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PUBLIC

'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the acceleration of permit-granting for defence readiness projects - Final compromise text

Delegations will find enclosed the final compromise text on permit-granting.

ANNEX

2025/0172 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the acceleration of permit-granting for defence readiness projects

PUBLIC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) The Union is facing an acute and growing threat, as underscored in the Joint White Paper on European Defence Readiness 2030[2], linked to the return of full-scale conflict in Europe ***in the context of Russia's war of aggression against Ukraine and other hybrid activities targeting the Union and its Member States***. In response to this escalating challenge, it is imperative that the Union takes decisive action to bolster its defence readiness ***and overall societal resilience***. There is urgency to ramp up European defence readiness to ensure that Europe has a strong and sufficient European defence posture by 2030 at the latest. ~~Based~~

~~1~~

2 Joint White Paper for European Defence Readiness 2030, JOIN(2025) 120 final, 19 March 2025.

~~on projections of gradual take-up of the instruments proposed under the ReArm Europe Plan/Readiness 2030, defence investment could reach at least EUR 800bn over the next four years. A crucial aspect of this effort is the need to ramp up the Union's defence production capacity, enabling it to respond effectively to emerging security threats. In order to achieve that goal, regulatory simplification and harmonisation are essential. By streamlining and aligning regulatory frameworks, the Union can create a more conducive environment for defence industries to operate, innovate, and produce the necessary capabilities to ensure~~***The*** European ~~security and~~***Council took stock of work aiming to decisively ramp up Europe's*** defence readiness ***and close critical capabilities gaps by 2030***.

(1a) Based on projections of gradual take-up of the instruments proposed under the ReArm Europe Plan/Readiness 2030, defence investment could reach at least EUR 800bn over the next four years. Such a level of investment also provides an opportunity to develop the European Defence Technological and Industrial Base (EDTIB) within the single market, by enabling competitive, innovative and diverse defence technology actors to participate effectively in the EDTIB, while ensuring fair participation in the defence market, including SMEs, and in full compliance with Union and national social, labour, safety and environmental standardsIn order to achieve that goal, regulatory simplification and harmonisation are essential in a way that improves efficiency, transparency, and accountability. By streamlining and aligning regulatory frameworks, the Union can create a more conducive environment for defence industries to operate, innovate, and produce the necessary capabilities to ensure European security and defence readiness.

(2) In this context, defence readiness should be understood as the ability of Member States to anticipate, prevent, and respond to defence related crises, as referred to in Directive 2009/81/EC of the European Parliament and of the Council[3] ~~through~~ a proactive and coordinated approach. This includes ensuring the availability of defence industrial capacity

[3] Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC (OJ L 216, 20.8.2009, p. 76, ELI: http://data.europa.eu/eli/dir/2009/81/oj).

required to acquire and maintain the necessary resources, capabilities, and infrastructure with the aim of responding effectively to such crises.

(3) Setting up or extending facilities, infrastructure and undertaking activities related to defence readiness often requires applying for several relevant permits and approvals. Existing permitting processes for assessments across various areas are often lengthy and cumbersome ***disproportionally affecting small mid-caps and SMEs***. Those procedures currently lack Union-wide provisions for fast-track processes specific to defence readiness activities, which impedes the ramp-up of defence production and related infrastructure in a timely manner and defence readiness activities and investments that are crucial for meeting emerging security demands~~.~~

(4) ~~The national~~***For that reason,*** permit-granting ~~process ensures that~~***processes of the Member States for*** defence readiness projects***, should be streamlined, while ensuring that such projects*** are safe, secure***,*** and comply with environmental, social ~~and other~~***, labour andother*** safety requirements ***throughout all stages of the process.***. Union environmental law sets common conditions for the content ***and process*** of ~~the~~ national permit-granting ~~process~~, thereby ensuring a high level of environmental protection and allowing for the sustainable ~~exploitation of the Union's potential along the~~***and responsible development of Europe's defence industrial capacities and*** raw materials value chain***, while avoiding unnecessary administrative delays that could hinder all-hazard preparedness***. ***This Regulation does not undermine any obligations arising from other relevant Union legislation.***

(5) At the same time, the ~~unpredictability, complexity and, often, excessive length of~~***complex and lengthy*** national permit-granting processes***, which diverge from one Member State to another,*** undermine the investment security ***, certainty and planning*** needed for ***economic operators throughout the Union, with a view to*** the effective strengthening of Member States defence readiness ***and risk discouraging innovative SMEs and small mid-caps from entering into or scaling within the defence sector***. The structure and length of a permit-granting process for relevant projects can also differ greatly between Member States. Therefore, to ensure and speed up their effective implementation, Member States should apply streamlined and predictable permit-granting processes to defence readiness projects.

