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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. prev. doc.:	15152/2/19 REV 2
Subject:	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 - Preparation for the second informal trilogue

1. On 17 May 2018, the Commission presented the abovementioned proposal to the European Parliament and the Council, as part of the third 'Europe on the Move' package, which is designed to make European mobility safer, cleaner, more efficient and more accessible.
2. The proposal's main objective is to simplify permit-granting rules with the aim of facilitating the completion of the Trans-European Transport Network (TEN-T). It also aims to bring greater clarity to the processes which project promoters need to follow, in particular as regards permit granting, public procurement and other procedures.
3. Following discussions at the Working Party on Transport - Intermodal Questions and Networks between June 2018 and December 2019, the Council reached a general approach on the proposal at its meeting on 2 December 2019¹.

¹ 14401/19.

4. Subsequently, the first informal trilogue was held on 3 February 2020, aiming at mutual understanding of the positions, and exploring the key political issues. It was agreed that the large majority of the articles as well as the question regarding the legal form of the proposal should be identified as political issues ('C'). Some of the recitals and Articles 8 and 10 have been categorised as technical issues ('B').
5. Following the first informal trilogue, two technical meetings were held, the last one on 14 February 2020, allowing to develop potential compromises on a number of 'B' and 'C' points.
6. Based on the work carried out at the technical meetings and the deliberations of the Intermodal Transport Working Party on 26 February 2020, the Presidency has prepared the draft mandate for the second trilogue, presented in the annex.
7. The second trilogue will focus on political issues which have been discussed in technical meetings and on which progress should be made. These are the following:
Article 2 ('Definitions'), Article 3 ('Priority status'), Article 7 ('Coordination of cross-border permit-granting procedure'), Article 8 ('Public procurement in cross-border projects') and Article 9 ('Technical assistance'). In addition, the compromises relating to technical matters (marked 'B' points) will also be discussed.
8. In view of the above, the attention of the Committee is drawn in particular to the compromise proposals on lines **7, 17, 30, 33, 56, 57, 59, 63, 64, 145, 147, 149 and 156**. Tentatively agreed compromises are on lines **5** and **31**. However, these are still subject to confirmation by the Permanent Representatives Committee. As regards lines **158-160**, the Presidency's proposal is to keep the general approach.
9. On all the other lines, where the fourth column does not yet propose a compromise, the position of the Presidency in the trilogue will be to maintain the Council general approach.
10. The Permanent Representatives Committee is invited to agree on the mandate for the upcoming trilogue as set out in the Annex (the four-column table)² to this note.

² Changes to the text entered in the fourth column compared to the previous version (doc. 15152/2/19 REV 2) are indicated in **bold-underline** or ~~strikethrough~~.

	COM proposal COM(2018)277	European Parliament/P8_TA(2019)0109	General Approach, ST 14401/19	Remarks / Compromise proposal by the Presidency
1.	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	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	Proposal for a Regulation Directive of the European Parliament and of the Council on streamlining measures for advancing the realisation of the trans-European transport network	C - linked to legal form of the proposal.
2.	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 Committee¹, Having regard to the opinion of the Committee of the Regions², Acting in accordance with the ordinary legislative procedure³, (1) OJ C , , p. . (1) Opinion of 17 October 2018 (not yet published in the Official Journal). (2) OJ C , , p. . (2) Opinion of 7 February 2019 (not yet published in the Official Journal).			

	COM proposal COM(2018)277	European Parliament/P8_TA(2019)0109	General Approach, ST 14401/19	Remarks / Compromise proposal by the Presidency
	(3) Position of the European Parliament of 13 February 2019 (not yet published in the Official Journal).			
3.	Whereas:			
4.		Amendment 1 Recital 1		
5.	(1) Regulation (EU) No 1315/2013 of the European Parliament and of the Council ³ 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	(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 comprising a dual-level structure, in the Union, at the service of citizens , for the development of the internal market and for the social, economic and territorial cohesion of the Union . The trans-European transport networks (TEN-T) have a dual layer structure: the core network comprises those parts of the network which have the greatest strategic significance for the Union, and the	(1) Regulation (EU) No 1315/2013 of the European Parliament and of the Council ³ 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 comprehensive network which are of the highest strategic importance for the Union. That Regulation (EU) No 1315/2013 defines binding completion targets for implementation, with the core network to be completed by 2030	B <u>Tentatively agreed compromise:</u> Regulation (EU) No 1315/2013 of the European Parliament and of the Council ³ sets out a common framework for the creation of state-of-the-art, interoperable networks in the Union, at the service of the citizens, for the social, economic and territorial cohesion of the Union and for the development of the internal market by contributing to the single European transport and mobility area. 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

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	completion targets for implementation, with the core network to be completed by 2030 and the comprehensive network by 2050.	comprehensive network ensures connectivity of between all regions in the Union. of the Union whereas The core network consists of those elements of the network which are of the highest strategic importance for the Union <i>should serve as cross-border and multimodal accelerators for a single European transport and mobility area.</i> 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. <i>Furthermore, Regulation (EU) No 1315/2013 focuses on cross-border connections that will improve interoperability between the different modes of transport and contribute to the multimodal integration of Union transport, and should also take into account the development dynamics of the transport sector and of new</i>	and the comprehensive network by 2050.	core network consists of those elements of the comprehensive network which are of the highest strategic importance for the Union. That Regulation defines binding completion targets for implementation, with the core network to be completed by 2030 and the comprehensive network by 2050, in particular by prioritising cross-border connections, by improving interoperability, and by contributing to the multimodal integration of Union transport infrastructure. (3) 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).

