Vijeće
Europske unije

Bruxelles, 16. studenoga 2018.
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Međuinstitucijski predmet:
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IZVJEŠĆE

Od:	Glavno tajništvo Vijeća
Za:	Odbor stalnih predstavnika / Vijeće
Br. preth. dok.:	ST 14136/18
Br. dok. Kom.:	ST 9075/18 + ADD 1-3
Predmet:	Prijedlog uredbe Europskog parlamenta i Vijeća o mjerama pojednostavnjenja radi ubrzanja realizacije transeuropske prometne mreže – izvješće o napretku

I. UVOD

Komisija je predstavila 17. svibnja 2018. navedeni prijedlog Europskom parlamentu i Vijeću kao dio trećeg paketa „Europa u pokretu”, čiji je cilj sigurnija, čišća, učinkovitija i pristupačnija mobilnost u Europi.

Glavni je cilj prijedloga pojednostavnjivanje pravila za izdavanje dozvola i drugih regulatornih postupaka kako bi se olakšao dovršetak mreže TEN-T. Njime se nastoje i bolje pojasniti postupci kojih se promicatelji projekata moraju pridržavati, osobito u pogledu izdavanja dozvola, javne nabave i ostalih postupaka.

Prijedlogom se glavni cilj nastoji postići na sljedeće načine:

– uspostavom jedinstvenog nadležnog tijela na nacionalnoj razini („sve na jednom mjestu”), zaduženoga za cjelokupan postupak, koje djeluje kao jedinstvena ulazna točka za promicatelje projekta i ostale ulagače;

– uspostavom objedinjenih postupaka koji dovode do donošenja sveobuhvatne odluke;

– utvrđivanjem rokova za postupak u dvije faze s maksimalnim vremenskim okvirom od tri godine.

II. RAD U DRUGIM INSTITUCIJAMA

Kao nadležni odbor za taj predmet u Europskom parlamentu određen je Odbor za promet i turizam, a Dominique Riquet (ALDE, FR) imenovan je izvjestiteljem. Dostupan je nacrt izvješća. Odbor za okoliš, javno zdravlje i sigurnost hrane (ENVI), Odbor za unutarnje tržište i zaštitu potrošača (IMCO) i Odbor za regionalni razvoj (REGI) donijet će mišljenje o prijedlogu.

Europski gospodarski i socijalni odbor donio je mišljenje na plenarnoj sjednici 17. listopada 2018. Očekuje se da će Odbor regija donijeti mišljenje u veljači 2019.

III. RAD U PRIPREMNIM TIJELIMA VIJEĆA

Predstavljanje prijedloga i ispitivanje procjene učinka održano je u lipnju 2018. na dvama sastancima Radne skupine za promet, intermodalna pitanja i mreže. Predsjedništvo je dva sastanka u srpnju posvetilo ispitivanju prijedloga po pojedinačnim člancima.

Prvi kompromisni prijedlog predsjedništva, priložen izvješću, predstavljen je Radnoj skupini 5. listopada 2018. Kompromisom predsjedništva ponajprije se nastojalo uskladiti taj prijedlog s određenim sličnim odredbama Uredbe o smjernicama za transeuropsku energetsku infrastrukturu[1]. Iako je među državama članicama prijedlog predsjedništva prihvaćen kao prvi korak u pravom smjeru, njime se nisu mogle riješiti sve bojazni iznesene na sastancima Radne skupine.

IV. OPAŽANJA PRI ISPITIVANJU

Opće napomene

Tijekom prvog kruga rasprava države članice imale su različite reakcije na prijedlog. Sve države članice pozdravile su cilj prijedloga, odnosno rješavanje problema kašnjenja do kojeg dolazi zbog postupaka izdavanja dozvola i provođenje mreže TEN-T bez nepotrebnih kašnjenja do 2030. Neke su države članice, međutim, istakle da se mjerama predloženima u Nacrtu uredbe ne doprinosi dovoljno postizanju glavnog cilja prijedloga te da bi one u određenim slučajevima mogle dovesti i do dodatnog usporavanja napretka.

Točnije, nekoliko je država članica izrazilo zabrinutost zbog uvođenja jedinstvenog nadležnog tijela na nacionalnoj razini zaduženoga za postupke izdavanja dozvola. Zanimalo ih je kako bi se tu odredbu moglo provesti u praksi u državama članicama i koji bi učinak ona imala na lokalna i regionalna tijela u smislu financiranja i radnog opterećenja. Kompromisni tekst predsjedništva, kojim se postojećim tijelima na odgovarajućoj upravnoj razini dopušta da postanu jedinstveno nadležno tijelo, prepoznat je kao korak u pravom smjeru.

