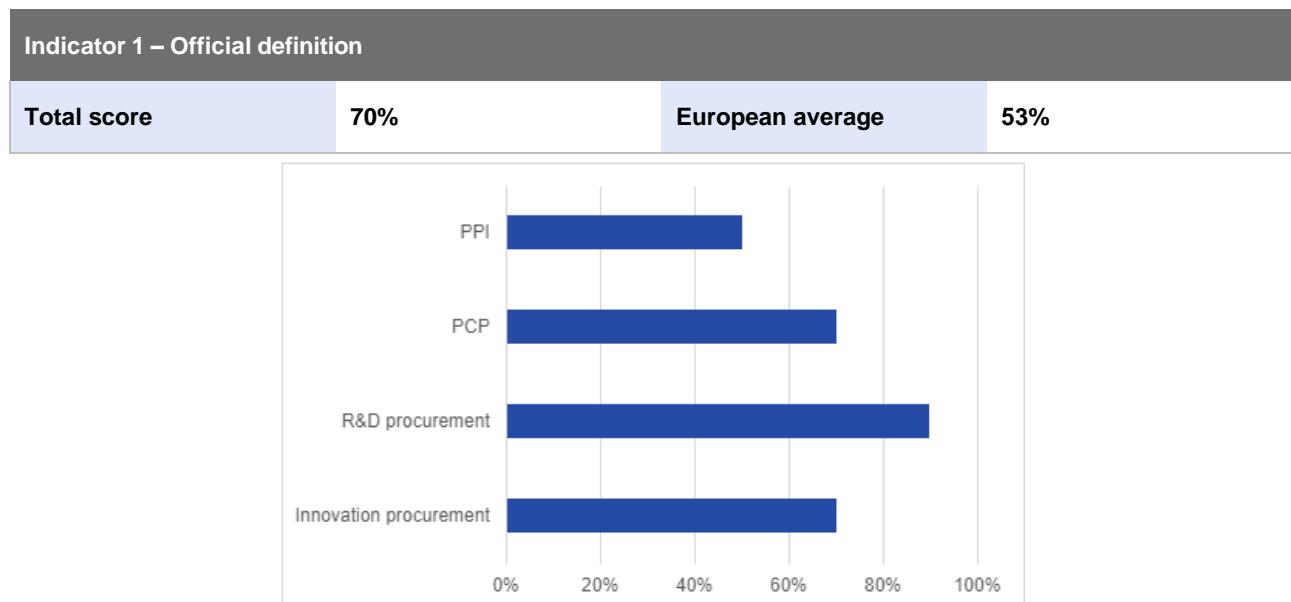
² <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5784>

³ https://www.gov.si/assets/ministrstva/MJU/DJN/Smernice-javnega-narocanja/Smernice-za-inovativno-javno-narocanje_ranljiveskupine_kontrast.docx

Overall ranking



Overview per indicator



The Slovenian legal framework for public procurement provides a legal basis for all types of public procurers to implement all types of innovation procurement, including Pre-Commercial Procurement (PCP) and Public Procurement of Innovative Solutions (PPI), but it only provides a definition for innovation and of R&D procurement. Official definitions of innovation procurement, PCP and PPI are available in the national guidelines.

The Public Procurement Act (PPA) in Article 2(1)(18) defines **innovation** as “*the implementation of a new or significantly improved product, service or process, inter alia production, building or construction processes, a new marketing method, or a new organizational method in business practices, workplace organization or external relations, with, for instance, the purpose of helping to solve societal challenges or to support the Europe 2020 strategy for smart, sustainable and inclusive growth.*” The National Guidelines on Innovation Procurement define **innovation procurement** as “*any procurement that meets one or both of the following aspects: (1) purchase of an innovation process - research and development services - with (partial) results; (2) buying innovation results*”. They also explain that pre-commercial procurement is an example of (1), that PPI concerns (2) and that an innovation partnership procedure buys a