(5a) In light of these obstacles, it is appropriate to establish extraordinary measures to accelerate the permit-granting processes for defence readiness projects throughout the Union. Such measures should be limited to cases where Member States identify defence readiness projects within the meaning of this Regulation.

(5b) Defence readiness projects, including related industrial and governmental activities can, where applicable, fall within the scope of existing Union provisions allowing derogations, including in the field of Union environmental law, on grounds of "overriding public interest", "public safety" or "crisis" response. Member States can use such derogations where appropriate for purposes of defence readiness activities and investments. In this context, compensatory or mitigating measures that may be required in the framework of the permit-granting process are tools aimed at ensuring that the interests of relevant sectors are safeguarded in a proportionate manner, with a view to timely achievement of the defence readiness 2030 objective.

(6) While certain Member States have taken or are likely to take measures to accelerate the permission-granting processes for the defence industry, this may be done in diverging ways which would result in barriers to the functioning of the internal market in the defence sector. Divergent national ~~legislation,~~***legislations*** regarding the planning permit-granting process of defence projects have proven to become bottlenecks for European relevant defence products supply chains. To ensure the functioning of the internal market, it is necessary to establish harmonised rules ***and timelines*** for the acceleration of the permit-granting processes.

(7) While Union institutions can provide guidance and frameworks, the responsibility for authorisation and facilitating fast-track permitting processes resides primarily with Member States. Member States are best positioned to implement changes that cater to their specific administrative and regulatory landscapes.

(8) There is a pressing need to reduce the complexity and duration of permitting processes for defence readiness projects~~. By establishing national permitting frameworks that prioritise these projects and ensure their rapid processing, the Union aims to enhance its~~***, while ensuring that such processes are accessible to mid-caps, small mid-caps and SMEs contributing to the development of new and emerging*** defence ~~production capacity and readiness by 2030 at the latest.~~***technologies.***

(8a) ***In situations of supply chain crisis, uncertainty can hinder timely decisions and investment planning. Member States are encouraged to share relevant information on supply chain risks and bottlenecks through established EU defence cooperation frameworks, in order to support efficient resource allocation and strengthen the Union's defence readiness, in full compliance with national security and confidentiality requirements.***

(9) In order to address these challenges, ***economic operators active in the field of*** ~~the~~ defence ~~industry~~ should benefit ~~of~~***from*** rules proven to be effective in streamlining industrial permitting processes. Aiming to reduce permitting deadlines for defence industry activities, including construction of new plants and related infrastructure, expansion of existing facilities, establishment of testing sites, training***,*** and certifying***, and research and development, including prototype construction and technology transfer,*** while also building on and broadening existing applicable provisions.

(9a) ***To ensure that a streamlined permitting process cover the whole defence value chain, the concept of the defence industry should include not only undertakings manufacturing defence-related products within the meaning of Directive 2009/43/EC, but also undertakings providing services that directly relate to those products. Furthermore, to address the principal bottlenecks in defence investments, the permit-granting process under this Regulation should cover all relevant permits, including approvals or licences required to build, expand, convert, operate or repurpose installations, equipment or activities for the manufacturing of defence products or components, or for other activities forming part of a defence readiness project. Bringing all such permissions into a single, coordinated and time-bound procedure, from the acknowledgement of the completeness of an application to the notification of the comprehensive decision by the single point of contact, reduces fragmentation, shortens procedural timelines and enhances legal certainty.***

(10) Complying with Union law, including for instance in relation ~~to water, waste~~***towaste*** management ***and to water***, air, ecosystems, habitats, archaeological~~,~~ ***and*** biodiversity ~~and birds'~~ protection, ~~are~~***is*** integral ~~part of~~***to*** the permit granting procedure, also for the defence sector. Such rules are an essential safeguard to ensure negative impacts are prevented or minimised. However, to ensure that permit granting procedures for defence readiness projects are predictable and timely, any potential to streamline the required assessments

and authorisations while not lowering the level of, for instance, environmental protection, should be realised. In that regard, it should be ensured that the necessary assessments are bundled to prevent unnecessary overlap.

(10a) Each Member State should, in light of its administrative organisation and defence and national security needs, determine upon receipt of a complete permit-granting application, whether a project located on its territory qualifies as a defence readiness project.