[1] Uredba (EU) br. 347/2013 Europskog parlamenta i Vijeća od 17. travnja 2013. o smjernicama za transeuropsku energetsku infrastrukturu te stavljanju izvan snage Odluke br. 1364/2006/EZ i izmjeni uredaba (EZ) br. 713/2009, (EZ) br. 714/2009 i (EZ) br. 715/2009 (SL L 115, 25.4.2013., str. 39.).

Nadalje, niz država članica doveo je u pitanje usklađenost prijedloga s načelom supsidijarnosti. Istakle su da se uvođenjem objedinjenog postupka izdavanja dozvola i jedinstvenog tijela zaduženoga za postupke izdavanja dozvola ograničava nacionalna nadležnost država članica u uspostavi i organizaciji nacionalnih tijela i postupaka, čime se ograničava odredba o donošenju odluka na nacionalnoj razini. Neke su istakle i da bi predloženi objedinjeni postupci za planiranje i izdavanje dozvola mogli biti kontraproduktivni jer bi se njima, umjesto ubrzavanja, napredak mogao dodatno usporiti te bi moglo doći do manje troškovno učinkovitih odluka s obzirom na to da bi se lokalni i regionalni uvjeti te mogućnosti financiranja u manjoj mjeri uzimali u obzir.

Tijekom ispitivanja procjene učinka nekoliko je država članica u pogledu preporučene mogućnosti politike br. 2 dovelo u pitanje prikladnost odabranog pravnog instrumenta. Izjavile su da se jedinstvena pravila u Europi mogu postići i predlaganjem druge vrste pravnog instrumenta, primjerice direktive ili smjernica, što bi državama članicama omogućilo dovoljno fleksibilnosti u provedbi mjera.

Konačno, neke su države članice smatrale da se u procjeni učinka nisu dovoljno istražili čimbenici koji su uzrok najrelevantnijih kašnjenja u provedbi infrastrukturnih projekata, kao što su kupnja zemljišta, procjene učinka okoliša, žalbe nevladinih organizacija te tehnička i financijska pitanja.

<u>Primjedbe u vezi s konkretnim pitanjima</u>

(a) Područje primjene (članak 1.)

Za neke je države članice područje primjene Nacrta uredbe bilo preširoko i nedovoljno precizno. Htjele su ograničiti područje primjene na prekogranične projekte ili projekte s utvrđenim financijskim pragom. Suprotno tome, druge su se države članice zalagale za dodatno proširenje područja primjene kako bi se uključili projekti od zajedničkog interesa u pogledu sveobuhvatne mreže TEN-T. Tom se prijedlogu usprotivio niz drugih država članica. Osim toga, nekoliko je država članica zatražilo proširenje područja primjene na prekogranične projekte s trećim zemljama.

Kompromisni tekst predsjedništva kojim se državama članicama dopušta da, na neobaveznoj osnovi, prošire područje primjene na projekte od zajedničkog interesa u pogledu sveobuhvatne mreže TEN-T pozitivno je ocijenjen.

(b) Objedinjavanje postupaka izdavanja dozvola (članak 4.)

Mnoge države članice bile su zabrinute zbog pojma „sveobuhvatna odluka" koji je predložila Komisija. Mnoge su je smatrale pretjerano složenom odlukom koju bi pri različitim tijelima uključenima u izdavanje dozvola bilo vrlo teško provesti na usklađen način. Zatražena su i pojašnjenja toga što bi točno sveobuhvatna odluka uključivala, primjerice bi li se procjene okoliša ili prostorno planiranje smatrali njezinim dijelom.

Kompromisni tekst predsjedništva kojim se sveobuhvatna odluka prilagođava kako bi se uskladila s koordiniranim pristupom među nekim je državama članicama bio dobro prihvaćen, dok su ga druge smatrale nedostatnim.

(c) Jedinstveno nadležno tijelo za izdavanje dozvola (članak 5.)