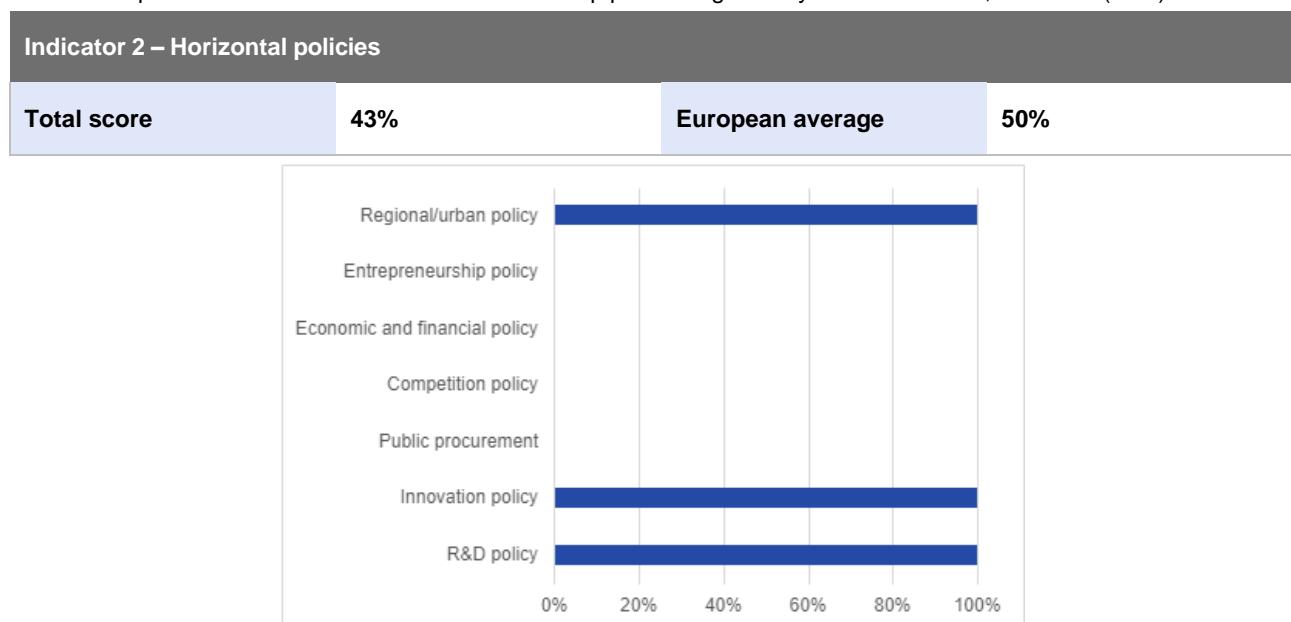
combination of (1) and (2). This definition of innovation is applicable countrywide and in line with the EU definition. Therefore, the score for this sub-indicator is 70%.

Article 27(1)(6) of the PPA does not provide a definition of **R&D** but provides a legal basis for public authorities and utilities to implement R&D procurement, by identifying R&D as activities that have the CPV codes for fundamental research, applied research and experimental development. The PPA states the following: "...*public service contracts for research and development services which are covered by CPV codes 773000000-2 to 73120000-9, 73300000-5, 73420000-2 and 73430000-5, unless both of the following conditions are fulfilled: the benefits accrue exclusively to the contracting authority for its use in the conduct of its own affairs, and the service provided is wholly remunerated by the contracting authority.* The Public Procurement Act in the field of defence and security provides a definition of R&D in Article 3(1)(10): "...*all the activities involving basic research, applied research and experimental development, where the latter may include the implementation of technological demonstration projects, that is to say devices that will demonstrate the performance of a new method or technology to relevant or representative environment.*" Since there is a definition for R&D, which is compliant with the EU definition, but applicable only to the defence sector, the total score for the sub-indicator R&D procurement definition is 90%.

In the PPA there is no definition of **PCP**, however, Article 27(1)(6) of the Slovenian Public Procurement Act and Article 10(1)(10) of the Public Procurement Act for defence and security transpose the exclusion for R&D services, which forms the legal basis for implementing PCP: "*This law does not apply to: 1. orders placed within the framework of cooperation programs based on research and development and in which the purpose of developing a new product, if appropriate, but also with the purpose of developing later phases throughout the life cycle of this product, at least two Member States are involved. When the cooperation program is carried out exclusively between member states, at its conclusion, they must notify the European Commission of the share of research and development costs in relation to the total costs of the cooperation program and the estimated share of orders for each member state, and provide it with an agreement on the sharing of costs between member states;...*". In addition, the National Guidelines on Innovation Procurement explain that pre-commercial public procurement is a special approach to the procurement of services in the field of research and development (competitive development in stages), in which the client does not reserve the results of research and development exclusively for its own use, but rather shares the risks and benefits of research and development with service providers at market conditions. The Guidelines also clearly explain that subsequent purchase of commercial volumes of solutions is separated from the purchase of R&D service. As this forms a definition, which is aligned with the EU definition, total score for the sub-indicator PCP definition is 70%.