(10b) Member States should ensure that permitting and assessment procedures required under national law are organised in a coordinated manner that complements those required under Union law, avoiding overlap, duplication and unnecessary administrative delays, while maintaining a high level of environmental protection.

(10c) To safeguard trust in the simplification of administrative processes, accelerated procedures and the internal market, the single points of contact and all competent national authorities involved in the permit-granting process should be impartial, and uphold the principles of fair-competition, transparency of decision-making, publication of non-confidential statistics on permit decisions and non-discrimination including as regards the access for SMEs and companies of all sizes across the Union.

(11) To facilitate the efficient and timely processing of administrative permitting applications related to defence readiness activities and the scaling up of defence production, Member States need to ensure that the competent national authorities implement fast-track procedures. Those authorities should provide the most rapid legal treatment possible for such ***permit-granting*** applications, thereby enabling timely responses to defence readiness needs.

(12) Establishing a single point of contact for industry applications regarding permits related to defence activities is intended to streamline communication, ***clarify responsibilities*** reduce administrative burdens and further expedite the permitting process with clear and legally binding deadlines, thereby providing efficient pathway for defence-related industrial applications. Moreover, it will provide certainty to investors by ensuring the rapid treatment of ~~permit~~***permit-granting*** applications and limiting the risks to investments related to lengthy procedures~~.~~

(12a) Member States should be able, when necessary to reflect their decentralised administrative organisation, to choose whether to establish or designate their single points of contact at local, regional or national level, or at any other relevant administrative level. Member States should ensure that effective coordination mechanisms are established and that this single point of contact acts as the sole interface for each project. Moreover, the relevant competent authorities should specify and make available to the single point of contact the requirements and extent of information requested of a project promoterbefore the permit-granting process commences. The single point of contact should be responsible for communicating that information to the project promoter of the defence readiness project. Defence readiness project promoters should be able to interact prior and during the permit granting procedure with a single point contact which is responsible for facilitating and coordinating the entire permit-granting process. It should be for Member States to decide by virtue of national law whether a single point of contact is also an authority that makes permitting decisions. To ensure the effective implementation of their responsibilities, Member States should provide their single points of contact, as well as any authority involved in the permit-granting process with sufficient personnel and resources.

(13) To accelerate reaching full operational capacity of the single contact points Member States should, to the extent possible, take advantage of possible complementarity with existing single contact points, for example those established under Regulation (EU) 2024/1735 of the European Parliament and of the Council[4] or Regulation (EU) 2024/1252 of the European Parliament and of the Council[5].

(14) Furthermore, Member States should provide the necessary administrative support to defence readiness projects located on their territory, to facilitate ~~their~~***the*** timely and effective implementation~~, paying~~***. It is important to guarantee that project promoters are***

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[4] Regulation (EU) 2024/1735 of the European Parliament and of the Council of 13 June 2024 on establishing a framework of measures for strengthening Europe's net-zero technology manufacturing ecosystem and amending Regulation (EU) 2018/1724 (Text with EEA relevance) (OJ L, 2024/1735, 28.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1735/oj).

[5] Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020 (OJ L, 2024/1252, 3.5.2024, ELI: http://data.europa.eu/eli/reg/2024/1252/oj).

treated in a same way irrespectively of the Member State of their establishment. Additionally it is important to pay particular attention to the needs of small and medium-sized enterprises and mid-cap enterprises ~~involved in those projects, by providing assistance regarding~~***, which often face higher relative*** compliance ~~with applicable~~***costs and limited*** administrative ~~and reporting obligations, informing the public to increase acceptance of the projects and guiding project promoters through~~***capacity. To that end, the single point of contact should provide tailored guidance and early advisory services to SMEs, mid-caps, and small mid-cap enterprises. Such support can include helpdesks, harmonised templates and digital tools, offering clear guidance on documentation and compliance requirements and assistance throughout*** the permit-granting process***, so that smaller actors can participate effectively and without disproportionate administrative burden***.

(14a) Single points of contact should collect, process and report relevant information in a consistent and timely manner. For the purposes of transparency, ex-post monitoring and, Union-wide comparability, and to promote consistent and efficient implementation of this Regulation, Member States should submit to the Commission, on an annual basis, a statistical report on the application of this Regulation setting out the total number of permit-granting applications granted, including tacitly, pursuant to the procedures established in this Regulation. To assess whether the procedures established by this Regulation effectively contribute to its objectives, the Commission should periodically evaluate the application and implementation of this Regulation, in particular as regards the timelines of the permit granting procedures, participation of SMEs in defence readiness projects and application of the tacit approval mechanism;

(14b) Transparency and equal access to information are crucial for the effective implementation of permit-granting processes. All project promoters, regardless of their Member State of establishment, should have access to centralised, easily accessible online information, to the extent that such publication is without prejudice to national security and with due regard to confidentiality requirements. This includes details on single points of contact, permit-granting procedures, dispute resolution mechanisms, financing and investment services, and available Union or national funding instruments.