Države članice općenito su izrazile dvojbe u pogledu određivanja jedinstvenog tijela „na višoj razini" koje bi imalo više ovlasti i veću moć donošenja odluka od drugih tijela uključenih u taj postupak. Budući da se prometni projekti međusobno uvelike razlikuju u opsegu, vrsti i lokaciji, tijela nadležna za svaki od njih ovisit će o posebno zatraženoj dozvoli i lokaciji, s obzirom na to da nisu ista tijela i stručna i nadležna. Stoga je predloženi ustroj mogao dovesti do rizika od sukoba nadležnosti u slučajevima u kojima je na lokalnoj ili nacionalnoj razini uključeno više od jednog ministarstva i/ili razine donošenja odluka. Slijedom toga, države članice pozvale su na veću fleksibilnost. Neke su bile otvorene za raspravu o funkciji jedinstvenog nadležnog tijela koje bi moglo imati ulogu koordinatora koji prikuplja različite dozvole iz različitih nacionalnih tijela s različitim nadležnostima.

Kompromisni tekst predsjedništva kojim je pojam jedinstvenog nadležnog tijela pretvoren u načelo „sve na jednom mjestu" na temelju pristupa koji je više koordiniran nego integriran dobio je potporu nekoliko država članica, dok su druge jasno zatražile više fleksibilnosti.

(d) Trajanje i provedba postupka izdavanja dozvola (članak 6.)

Većina je država članica smatrala da su predloženi rokovi za provedbu postupaka prekratki, posebice u pogledu vremenskog ograničenja za fazu prije podnošenja zahtjeva (dvije godine). Osim toga, mnoge su države članice smatrale da je članak predetaljan, a napomenute su i bojazni u pogledu učinkovitosti funkcioniranja vremenskog ograničenja po načelu univerzalnog pristupa s obzirom na složenost i raznolikost prometnih projekata.

Neke su države članice povezale rokove s pitanjem koji su postupci uključeni u postupak za dobivanje dozvola u okviru jedinstvenog tijela. U tom su smislu neki zagovarali isključivanje određenih postupaka povezanih s pripremom projektnih dokumenata za prijavu (npr. prostorno planiranje i procjene učinka itd.) iz opsega postupka izdavanja dozvola s obzirom na to da se radi o dugotrajnim postupcima koji će vjerojatno uzrokovati kašnjenja, što će otežati, čak i onemogućiti poštovanje predloženog vremenskog ograničenja.

Jasno je da je potreban dodatan rad na pojašnjenju i pojednostavnjenju, posebno članaka 5. i 6., kako bi se postigao napredak na tom predmetu.

V. ZAKLJUČAK

Navedena pitanja čine se ključnima za taj prijedlog te su stoga dovela do opsežnih rasprava Radne skupine. Ta će se pitanja trebati rješavati za vrijeme nadolazećeg predsjedništva kako bi se postigli daljnji napredak i dogovor o tom predmetu.

S obzirom na navedeno Odbor stalnih predstavnika i Vijeće pozivaju se da prime na znanje napredak ostvaren u vezi s ispitivanjem predložene uredbe.

ANNEX

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on streamlining measures for advancing the realisation of the trans-European transport network

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 172 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[2],

Having regard to the opinion of the Committee of the Regions[3],

Acting in accordance with the ordinary legislative procedure,

Whereas:

[2] OJ C , , p. .
[3] OJ C , , p. .

(1) Regulation (EU) No 1315/2013 of the European Parliament and of the Council[4] sets out a common framework for the creation of state-of-the-art, interoperable networks for the development of the internal market. The trans-European transport networks (TEN-T) have a dual layer structure: the comprehensive network ensures connectivity of all regions of the Union whereas the core network consists of those elements of the network which are of the highest strategic importance for the Union. Regulation (EU) No 1315/2013 defines binding completion targets for implementation, with the core network to be completed by 2030 and the comprehensive network by 2050.

(2) Notwithstanding the necessity and binding timelines, experience has shown that many investments aiming to complete the TEN-T are confronted with complex permit granting procedures, cross-border procurement procedures and other procedures. This situation jeopardises the on time implementation of projects and in many cases results in significant delays and increased costs. In order to address these issues and make synchronised TEN-T completion possible,, harmonised action is necessary at Union level.

(3) In the legal frameworks of many Member States priority treatment is given to certain project categories based on their strategic importance for the economy. Priority treatment is characterised by shorter timelines, simultaneous procedures or limited timeframes for appeals while ensuring that the objectives of other horizontal policies are also reached. When such a framework exists within a national legal framework, it should automatically apply to Union projects recognised as projects of common interest under Regulation (EU) No 1315/2013.