The PPA does not provide a definition for **PPI**, but it does provide the legal basis to implement **PPI**. In Article 84.1(a), it is stated that contracting authorities may award contracts not only based on price but also based on "*quality, including technical merit, aesthetic and functional characteristics, accessibility, and design for all users, social, environmental and innovative characteristics*". The National Guidelines on Innovation Procurement provide a definition for **PPI**: "*Public procurement of innovative solutions is used in the case when innovative solutions already exist and are close to the market or are used on the market on a very small scale but do not meet the demands of the public sector for wider use. To order these solutions, clients can use different procedures in accordance with the PPA (for example, competitive dialogue and competitive procedure with negotiations).*" However, this definition does not clearly explain that PPI ends at the early adoption of innovative solutions and what is the boundary of where early adoption stops. As the definition is, therefore, not completely in line with the EU definition, the total score for the sub-indicator PPI definition is 50%.

Based on the collected evidence, the total score for the indicator definitions has increased from 49% to 70% thanks to the National Guidelines on Innovation Procurement. The score is well above the European average (53%). There is room for future improvement as the score is still below the top performing country on this indicator, Lithuania (76%).



R&D policy, innovation policy and regional policy are the three horizontal policies that are currently promoting innovation procurement in Slovenia.

Slovenia's plan to create a new single agency that brings research and innovation activities together has been included in the amendment to the Act on Scientific Research and Innovation Activity in January 2023. In addition, the country has prepared a **Resolution on the Slovenian Scientific and Innovation Strategy 2030**⁴, which is a key strategic document for **research, development, and innovation** which serves as a basis for policy-making in the areas of social, economic and sustainable development and societal challenges. One of the objectives in this strategy are enhanced investments in research and innovation and, under the Objective 5 Accelerated cooperation between science and industry, knowledge transfer and innovation, there is a Measure 5.16 that indicates the following: "*Use public procurement to stimulate private investment and strengthen innovation capacity to address current challenges*". Since those R&D&I policies are applicable countrywide, the total score for the sub-indicators **R&D policy and innovation policy** is 100%.

Slovenia's **Sustainable Smart Specialization Strategy** (S5)⁵ stresses the importance of innovation and aims at establishing strategic innovation and development collaborations. The strategic objective of S5 is the Green Transition, understood as the innovative, low-carbon, digital and knowledge-based transformation of the economy and society. It states: "*Innovative and green public procurement are important levers for the development of innovative and/or environmentally less burdensome products and services. They represent an important non-financial incentive to the most propulsive companies and encourage development research activity in the region. Special emphasis will also be devoted to better use of additional environmentally friendly criteria, public tenders and other tools for innovative public procurement...*" The strategy includes involvement of all important stakeholders, from economic entities, knowledge institutions to stakeholders of the supporting environment for smart specialization, including Strategic Development Innovation Partnership (slo. SRIP) and the public sector, which must also support research and development through the innovative formulation of policies and regulations and also as the first buyer of these innovations (using innovative, green, pre-commercial public procurement). Consequently, the total score for the sub-indicator **regional policy** is 100%.

Compared to the previous benchmarking, innovation procurement is now recognized under three instead of two horizontal policies, and therefore, the total score increases from 29% to 43%. There is room for future improvement as the score is below the European average (50%) and significantly below the top performing countries, Norway, Estonia and Finland, which score 86% on this indicator.

Indicator 3 – ICT policies			
Total score	100%	European average	63%

The renewed **National Strategy for the Digital Transformation of the Economy**⁶, published in 2022, sets out the national strategy for digital transformation of the private and public sector until 2030. The strategy identifies as a strategic objective "*to promote innovation procurement in the largest possible scope of public procurement by horizontal integration of innovation procurement in the field of digital services*" based on the National Guidelines on Innovation Procurement, which defines areas in the ICT field where innovation procurement can be applied with great impact.

Both the Guidelines and the National Strategy for applying innovation procurement in the digital sector were developed as a reform measure under Slovenia's Recovery and Resilience Plan⁷, where Digital Transformation of the Public Sector and Public Administration component has been recognized as one of the key components to utilize public sector's opportunities to bring high level services to citizens.