(14c) Member states should ensure digital exchange between the project promoter, the single point of contact and competent authorities including via an interoperable portal where

available, in order to facilitate the electronic submission of documents, and, where possible, the reuse of information already submitted under other Union or national procedures.

(15) The Commission ~~may~~***should, upon request by a Member State*** offer capacity-building support to the single point of contact, including technical assistance, training, monitoring and evaluation, with the aim of developing and strengthening the abilities, processes and resources that the single points of contacts need to develop for the purposes of this Regulation. ***The Commission should make its best efforts to accord priority treatment to such requests.*** Such support ~~may be requested by Member States and~~ will fall within the scope of supporting actions under ***Regulation (EU) 20XX/XXXX on*** the European Defence Industry Programme [reference to be added once EDIP is adopted].

(16) In order to ensure clarity about the permitting status of defence readiness projects and to limit the effectiveness of potential abusive litigation, while not undermining effective judicial review, ~~Member States should ensure that~~ any dispute concerning the permit-granting process for defence readiness projects ~~is~~***should be*** resolved in a timely manner. To that end, ~~Member States should ensure that project promoters have access to simple dispute settlement procedures and that~~ defence readiness projects ~~are~~***should be*** subject to urgent handling in all administrative, judicial and dispute resolution procedures relating to the projects to the extent that national law provides for such urgency procedures.

(17) In order to provide project promoters and other investors with the security and clarity needed to increase development of defence readiness projects, Member States should ensure that the permit-granting process related to such projects does not exceed set time limits. ***The Regulation sets the standards time frame of 42 working days and provides for flexibility to extend this time limit in certain cases. In order to avoid unjustified delays, the possibility of extending the standard time limits for the permit-granting process for defence readiness projects should be limited to the exceptional circumstances set out in this Regulation. Any extension of the permit-granting process should be based on clearly identified and duly substantiated reasons. The single point of contact should provide a substantiated explanation demonstrating that exceptional circumstances exist and that additional time is necessary to complete the outstanding assessments. The reasons for the extension and the expected date of the final decision should be communicated in writing to the project promoter in a timely and transparent manner.***

(17a) The permit-granting process should start when the single point of contact notifies the project promoter that the permit-granting application received is complete and end when the single point of contact notifies the project promoter of the outcome of the comprehensive decision.

(17b) Where an environmental impact assessment or other assessments are required by Union or national law as part of an authorisation process, a permit-granting application should only be considered to be complete for the purpose of this Regulation where the environmental impact assessment report or other assessments have been provided by the project promoter.

Where relevant, the competent national authorities should carry out their assessment obligations, including those pursuant to Directive 2011/92/EU, Article 1(2), point (g)(iii), (iv) and (v), or any other assessments required under Union or national law, before the end of the permit-granting process. Moreover, the combined assessment referred to in Article 6(2) should be carried out in a manner that does not lead to a prolongation of the time limits set out in this Regulation.

(17c) Where on expiry of these time limits, the project promoter has not been informed of the outcome of the permit-granting process, the permits concerned should be deemed to have been granted and the project promoter authorised to implement the defence readiness project. The single point of contact should have 8 working days to inform the project promoter of the tacit approval and where relevant, specify the conditions and requirements which these permits are subject to, in accordance with applicable Union or national law. Such tacit approval is without prejudice to Member States' obligations to perform case-by-case examinations, assessment procedures or public consultations, which are to be carried out pursuant to Union or national law. Member States should be able to derogate from the general rule by allowing competent authorities not to apply the tacit approval to a specific permit-granting application where the competent authority can demonstrate on the basis of duly substantiated and verifiable evidence that the specific project raises a grave risk to human health, or national security. Risks to human health may also include risks arising from environmental effects. Any derogation should be limited to what is strictly necessary to address the identified risk.

(18) This Regulation is without prejudice to the obligations deriving from international law, where relevant.

(19) Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective~~,~~.

(19a) This Regulation is without prejudice to the Member States' responsibility for safeguarding national security and the specific character of the security and defence policy of certain Member States. National security remains the sole responsibility of each Member State.