[4] Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1).

(4) In order to improve the effectiveness of the environmental assessments and streamline the decision-making process , where the obligation to carry out assessments related to environmental issues of core network projects arises simultaneously from Directive 2011/92/EU, as amended by Directive 2014/52/EU, and from other Union legislation such as Directive 92/43/EEC, Directive 2009/147/EC, Directive 2000/60/EC, Directive 2008/98/EC, Directive 2010/75/EU, Directive 2012/18/EU and Directive 2011/42/EC, Member States should ensure that a joint procedure fulfilling the requirements of these Directives is provided.

(5) Core network projects should be supported by integrated permit granting procedures to make clear management of the overall procedure possible and to provide a single entry point for investors. Member States should designate a competent authority in accordance with their national legal frameworks and administrative set-ups.

(6) The establishment of a single competent authority at national level integrating all permit granting procedures (one-stop shop) should reduce the complexity, improve the efficiency and increase the transparency of the procedures. It should also enhance the cooperation between Member States where appropriate. The procedures should promote a real cooperation between investors and the single competent authority and should therefore allow for the scoping in the pre-application phase of the permit granting procedure. Such scoping should be integrated in the detailed application outline and follow the procedure set out in Article 5(2) of 2011/92/EU, as amended by Directive 2014/52/EU.

(7) The procedure set out by this Regulation should be without prejudice to the fulfilment of the requirements defined in the international and Union law, including provisions to protect the environment and human health.

(8) Given the urgency to complete the TEN-T core network, the simplification of permit granting procedures should be accompanied by a time limit within which competent authorities responsible should make a ~~comprehensive~~ **consolidated** decision regarding the construction of the project. This time limit should stimulate a more efficient handling of procedures and should, under no circumstances, compromise the Union's high standards for environmental protection and public participation.

(9) Member States should endeavour to ensure that appeals challenging the substantive or procedural legality of a ~~comprehensive~~ **consolidated** decision are handled in the most efficient way possible.

(10) Cross-border TEN-T infrastructure projects face particular challenges as regards the coordination of permit granting procedures. The European Coordinators should be empowered to monitor these procedures and facilitate their synchronisation and completion.

(11) Public procurement in cross-border projects of common interest should be conducted in accordance with the Treaty and Directives 2014/25/EU and/or 2014/24/EU. In order to ensure the efficient completion of the cross-border core network projects of common interest, public procurement carried out by a joint entity should be subject to a single national legislation. By way of derogation from the Union public procurement legislation, the applicable national rules should in principle be those of the Member State where the joint entity has its registered office. It should remain possible to define the applicable legislation in an intergovernmental agreement.

(12) The Commission is not systematically involved in the authorisation of individual projects. However, in some cases, certain aspects of the project preparation are subject to clearance at Union level. Where the Commission is involved in the procedures, it will give priority treatment to the Union projects of common interest and ensure certainty for project promoters. In some cases State aid approval might be required. In line with the Best Practice Code for the conduct of State aid control procedures, Member States may ask the Commission to deal with projects of common interest on the core network of the TEN-T they consider to be of priority with more predictable timelines under the case portfolio approach or the mutually agreed planning.

(13) The implementation of infrastructure projects on the TEN-T core network should be also supported by Commission guidelines that bring more clarity as regards the implementation of certain types of projects while respecting the Union acquis. For example the Action Plan for nature, people and the economy[5] foresees such guidance to bring more clarity in view of respecting the Birds and Habitats Directives. Direct support related to public procurement should be made available for projects of common interests to ensure the best value for public money[6]. Additionally, appropriate technical assistance should be made available under the mechanisms developed for the Multi-Annual Financial Framework 2021-2027, with the aim of providing financial support for TEN-T projects of common interest.

(14) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States and can therefore, by reason of the need for coordination of those objectives, 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 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 those objectives.

(15) For reasons of legal certainty, the administrative procedures which started prior to the entry into force of this Regulation should not be subject to the provisions of this Regulation.

HAVE ADOPTED THIS REGULATION:

[5] COM(2017) 198 final.
[6] COM(2017) 573 final

CHAPTER I GENERAL PROVISIONS

Article 1

Subject matter and scope

1. This Regulation sets out requirements applicable to the administrative procedures followed by the competent authorities of Member States in relation to the authorisation and implementation of all projects of common interest on the core network of the trans-European transport network.