For what regards encouraging the use of innovation procurement to accelerate the uptake and reinforce EU strategic autonomy for strategic ICT technologies:

The **Slovenian National Programme for AI (2021-2025)**⁸ encourages the use of innovation procurement, including pre-commercial procurement, to drive deployment and development of AI based solutions for the public sector and foresees concrete innovation procurement projects and budgets to create first reference implementations.

The **National Cybersecurity Strategy (2016)**⁹ does not refer to innovation procurement or public procurement as driver for development or early adoption of innovative cybersecurity solutions.

A comprehensive **national quantum strategy**¹⁰ and **national semiconductor / microchip strategy**¹¹ is still under construction.

Since innovation procurement is specifically recognised as a strategic priority in the national ICT policy in the country and in some national policies for specific strategic ICT technologies (AI strategy), the total score for this indicator is 100%,

⁴<https://www.gov.si/assets/ministrstva/MIZS/Dokumenti/ZNANOST/Nacionalni-dokumenti/Resolution-on-the-Slovenian-Scientific-Research-and-Innovation-Strategy-2030>

⁵ <https://www.gov.si/zbirke/projekti-in-programi/izvajanje-slovenske-strategije-pametne-specializacije/>

⁶ <https://www.gov.si/assets/ministrstva/MGTS/Dokumenti/DIPT/Digitalizacija/Strategy-of-digital-transformation-of-the-economy.pdf>

⁷ <https://www.eu-skladi.si/en/post-2020-1/recovery-and-resilience-plan>

⁸ https://www.gov.si/assets/ministrstva/MDP/National_Programme_for_AI_2025.pdf

⁹ https://www.gov.si/assets/ministrstva/MDP/DID/Cyber_Security_Strategy_Slovenia.pdf

¹⁰ <https://english.sta.si/3250443/slovenia-signs-european-declaration-on-quantum-technologies>

¹¹ <https://english.sta.si/3179985/mps-back-consortium-to-boost-slovenias-role-in-chip-development>

same as in the previous benchmarking. This score is above the European average (63%). However, Slovenia can further improve in the future as not all policies for specific strategic ICT technologies embrace innovation procurement yet.

Indicator 4 – Sectoral policies

A horizontal bar chart comparing the total score and European average for different sectors. The x-axis represents the percentage score from 0% to 100%. The y-axis lists the sectors. The chart shows that the Environment sector and Energy sector both have a total score of 100%, while the European average is 20% for all sectors.

Sector	Total score	European average
Education, recreation, culture and...	20%	20%
Postal sector	20%	20%
Public order, safety, security and...	20%	20%
Water sector	20%	20%
Environment sector	100%	20%
Energy sector	100%	20%
Construction sector	20%	20%
General public services	20%	20%
Public transport	20%	20%
Healthcare and social services	20%	20%

Two sectoral policies in Slovenia promote innovation procurement: energy policy and environmental policy.

The Slovenian **National Energy and Climate Action Plan**¹² for the period up to 2030 (under the section Review of existing instruments in the area of green economy development) contains a planned action Green public procurement and innovation public procurement that aims at "*Expanding and upgrading the green public procurement (GPP) system, including the introduction of public procurement for innovation*". As this GPP update encourages innovation procurement both in the energy and the environmental sector at large scale, the score for the sub-indicators **environment sector** and **energy sector** is 100%.

The total score for this indicator is 20%, which is a 10% increase in comparison to the previous benchmarking. There is room for future improvement as the score is below the European average (30%) and still significantly below the top performing country, the UK, which scores 90% on this indicator.

Indicator 5 – Action plan

Total score	0%	European average	6%
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Slovenia does not yet have a dedicated national action plan for innovation procurement, but plans to adopt it in 2024. However, as that has not yet been adopted in 2023, the result of this indicator is still the same as in the previous benchmarking. The score is below the European average (6%) and significantly below the top performing country, Finland, which scores 69% on this indicator.

Indicator 6 – Spending target

Total score	0%	European average	14%
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Since the country has no spending target for innovation procurement, the total score for this indicator remains 0%, as in the previous benchmarking. The score is far below the European average (14%) and significantly below the top performing country, Poland, which scores 80% on this indicator.