	COM proposal COM(2018)277	European Parliament/P8_TA(2019)0109	General Approach, ST 14401/19	Remarks / Compromise proposal by the Presidency
	(3) 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).	<i>technologies in the future.</i> (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).	(3) 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).	
6.		Amendment 2 Recital 2		
7.	(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	(2) Notwithstanding the necessity and binding timelines, experience has shown that many investments aiming to complete the TEN-T are confronted with multiple, slow, unclear and 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	(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 This Directive aims to address these issues and make	B (except for the title.) <u>Proposed compromise:</u> Notwithstanding the necessity and binding timelines, experience has shown that many investments aiming to complete the TEN-T are confronted with multiple, different and complex permit-granting procedures, cross-border procurement procedures and other procedures. This situation jeopardises the on-time

	COM proposal COM(2018)277	European Parliament/P8_TA(2019)0109	General Approach, ST 14401/19	Remarks / Compromise proposal by the Presidency
	and increased costs. In order to address these issues and make synchronised TEN-T completion possible,, harmonised action is necessary at Union level.	costs, In order to address <i>gives rise to uncertainty for project promoters and potential private investors, and can even lead to projects being abandoned in the middle of the process. Given these issues and make conditions, the synchronised TEN-T completion possible, of the TEN-T by the deadline set out in Regulation (EU) No 1315/2013 requires</i> harmonised action is necessary at Union level. <i>Moreover, Member States should decide on their national infrastructure plans in accordance with the TEN-T objectives.</i>	synchronised <u>and timely</u> TEN-T completion possible; <u>through</u> harmonised action is necessary at Union level.	implementation of projects and, in many cases, results in significant delays and increased costs. Furthermore, uncertainty may arise for project promoters and potential private investors and could in certain cases even lead to projects being not realised as initially planned. This [Regulation/Directive] aims to address these issues and make synchronised and timely TEN-T completion possible through harmonised action at Union level. Member States should endeavour to align their national infrastructure plans in accordance with the TEN-T objectives. <u>When drawing up their national plans and programmes, Member States should take into account the development of the trans-European transport network, in line with paragraph 2 of Article 49 of Regulation (EU) No 1315/2013.</u>

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8.			<u>(2a) This Directive should cover project related procedures, including those related to the environmental impact assessment. However, this Directive should be without prejudice to urban or land use planning and the steps undertaken at strategic level and which are not project-related, such as strategic environmental assessment, public budgetary planning as well as national or regional transport plans. In order to increase the efficiency of permit granting procedures and ensure high quality project documentation, project promoters should carry out the preparatory work such as preliminary studies and reports before the start of the permit-granting procedure. This Directive should not be applicable to procedures before an administrative appeal authority, a court or a tribunal.</u>	C - linked to scope (procedures covered) and timelines.

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9.		Amendment 3 Recital 2a		
10.				
11.		<i>(2a) This Regulation applies only to Union projects which are recognised as projects of common interest under Regulation (EU) No 1315/2013 on the core network of the trans-European transport network. A Member State can also decide to broaden the scope to the comprehensive network.</i>	<u>(2aa) This Directive should apply to projects that are part of pre-identified sections of TEN-T core network as listed in the Annex. Projects exclusively related to telematics applications, new technology and innovation should be excluded from the scope as their deployment is not limited to the TEN-T core network. Member States may apply this Directive to other projects on the core and comprehensive TEN-T network, including projects exclusively related to telematics applications, new technology and innovation, in order to enable a harmonized approach for transport infrastructure projects. The publication by national authorities of lists of individual projects that fall under this</u>	C - linked to scope.

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			<u>Directive could increase transparency for project promoters regarding ongoing as well as future works along the trans-European transport network.</u>	
12.		Amendment 4 Recital 3		
13.	(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	(3) In the legal frameworks systems of many Member States priority treatment is given to certain project categories based on their strategic importance for the economy Union . Priority treatment is characterised by shorter timelines, simultaneous <i>and/or simplified</i> procedures or limited timeframes <i>for the completion of the permitting procedure or</i> for appeals while ensuring that the objectives of other horizontal policies are also reached. When such a framework exists within rules on priority treatment exist in a national legal framework, it they	(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 <u>Priority treatment should be given to projects covered by this Directive, where appropriate. Such treatment may include</u> shorter timelines, simultaneous procedures or limited timeframes for appeals while ensuring that the objectives of other horizontal policies, <u>such as environmental policies aiming to avoid, prevent, reduce or offset adverse effects on the environment</u> are also	C

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	projects of common interest under Regulation (EU) No 1315/2013.	should automatically apply to Union projects recognised as projects of common interest under Regulation (EU) No 1315/2013. <i>Member States that do not have such rules on priority treatment should adopt them.</i>	reached- <u>in accordance with national and Union law. In the legal frameworks of many Member States, priority treatment is given to certain project categories based on their strategic importance for the economy.</u> 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 <u>within the scope of this Directive.</u>	
14.		Amendment 5 Recital 4		
15.	(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	(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	Deleted.	C - linked to Article 4.