2. Member States may decide to extend the application of this regulation to projects of common interest on the comprehensive network of the trans-European transport network.

Article 2

Definitions

For the purposes of this Regulation, the definitions set out in Regulation (EU) No 1315/2013 shall apply. The following definitions shall also apply:

(a) "~~comprehensive~~ **consolidated** decision" means the decision ~~or set of decisions~~ ~~taken~~ by a Member State authority or authorities **adopted accordingly to its national legal or administrative system,** not including courts or tribunals, that determines whether or not a project promoter is to be granted authorisation to build the transport infrastructure needed to complete a project without prejudice to any decision taken in the context of an administrative appeal procedure;

(b) "permit granting procedures" means every procedure that has to be followed or step that has to be taken ~~before~~ **as required by** the authorities of a Member State, under Union or national law, before the project promoter can implement the project**, not including procedures for the award of public procurements**;

(b)(i) "Project of common interest" means a project according to Article 3(a) of Regulation (EU) No 1315/2013.

(c) "Project promoter" means the applicant for authorisation for a ~~private~~ project or the public authority which initiates a project";

(d) "single competent authority" means **an existing or newly established** ~~the~~ authority, **identified by a Member State at the appropriate administrative level for each project or category of projects of common interest,** which ~~the Member State designates~~ **acts as a "one-stop shop" and is** ~~as~~ responsible for performing the duties arising from this Regulation;

(e) "Cross-border project of common interest" means a project of common interest according to Article 7 of Regulation (EU) No 1315/2013 covering a cross-border section as defined in point (m) Article 3 of that Regulation which is implemented by a joint entity.

CHAPTER II – PERMIT GRANTING

Article 3

'Priority status' of projects of common interest

1. Each project of common interest on the TEN-T core network shall be subject to an integrated permit granting procedure ~~managed~~ **run** by a single competent authority ~~designated~~ **identified** by each Member State in accordance with Articles 5 and 6.

2. Where priority status exists under national law, projects of common interest shall be granted the status with the highest national significance possible, and be treated as such in permit granting procedures, where and in the manner such treatment is provided for in national legislation applicable to the corresponding types of transport infrastructure.

3. To ensure efficient ~~administrative~~ **permit granting** procedures related to projects of common interest, project promoters and all authorities concerned shall ensure that the most rapid treatment legally possible is given to these projects, including as regards the resources allocated.

Article 4

Integration Coordination of permit granting procedures

1. 1In order to meet the time limits set out in Article 6 and reduce the administrative burden related to **the authorisation and the** completion of projects of common interest, all the ~~administrative~~ **permit granting** procedures resulting from the applicable law, both national and of the Union, shall be ~~integrated~~ **coordinated** and result in ~~only~~ one ~~comprehensive~~ **consolidated** decision.

2. In the case of projects of common interest for which the obligation to carry out assessments of the effects on the environment arises simultaneously from Directive 2011/92/EU of the European Parliament and of the Council and other Union law, Member States shall ensure that joint procedures within the meaning of Article 2(3) of Directive 2011/92/EU are provided for.

Article 5

Single competent Organisation of the permit granting authority process

1. ~~By … *(OP please insert the date one year of the entry into force of this Regulation)*~~, **E**~~e~~ach Member State shall ~~designate~~ **ensure that a** ~~one~~ single competent authority ~~which shall be~~ **is** responsible for facilitating ~~the~~ permit granting ~~process~~ **procedures for a project of common interest** including for making the ~~comprehensive~~ **consolidated** decision.

2. **Each Member State may entrust t**~~T~~he responsibility of the single competent authority referred to in paragraph 1 and/or the tasks related to it ~~may be delegated to, or carried out by,~~ to an **existing or newly established** ~~other~~ authority at the appropriate administrative level, per project of common interest**, per geographical area** or per particular category of projects of common interest, ~~under the following conditions~~ **provided that**~~:~~

~~(a) only~~ only one authority is responsible per project of common interest**,**~~;~~

~~(b) the authority~~ is the sole point of contact for the project promoter in the procedure leading to the ~~comprehensive~~ **consolidated** decision for a given project of common interest, and

~~(c) the authority~~ coordinates the submission of all relevant documents and information.

The single competent authority may retain the responsibility to establish time limits, without prejudice to the time limits set in accordance with Article 6.