HAVE ADOPTED THIS REGULATION:

Article 1

Definitions

For the purposes of this Regulation, the following definitions shall apply:

(1) 'defence readiness project' means set of activities, investments and measures aimed at enhancing the defence readiness of a Member State or ~~several~~***more*** Member States ***jointly***, including through the development ***or modernisation*** of the defence industry~~;~~

(2) 'defence industry' means all undertakings engaged in the ***research,*** development, production, and manufacture ***or supply*** of defence-related products as defined in Article 3(1) of Directive 2009/43/EC of the European Parliament and of the Council [6]***or in the provision of services directly related to those products for any and all elements of their life cycle within the meaning of Article 2, point (c), of Directive 2009/81/EC.***~~;~~

(3) 'defence readiness' means the state of preparedness of a Member State or several Member States to ***anticipate, prevent or*** respond to a crisis ***as*** defined in Article 1, point (10) of

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[6] Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community (OJ L 146, 10.6.2009, p. 1, ELI: http://data.europa.eu/eli/dir/2009/43/oj).

Directive 2009/81/EC of the European Parliament and of the Council[7], which relates to defence;

(4) 'middle capitalisation company' or 'mid-cap' means middle capitalisation company as defined in Article 2, point (15), of Regulation (EU) 2021/697 of the European Parliament and of the Council[8];

(5) 'small mid-cap enterprises' means enterprises as defined in the Annex to Commission Recommendation (EU) 2025/1099[9]

(6) 'permit-granting process' means a process that covers all relevant permits, including ~~permits~~***approvals or licences,*** necessary to build, expand, convert and operate defence readiness projects ***or to repurpose any installation, equipment or activity into a defence readiness project*** and all the necessary administrative steps from the acknowledgement that the ***permit-granting*** application is complete to the notification of the ~~final~~***comprehensive*** decision on ~~that application~~***the outcome of the process*** by the single ***point of*** contact point concerned;

(7) 'project promoter' means any undertaking or consortium of undertakings developing a defence readiness project;

(7a) 'comprehensive decision' means the decision taken by competent authorities that determine whether a project promoter is authorised to implement a defence readiness project, without prejudice to any decision taken in the context of an appeal procedure;

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7 Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC (OJ L 216, 20.8.2009, p. 76, ELI: http://data.europa.eu/eli/dir/2009/81/oj).

8 Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149, ELI: http://data.europa.eu/eli/reg/2021/697/oj).

9 Commission Recommendation (EU) 2025/1099 of 21 May 2025 on the definition of small mid-cap enterprises (OJ L, 2025/1099, 28.5.2025, ELI: http://data.europa.eu/eli/reco/2025/1099/oj).

(8) 'small and medium-sized enterprises' or 'SMEs' means small and medium-sized enterprises as defined in Article 2 of the Annex to Commission Recommendation 2003/361/EC[10].

PUBLIC

Article 1a

Designation of a defence readiness project

Member States shall determine which projects qualify as a defense readiness project under this Regulation.

Article 2

Single point of contact

1. By …[3 months after the date of entry into force of this Regulation], each Member State shall establish or designate one authority as single point of contact at the relevant administrative level. ***The single point of contact shall be the sole point of contact for the defence readiness project.***

1a. Where this is necessary to reflect its decentralised administrative organisation, a Member State may establish or designate more than one single point of contact pursuant to paragraph 1 of this Article. The Member State shall ensure that effective coordination mechanisms are established and that they provide tools to help project promoters identify the appropriate single point of contact for a defence readiness project and that this single point of contact acts as the sole interface for each project.

2. The single point of contact shall be responsible for facilitating and coordinating the permit-granting process for defence readiness projects and for providing information on streamlining the administrative processes in accordance with Article 3, including information to the project promoter on when an application is considered to be completed in accordance with ***(***Article 5(6)***)***. ***At the request of the project promoter, prior to the permit-granting application, the single point of contact shall also provide information on***

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[10] Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36, ELI: http://data.europa.eu/eli/reco/2003/361/oj).

the permit-granting process, including the documentation to be submitted as part of the application and the requirements under which a project may be considered a defence readiness project under this Regulation, without prejudging the decision of the competent authorities to designate a project as a defence readiness project.

3. ~~The single point of contact established or designated pursuant to paragraph 1 shall be the~~***As*** sole point of contact for the project promoter in the permit-granting process for a defence readiness project~~. It~~***, the single point of contact shall coordinate and facilitate the submission of all relevant documents and information and*** shall notify the project promoter of the ~~final~~***comprehensive*** decision ~~in that process~~***.***
Where so provided by Member States, the single point of contact may also act as competent authority and issue comprehensive decisions.