Indicator 7 – Monitoring system

Total score	0%	European average	15%
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Slovenia has a statistical tool called „Statist“ available on procurement portal, which provides real time information about implemented procurement procedures and their value, however, **measuring innovation procurement expenditure** is

¹² <https://www.energetika-portal.si/dokumenti/strateski-razvojni-dokumenti/nacionalni-energetski-in-podnebni-nacrt-2024/>

still not enabled. As there is also no structured system to **evaluate the impacts** of completed innovation procurements, the score for the indicator monitoring system is the same as in the previous benchmarking, i.e. 0%.

The score is below the European average (15%) and significantly below the top performing countries: Estonia and Poland which score highest (100%) on the first sub-indicator for having the most comprehensive expenditure measurement systems and Finland and Austria, which score highest (50%) on the second sub-indicator for their impact evaluation systems.

Indicator 8 – Incentives			
Total score	0%	European average	27%

There are some first discussions to use ESIF or RRF funds for innovation procurement, but they have so far not resulted in a specific allocation of budget to innovation procurement. Therefore, the score for the sub-indicator **financial incentives** is 0%.

There are **no personal incentives** to encourage public procurers to undertake more innovation procurements in Slovenia. The score for the sub-indicator **personal incentives** is 0%.

Compared with the previous benchmarking, the total score remained unchanged at 0%, which is significantly below the European average (27%). The performance on this indicator is still significantly below the top performing countries Lithuania, Finland, Spain and Austria, which all score more than 50% on the indicator.

Indicator 9 – Capacity building and assistance measures						
Total score	20%	European average	28%			
	Existence	Connection with relevant international/ EU initiatives	Free of charge	Covering all aspects and types of innovation procurement	Available and applicable to all public procurers in the country	Mainstreaming Innovation procurement at a large scale
Central website						0%
Good practices	✓		✓		✓	50%
Trainings/workshops	✓		✓		✓	50%
Handbooks/guidelines	✓	✓	✓	✓	✓	83%
Assistance to public procurers						0%
Template tender documents						0%
Coordination/pre-approval						0%
Networking of procurers						0%
One-stop-shop /competence centre						0%

Slovenia is continuously developing new capacity building and assistance measures for public procurement, however, innovation procurement is still not present at a large scale in those activities.

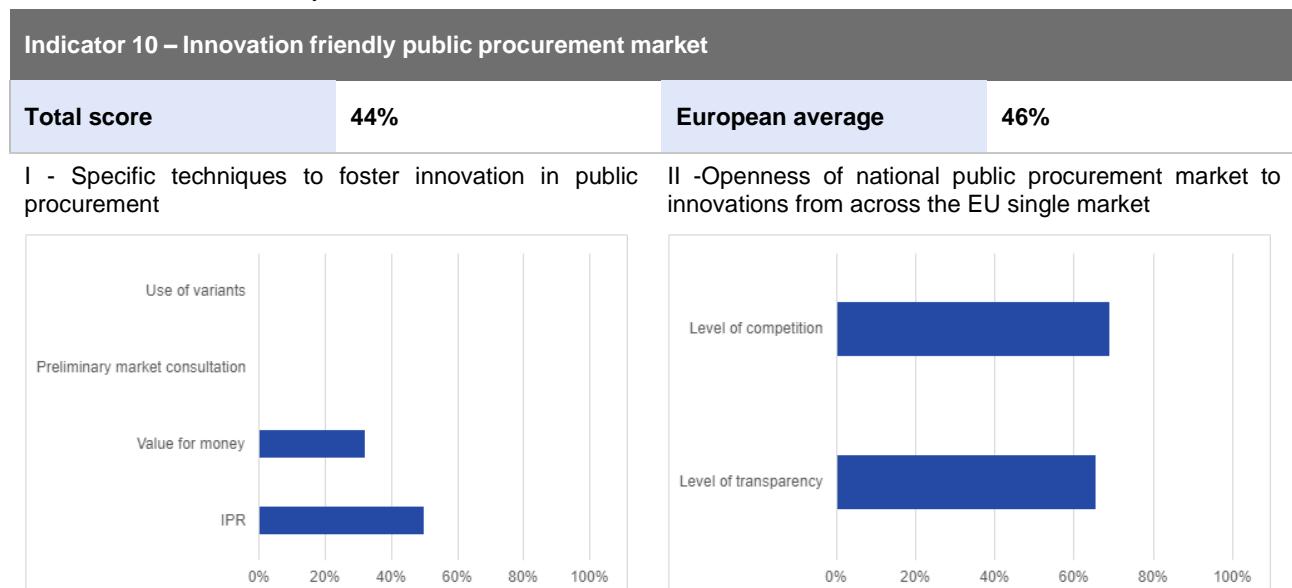
There is no single **national competence centre** that acts as a one-stop-shop that helps public buyers with all capacity building measures to implement innovation procurement. The Ministry of Public Administration (MJu) is responsible for informing, training and supporting public buyers on innovation procurement, but in practice, the Ministry of the Economy, Tourism and Sport (METS) has been taking many initiatives to accelerate capacity building (e.g. with new National Guidelines on Innovation Procurement). METS is also informing suppliers, including SMEs and startups, about the opportunities that innovation procurement can offer to them.