~~3. The single competent authority shall issue the comprehensive decision within the time limits specified in Article 6. It shall do so following joint procedures.~~

~~The comprehensive decision issued by the single competent authority shall be the sole legally binding decision resulting from the statutory permit granting procedure. Where other authorities are concerned by the project, they may give their opinion as input to the procedure, in accordance with national legislation. This opinion shall be taken into account by the single competent authority.~~

3. By 1 January 2021, each Member State shall take the suitable measures in accordance with its national legal system to identify the single competent autority, where relevant at the appropriate administrative level and per category of projects of common interests. This information shall be made available to project promoters, to the neighbouring Member States and to the European Commission.

3(a) The single competent authority shall issue the consolidated decision within the time limits specified in Article 6.

3(b) The consolidated decision comprises multiple individual legally binding decisions issued simultaneously or successively by several authorities concerned, including the decision resulting from the joint procedures referred to in Article 4(2), which shall be coordinated by the single competent authority.

3(c) The single competent authority shall, in consultation with the other authorities concerned, where applicable in accordance with national law, and without prejudice to time limits set in accordance with Article 6, establish on a case-by-case basis a reasonable time limit within which the individual decisions shall be issued.

3(d) The single competent authority may take an individual decision on behalf of another national authority concerned, if the decision by that authority is not delivered within the time limit and if the delay cannot be adequately justified; or, where provided under national law, and to the extent that this is compatible with Union law, the competent authority may consider that another national authority concerned has either given its approval or refusal for the project if the decision by that authority is not delivered within the time limit. Where provided under national law, the competent authority may disregard an individual decision of another national authority concerned if it considers that the decision is not sufficiently substantiated with regard to the underlying evidence presented by the national authority concerned.

4. When taking the ~~comprehensive~~ **consolidated** decision, the single competent authority shall ensure that the relevant requirements under **national,** international and Union law are respected and shall duly justify its decision.

5. If a project of common interest requires decisions to be taken in two or more Member States, the respective competent authorities shall take all the necessary steps for efficient and effective cooperation and coordination among themselves. Without prejudice to obligations arising under applicable Union and international law, Member States shall endeavour to provide for joint procedures, particularly with regard to the assessment of environmental impacts.

6. The single competent authority may also be entrusted with tasks related to the coordination and the authorisation, in compliance with Union and national legislation, of specific projects of common interest aiming at the reconstruction of infratruscture on the core network of the trans-European transport network in the case of natural or man-made disasters.

Article 6

Duration and implementation of the permit granting procedure

3. The permit granting procedure shall consist of the pre-application phase and the phase of the assessment of the application and the decision-making by the single competent authority.

4. The pre-application phase, covering the period from the start of the permit granting procedure to the submission of the complete application file to the single competent authority, shall in principle not exceed **[**two**]** years.

2(a) The pre-application phase shall include the preparation of any environmental reports to be prepared by the project promoter. Preliminary studies and preparatory assessments may nevertheless start or be carried out before the pre-application phase to ensure the maturity of the notified project.

5. In order to launch the permit granting procedure, the project promoter shall notify the single competent authority of the Member States concerned about the project in writing, and shall include a detailed description of the project. No later than ~~two~~ **three** months following the receipt of the above notification, the single competent authority shall either acknowledge it or, if it considers that the project is not mature enough to enter the permit granting procedure, reject the notification in writing. If the single competent authority decides to reject the notification, it shall justify its decision. The date of signature of the acknowledgement of the notification by the competent authority shall serve as the start of the permit granting procedure. If two or more Member States are concerned, the date of the acceptance of the last notification by the competent authority concerned shall serve as the date of the start of the permit granting procedure.

6. Within three months of the start of the permit granting procedure, the single competent authority, in close cooperation with the project promoter and other authorities concerned and taking into account the information submitted by the project promoter on the basis of the notification referred to in paragraph 3, shall ~~establish and communicate to~~ **provide** the project promoter **with** a detailed application outline, containing:

   (a) the material scope and level of detail of information to be submitted by the project promoter, as part of the application file for the ~~comprehensive~~ **consolidated** decision

   (b) a schedule for the permit granting process, identifying at least the following:

      (i) the **permits,** decisions and opinions to be obtained;

      (ii) the authorities~~,~~ **and** stakeholders~~, and the public likely~~ to be concerned, **including the formal phase of the public consultation**;

      (iii) the individual stages of the procedure and their ~~duration~~ **expected time limits**;

      (iv) major milestones to be accomplished and their deadlines in view of the ~~comprehensive~~ **consolidated** decision to be taken;

      (v) the resources planned by the authorities and possible additional resource needs.