4. Project promoters shall be allowed to submit any documents relevant to the permit-granting process in electronic form. ***Member States shall ensure the digital exchange including via an interoperable portal where available of documentation between the competent authority, the single point of contact and the project promoters.***

5. The competent authorities ***coordinated by the single point of contact,*** shall ensure that any relevant studies carried out, or permits or authorisations issued, for a given project ***and project promoters*** are taken into account and that no duplicate studies, permits or authorisations are required, unless otherwise required under Union or national law.

6. Member States shall ensure that the single point of contact and all competent authorities responsible for any step along the permit-granting processes, including all procedural steps, have enough qualified staff and sufficient financial, technical and ~~technological~~***digital*** resources ~~necessary~~, including, where appropriate, for up- skilling and re-skilling, for the effective performance of their tasks under this Regulation.

7. The ***competent*** authorities involved in the permit-granting process and other authorities concerned shall specify and make available to the single point of contact concerned, the requirements and all information requested of a project promoter before the permit-granting process commences.

8. Upon request by a Member State, the Commission ~~may~~***shall*** assist the authorities of that Member State with capacity building in support of implementation of this Regulation,

notably ***with technical assistance*** in establishing or operating a single point of contact ***and an interoperable portal***. ***The Commission shall use its best endeavours to treat such requests as priority.***

8b. Where a defence readiness project is cross-border within the EU, the Member States concerned shall ensure coordination and timely exchange of information, without prejudice to national security and confidentiality rules.

Article 3

Online accessibility of information

Member States shall provide public access to the following information on permit-granting processes relevant to defence readiness projects, online and in a centralised and easily accessible manner***, to the extent that such publication is without prejudice to national security and with due regard to confidentiality requirements***:

(a) the single points of contact referred to in Article 2(1);

(b) the permit-granting process, including information on dispute settlement concerning the permit-granting process including, where applicable, alternative dispute resolution mechanisms, if such procedures are provided for by national law;

(c) financing and investment services ***for defence readiness projects***;

(d) funding possibilities at Union ~~or~~***and*** Member State level ***for defence readiness projects***;

(e) business support services, including but not limited to corporate tax declaration, local tax laws or***, where relevant and in accordance with national practices,*** labour law***, for defence readiness projects***.

(ea) guidelines and templates provided for standardised permit applications where available;

Article 4

Accelerating implementation

Member States shall provide administrative support for defence readiness projects located on their territory, paying particular attention to SMEs and mid-caps, including small mid-cap enterprises, involved in those projects, including by providing:

(a) assistance regarding compliance with applicable administrative and reporting obligations***, including under Union and national health, environmental, safety, social and labour laws, where relevant***;

(b) assistance to project promoters to inform the public;

(c) assistance to project promoters along the permit-granting process~~, in particular for SMEs and small mid-cap enterprises~~.

(ca) coordination and assistance to project promoters of defence readiness projects with cross-border dimension;

Article 4a

Completeness check of the permit-granting application

1. No later than 14 working days from receiving the permit-granting application, the single point of contact shall acknowledge if the Regulation applies, whether the permit-granting application received is complete or request additional information.

2. If during the period referred to in paragraph 1 of this Article it is determined that information is missing from the permit-granting application, the single point of contact shall request the project promoter to submit the missing information, specifying which information is missing. If the submitted permit-granting application is deemed to be incomplete for a second time, the single point of contact may, within 10 working days of the second submission, make a second and final request for information. The single point of contact shall not request information in areas not covered in the first request for information and shall be entitled only to request further evidence to complete the identified missing information. If the submitted permit-granting application is deemed incomplete for a third time, the process shall be considered terminated for the purposes of this Regulation.

3. Where an environmental impact assessment report or other assessments are required as part of the permit-granting application, a permit-granting application shall be considered to be complete for the purposes of this Regulation only once the part of these assessments falling under the responsibility of the project promoter have been carried out and included in the permit-granting application.

4. The date when the single point of contact notifies the project promoter that it has received a complete permit-granting application shall serve as the start of the permit-granting process.

Article 5

Duration of the permit-granting process

1. The permit-granting process for defence readiness projects, including the granting of the relevant permit, shall not exceed ~~[60] days~~***42 working days from the date of the acknowledgement of the completeness of the permit-granting application as set out in Article 4a paragraph 4***.