Within the Public Procurement Academy programme, organised by the public procurement directorate of MJU, Slovenia has developed workshops which also cover innovation procurement. Two types of workshops are organised, "Execution of the public procurement procedure - lower value" and "Implementation of the public procurement process - larger values"¹³, which are intended to increase the competences specific to the execution of each phase of a public procurement for an individual job profile, namely for an independent contractor of smaller orders and an independent contractor of larger orders and which are divided into several modules. Each module presents its own training and one of the modules is sustainable public procurement and innovation procurement. Slovenia has also introduced the European Competency framework for public procurement professionals (ProcurCompEU), which covers the training module related to innovation procurement; however, there is no evidence that trainings were held under this module. Since these activities do not interconnect to EU initiatives supporting innovation procurement and do not cover all aspects of innovation procurement, they do not mainstream innovation procurement at a large scale. Therefore, the score for the sub-indicator **trainings/workshops** is 50%.

Slovenia has developed official **National Guidelines on Innovation Procurement** with definitions, steps, examples and practical information on innovation procurement. The Guidelines provide information about all types of innovation procurement, differences between them and how to implement them, including detailed information on specific implementation aspects (such as IPR allocation), references to relevant EU initiatives, guidance on applying innovation procurement in a way that stimulates also the green and digital transition and concrete steps on how to setup an innovation procurement policy. In addition, the guidelines are applicable and available free of charge to all public procurers in Slovenia, and therefore, the score for the sub-indicator **handbooks/guidelines** is 83%.

There is not a separate document for good practices, however, some **good practice examples** from other EU countries are available within the Guidelines document, together with examples of procurement criteria to be included in the tender documents for all types of innovation procurement and procurers. However, the list of good practice examples is still quite short, and in particular, examples from within Slovenia are missing. Current examples illustrate a selection of some procurement procedures and implementation aspects that could be used, but for other procedures and implementation aspects, good practice examples are still missing. Therefore, the score for this sub-indicator is 50%.

Although Slovenia is obviously on an upward path with implementing capacity building and assistance measures on innovation procurement, there are still many of them, such as establishing a central webpage on innovation procurement and a competence centre, that still need to be implemented to provide the needed support to procurers to make most of innovation procurement. Therefore, the total score for this indicator is 20%, which is slightly lower than in the previous benchmarking. There is room for future improvement as the performance is still significantly below the top performing countries Austria and Norway which both score 65% on the indicator.



This indicator shows to what extent the national public procurement market in Slovenia is innovation friendly and is conducive to encourage the wide scale implementation of Innovation Procurement. The indicator is composed by two sub-indicators:

I. The use of specific techniques to foster innovation in public procurement in Slovenia

II. The openness of the national public procurement market to innovations from across the EU single market

With regards to the **sub-indicator I**, Slovenia shows the following evidence:

¹³ <https://www.gov.si/dogodki/2023-12-01-s-pomocjo-usposabljani-do-dviga-kompetenc-na-podrocju-javnega-narocanja/>