7. In order to ensure that the application file is complete and of adequate quality, the project promoter shall seek the single competent authority's opinion on its application as early as possible during the pre-application procedure. The project promoter shall cooperate fully with the single competent authority to meet deadlines and comply with the detailed application outline as defined in paragraph 4.

8. The project promoter shall submit the application file based on the detailed application outline within the period of ~~21~~ **24** months from the receipt of that detailed application outline. **The single competent authority, based on the characteristics of the project, analyses to be made or public to be consulted, in duly justified cases can determine a longer period for the submission of the application file.** After the expiry of ~~that~~ **the** period **for the submission of the application file**, the detailed application outline is no longer considered applicable, unless the single competent authority decides to prolong that period, on the basis of a justified request from the project promoter.

9. At the latest within the period of two months from the date of submission of the complete application file, the competent authority shall acknowledge in writing the completeness of the application file and communicate it to the project promoter. The application file submitted by the project promoter shall be considered as being complete, unless, within the period of two months from the date of submission, the competent authority makes a request regarding missing information to be submitted by the project promoter. That request shall be limited, as regards the material scope and level of detail, to the elements identified in the detailed application outline. Any additional request for information shall only result from exceptional and unforeseen new circumstances and shall be duly justified by the single competent authority.

10. The single competent authority shall assess the application and adopt a ~~comprehensive~~ **consolidated** decision within the period of one year from the date of submission of the complete application file in accordance with paragraph 7. Member States may set an earlier time-limit, where appropriate.

11. The time limits in the above provisions shall be without prejudice to obligations arising from Union and international legal acts, as well as to administrative appeal procedures and judicial remedies before a court or tribunal.

Article 7

Coordination of cross-border permit granting procedure

12. For projects that involve two or more Member States, the competent authorities of the Member States concerned shall align their timetables and agree on a joint schedule.

13. The European Coordinator referred to in Article 45 of Regulation (EU)² No 1315/2013 shall be empowered to ~~closely follow the permit granting procedure for cross-border projects of common interest and to~~ facilitate contacts between the involved competent authorities **in the context of the permit granting procedure for cross-border projects of common interest**.

14. Without prejudice to the obligation to comply with the time limits under this Regulation, if the time-limit for the ~~comprehensive~~ **consolidated** decision is not observed, ~~the competent authority shall immediately inform the European Coordinator~~ **the European Coordinator concerned shall be informed by the Member States** concerned about the measures taken or to be taken to conclude the permit granting procedure with the least possible delay. The European Coordinator may request the competent authority to regularly report on progress achieved.

CHAPTER III PUBLIC PROCUREMENT

Article 8

Public Procurement in cross-border projects of common interest

15. Public procurement in cross-border projects of common interest shall be conducted in accordance with the Treaty and Directives 2014/25/EU and/or 2014/24/EU.

16. In case the procurement procedures are conducted by a joint entity set up by the participating Member States, that entity shall apply the national provisions of one of those Member States and, by way of derogation from these Directives, those provisions shall be the provisions determined in accordance with point (a) of Article 57(5) of Directive 2014/25/EU of the European Parliament and of the Council or point (a) of Article 39(5) of Directive 2014/24/EU of the European Parliament and of the Council, as applicable, unless an agreement between the participating Member States provides otherwise. Such an agreement shall in any case provide for the application of a single national legislation in case of the procurement procedures conducted by a joint entity.

CHAPTER IV TECHNICAL ASSISTANCE

Article 9

Technical assistance

On the request of a project promoter or Member State, in accordance with the relevant Union funding programmes and without prejudice to the Multi-Annual Financial Framework, the Union shall make available technical assistance for the implementation of this Regulation and the facilitation of the implementation of projects of common interest.

CHAPTER V FINAL PROVISIONS

Article 10

Transitional provisions

This Regulation shall not apply to the ~~administrative~~ **permit granting** procedures which started before the date of its entry into force.

Article 11

Entry into force

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

Chapter II of this Regulation shall apply from 1 January 2021. Ongoing procurement procedures will be completed on the basis of the legal position applicable on 31 December 2020.

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

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*