1a. The single point of contact shall, in close cooperation with the competent authorities, draw up a schedule for the permit-granting process, and share this schedule with the project promoter, at the start of the permit granting process.

1b. Where a defence readiness project involves a modification or extension of an existing facility already authorised under national law, the competent authority shall determine whether the modification requires a new or updated permit, or whether it may proceed under the existing authorisation, provided that environmental, health and safety standards are not affected.

2. Where a defence readiness project requires the construction of several facilities or units ~~in one site~~***, whether located on a single site or across multiple sites***, the project promoter ~~and~~***may, in agreement with*** the single point of contact ~~may agree on splitting~~***, split*** the project into ~~several~~ smaller projects for the purposes of complying with the applicable time limits.

For such split projects, the start date of the permit-granting process for all projects remains the date on which the completeness of the permit-granting application is acknowledged, as set out in Article 4a, paragraph 4.

3. ***By way of derogation from paragraph 1, and on a case-by-case basis, the competent authority may extend the time limit referred to in paragraph 1 at maximum twice by up to 60 working days, where the*** ~~In~~ exceptional ~~cases, where the~~ nature, complexity, location***,*** or size of the ~~proposed defence readiness~~ project so requires, ~~a Member State may once extend the time limits referred to in paragraph 1 by a maximum of 30 days before their expiry and on a case-by-case basis~~***the project raises exceptional risks to the health and safety of workers or the general population, an exceptional environmental risk, and additional time is necessary to adequately assess identified risks. In such cases, the total duration of the permit-granting process shall not exceed 102 working days***.

~~4. Where a Member State considers that the defence readiness project raises exceptional risks for the health and safety of workers or of the general population, and where additional time is necessary to establish that measures to address identifiable risks have been put in place, it may extend the time limits referred to in paragraph 1 by 60 days, within 30 days of the start of the permit-granting process.~~

5. ***Any extension must be notified in writing by*** ~~In the application of paragraph 3 or 4,~~ the single point of contact ~~shall inform~~***to*** the project promoter ***within reasonable time before the time limit referred to in paragraph 1 lapses. The notice shall include the substantiated explanation*** ~~in writing~~ of the reasons for the extension and ~~of~~ the ***expected date of*** ~~date when~~ the final decision ~~is expected~~.

~~6. No later than 15 days from the receipt of the permit-granting application, the single point of contact concerned shall acknowledge that the application is complete and whether this Regulation applies or, if the project promoter has not sent all the information required to process the application, request the project promoter to submit a complete application without undue delay, specifying which information is missing. If the submitted application is deemed to be incomplete for a second time, the single point of contact may, within [15] days of the second submission, make a second request for information. The single point of contact shall not request information in areas not covered in the first request for information and shall be entitled only to request further evidence to complete the identified missing information. The date of the acknowledgement of the completeness of the application from the single point of contact shall serve as the start of the permit-granting process for that application.~~

7. The time limits set in this Article for any of the permit-granting processes shall be without prejudice to any shorter time limits set by Member States

8. Where the single point of contact does not inform the project promoter of the outcome of the permit-granting process within the time limit set out in paragraph 1 and extended, where applicable, in accordance with paragraphs 3 ~~and 4~~, the permits covered by the application shall be deemed to be granted. ~~The single point of contact shall promptly deliver written confirmation to the project promoter, indicating that the permits have been implicitly granted based on the application submitted.~~

8a. Where permits are tacitly granted, the single point of contact shall within 8 working days from the expiry of the time limits set out pursuant to paragraphs 1 and 3, inform the project promoter thereof and where relevant, specify the conditions and requirements which these permits are subject to, in accordance with applicable Union or national law. Member States shall ensure that tacit decisions granting permits pursuant to this paragraph may be challenged by affected parties.

8b. As a derogation from paragraph 8, Member States may, in national law adopted within 12 months after the entry into force of this Regulation, provide that tacit approval may not apply in strictly limited and exceptional cases. Such decision shall only be made following a case-by-case assessment, where the competent authority demonstrates, on the basis of duly substantiated and verifiable evidence, that the specific project raises grave risk to human health, or national security. Any derogation shall be limited to what is strictly necessary to address the identified risk.

Member States shall notify the Commission of: the adoption of such national legislation, without undue delay, and at the latest one month before it becomes applicable.