- a. **IPR default regime**: The score for this sub-indicator is 50%, which is above the 40% European average. The law and general terms and conditions for government contracts do not define a default scenario for distribution of IPR between procurers and suppliers. However, the national guidelines on innovation procurement¹⁴ explains the higher cost, lower amount of bidders, lower innovation and higher responsibility and legal burden related drawbacks of requiring the transfer of IPR ownership and recommends to leave IPR ownership with contractors whenever possible. It reminds that the objective of public procurement is to obtain only the rights that the public buyer really needs at the most advantageous price and stresses that "if the client chooses not to acquire intellectual property rights, it can still acquire all the necessary rights to protect its freedom of operation (usage, licensing and necessary publication rights), while leaving the responsibility and costs for the protection and maintenance of intellectual property rights and for the resolution of potential legal claims to the contractor". It also explains that there are some situations like when open licensing is required where deviation from this approach is justified. The Slovenian ministry of public administration's guidelines on IT procurement¹⁵ also recommends that the public procurer requires only so much intellectual property rights as it really needs for fulfilling its basic objectives in using, maintaining and upgrading its solutions. Furthermore, In Slovenian public procurement law it is stated that procurers can require in the tender specifications the transfer of IPR rights to the procurer. However, according to the Slovenian Copyright Act¹⁵, copyrights belong to the creator (moral rights are non-transferable and only single economic rights (not all economic rights) may be transferred). Therefore, the copyright act determines that in the case of commissioned work, like in a public tender, (1) the public procurer obtains automatically the right to use/distribute the commissioned work and the creator maintains the copyright as well as the right to use and further develop and commercialise the commissioned work.
- b. **Use of value for money award criteria**: According to the EU Single Market Scoreboard, 32% of the public procurement procedures published in TED were not awarded on the basis of lowest price only. This is below the European average of 43.87% and far below the satisfactory level of 80% set in EU Single Market Scoreboard. Slovenia is still over reliant on lowest price only criteria that do not reward solutions of higher quality.
- c. **Use of variants**: Slovenia has allowed tenderers to submit variant offers in only 0.22% of the public procurement procedures published in TED. This percentage is well below the European average of 3.28%.
- d. **Use of Preliminary Market Consultations**: Slovenia has not used Preliminary Market Consultations in public procurement procedures published in TED. The country lags behind the European average of 1.39%.

Based on this evidence, the score for the sub-indicator I is 20.56% which is below the European average of 22.13%. This is mainly due to structural underutilization of value for money award criteria, variants and preliminary market consultations and an innovation-friendly IPR regime that is not anchored in public procurement legislation yet.

With regard to the **sub-indicator II**, Slovenia shows the following evidence (according to the Single Market Scoreboard):

- e. **Level of competition**: The level of competition of the national public procurement market is 69%, which is significantly below the European average 82.37% and considerably below the 92.5% satisfactory level set by the EU Single Market Scoreboard. This result derives from the fact that both the sub-indicators are below the European average: the percentage of procurements where there was more than one bidder (49%) is far below the satisfactory level (90%) and the percentage of procurements for which a call for bids was organised (89%) which is slightly below the European average (92%) and also below the satisfactory level (95%).
- f. **Level of transparency**: The level of transparency of the national public procurement market is 65.57% which is slightly above the European average 58.14% and just below the 66.3% satisfactory level set by the EU Single Market Scoreboard. This is mainly due to the fact that the number of procurements without missing buyer registration numbers (99%) is well above European average and reaches the satisfactory level (97%). However, procurements without missing call for bids information (93%) are below European average (99%) and below the satisfactory level (97%) and, the TED publication rate (5%) lags behind the European average (6%).

Based on this evidence, the score for the sub-indicator II is 67.28% which is a bit below the European average of 70.25%. This is mainly due to below average level of competition and a below average TED publication rate.

Based on the scores for the sub-indicators I and II, the **total score for the indicator "Innovation friendly public procurement market"** is 44%, which is slightly **below the European average of 46%**. Even though the use of specific techniques to foster innovation in the country is just above the European average, the openness of the Slovenian procurement market to innovations from across the EU single market is below the European average. Compared to the previous benchmarking the score is slightly higher (increase from 42% to 44%) as there have been no major improvements since then. Substantial efforts are needed to significantly improve future performance on this indicator. There is some promotion in guidelines to procurers for using an IPR default regime that fosters innovation in public procurement, but still not anchored yet into national legislation and general terms and conditions for government contracts. Consequently, the national public procurement market shows a below average level of competition, and the level of transparency is slightly above the European average. There is also a need to tackle the structural underutilization of value for money award criteria, variants and Preliminary Market Consultations and to lift the very low level of

¹⁴ https://ejn.gov.si/dam/icr:e4e8b815-bc00-41d9-b4cf-ac3aaea086aa/Smernice_JN_IT.pdf

¹⁵ <https://www.gov.si/assets/organi-v-sestavi/URSIL/Dokumenti/Avtorska-in-sorodne-pravice/Copyright-and-related-rights-act-unofficial-consolidated-version.docx>

competition and below satisfactory level of transparency as this hampers companies in identifying, bidding and competing for innovation procurement opportunities.