Any decision not to apply tacit approval to an individual permit-granting application shall be without prejudice to the time limits set out in paragraphs 1 to 3 of this Article and shall be adopted and notified to the project promoter before the expiry of the time limits set out there in paragraphs 1 to 3. It shall include a detailed, evidence-based justification demonstrating compliance with the conditions set out in this paragraph.

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Article 6

Planning

1. National, regional and local authorities responsible for preparing plans, including zoning, spatial plans and land use plans, shall include in such plans, where appropriate, provisions for the development of defence readiness activities, projects as well as ~~the~~ necessary infrastructure. To facilitate the development of defence readiness projects, Member States shall ensure that ~~all~~***non-confidential*** relevant spatial planning data is available online in accordance with Article 3 ***as well as with applicable Union and national law***.

2. Where plans include provisions for the development of defence readiness projects, and their required infrastructure, and are subject to an assessment pursuant to Directive 2001/42/EC of the European Parliament and of the Council[11] and pursuant to Article 6 of Council Directive 92/43/EEC[12], those assessments shall be combined. Where applicable, the combined assessment shall also address the impact on potentially affected water bodies referred to in Directive 2000/60/EC of the European Parliament and of the Council[13]. Where relevant, the Member States are required to assess the impacts of existing and future activities on the marine environment, including land-sea interactions, as referred to in Article 4 of Directive 2014/89/EU of the European Parliament and of the Council[14] those impacts shall also be covered in the combined assessment. The fact that assessments are combined pursuant to this paragraph shall not affect their content or quality. The combined assessment shall be carried out ~~within~~***in a manner that does not lead to a prolongation of*** the time limits set out in this Regulation.

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11 Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30, ELI: http://data.europa.eu/eli/dir/2001/42/oj).

12 Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7, ELI: http://data.europa.eu/eli/dir/1992/43/oj).

13 Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1, ELI: http://data.europa.eu/eli/dir/2000/60/oj).

14 Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning (OJ L 257, 28.8.2014, p. 135, ELI: http://data.europa.eu/eli/dir/2014/89/oj).

Article 7

Priority status of defence readiness projects

All dispute resolution procedures, litigation, appeals and judicial remedies as well as all administrative proceedings related to defence readiness projects before any national courts, tribunals, bodies or panels, including with regard to mediation or arbitration, where they exist in national law, shall be treated as urgent if and to the extent to which national law concerning relevant permit-granting processes provides for such urgency procedures ~~and~~**,** provided that the applicable rights of defence ***and effective remedies*** of individuals or of local communities are respected. Project promoters of defence readiness projects shall participate in such urgency procedures, where applicable.

Article 8

Applicability of UNECE Conventions

This Regulation is without prejudice, where relevant, to the obligations under the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed at Aarhus on 25 June 1998, and under the UNECE Convention on environmental impact assessment in a transboundary context, signed at Espoo on 25 February 1991 and its Protocol on Strategic Environmental Assessment, signed in Kyiv on 21 May 2003.

Article 8a

Monitoring and reporting

1. Each Member State shall submit to the Commission, annually, a statistical report on the application of this Regulation, including the total number of permit granting applications granted, including tacitly, pursuant to the procedures established by this Regulation.

2. Member States shall inform the Commission about specific measures adopted to encourage and facilitate the participation of SMEs in defence readiness projects in accordance with Article 4.

3. The Commission shall, in cooperation with Member States, assess the performance of the single points of contact, based on the data reported pursuant to Paragraph 1. The

Commission shall make the aggregated results referred to in paragraph 1 publicly available online, without prejudice to the protection of sensitive information relevant to national security and confidentiality requirements

Article 8b

Review and evaluation

1. By 31 December 2028 and every four years thereafter, the Commission shall carry out an evaluation of the application and the implementation of this Regulation. The Commission shall present a report on the main findings of the evaluation to the European Parliament and the Council. The evaluation shall include, at least, an assessment of:

(a) whether the procedures established by this Regulation effectively contribute to the objectives of this Regulation, in particular as regards the timeline of permit granting and the participation of SMEs in defence readiness projects;

(b) the application of the tacit approval mechanism across Member States and its contribution to the objectives of this Regulation;

2. Member States may provide to the Commission any information that the Commission may require to draw up the report referred to in paragraph 1, without prejudice to the protection of sensitive information relevant to national security and applicable confidentiality requirements. Where the Commission considers it appropriate, the report shall be accompanied by a legislative proposal.

Article 9

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply only to ~~permit~~***permit-granting*** applications for defence readiness projects submitted ***3 months*** after ~~that date~~***the entry into force***.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Strasbourg,

For the European Parliament
The President

For the Council
The President

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