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	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.	2011/92/EU of the European Parliament and of the Council ⁵ , as amended by Directive 2014/52/EU of the European Parliament and of the Council ⁶ , and from other Union legislation such as Council Directive 92/43/EEC ⁷ , Directives 2009/147/EC ⁸ , 2000/60/EC ⁹ , 2008/98/EC ¹⁰ , 2010/75/EU ¹¹ and 2012/18/EU ¹² of the European Parliament and of the Council, and Commission Implementing Directive 2011/42/EC ¹³ , Member States should ensure that a joint procedure fulfilling the requirements of these Directives is provided. <i>Moreover, early scoping of environmental impacts and early discussion with the competent authority about the content of the environmental assessments may reduce delays during the permitting stage and generally improve the quality of assessments.</i>		

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		(5) Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1–21). (6) Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (OJ L 124, 25.4.2014, p. 1). (7) 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). (8) Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild		

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		birds (OJ L 20, 26.1.2010, p. 7). (9) 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). (10) Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3). (11) Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17). (12) Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident		

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		hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (OJ L 197, 24.7.2012, p. 1). (13) Commission Implementing Directive 2011/42/EU of 11 April 2011 amending Council Directive 91/414/EEC to include flutriafol as active substance and amending Commission Decision 2008/934/EC (OJ L 97, 12.4.2011, p. 42).		
16.		Amendment 6 Recital 4a		
17.		<i>(4a) Given the large number of environmental assessments arising from various European Directives and national rules which are necessary for granting permits to projects of common interest in the TEN-T core network, the Union should</i>		B <u>Proposed compromise:</u> Given the different environmental assessments arising from various European Directives and national rules, which are necessary for

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		<i>put in place a common, simplified and centralised procedure which fulfils the requirements of those Directives in order to help achieve the objectives set out in this Regulation aimed at increasing the streamlining of measures.</i>		granting permits to [projects of common interest/projects] in the TEN-T core network, Member States may put in place, where feasible and appropriate, a simplified and centralised procedure which fulfils the requirements of those Directives and national rules in order to help achieve the objectives set out in this [Regulation/Directive] aimed at increasing the streamlining of measures.
18.		Amendment 7 Recital 5		
19.	(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	(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 single competent authority in accordance with their national legal frameworks and administrative set-ups so that projects concerning the	(5) Core network projects Projects on the core network corridors should be supported by integrated efficient permit-granting procedures to make clear management of the overall procedure possible and to provide a single entry main point of contact for investors. project promoters. Member States should designate a competent authority one or more authorities in accordance with their national	C - linked to the role of the authority.

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	administrative set-ups.	<i>core network will benefit from the integration of permit granting procedures and having a single contact point for investors, thereby enabling clear and effective management of the comprehensive procedure. Where necessary, the single competent authority can delegate its responsibilities, obligations and tasks to another authority at the appropriate regional, local or other administrative level.</i>	legal frameworks and administrative set-ups, <u>and type of project.</u>	
20.		Amendment 8 Recital 6		
21.	(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	(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 <i>coordination and the speed of the procedures and of the adoption of the decisions.</i>	(6) The establishment <u>designation of authorities acting as the main point</u> of a single competent authority at national level integrating <u>contact for the project promoter for</u> all permit-granting procedures (one-stop shop) should reduce the complexity, improve the efficiency and increase the transparency of the procedures. It	C - linked to the role of the authority, procedures covered and phases.

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	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.	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.	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 <u>real cooperation between project promoters and the designated authority.</u>	
22.		Amendment 9 Recital 6a		
23.		<i>(6a) Where projects of common interest are considered to be Union priority projects, a joint competent authority agreed between the single competent authorities from two or more Member States or Member</i>		C- linked to priority status and the concept of the joint competent authority. EP AM aims at stronger coordination of permit-granting-procedures for

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		<i>States and third countries could be established, in order fulfil the duties arising from this Regulation.</i>		cross-border projects.
24.			<u>(6a) The designated authority may also be entrusted with tasks related to the coordination and the authorisation, in compliance with Union and national legislation, of specific projects aiming at the reconstruction of infrastructure on the core network of the trans-European transport network in the case of natural or man-made disasters.</u>	C- linked to the role of the authority.
25.	(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.	(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.	(7) The procedure set out by this Regulation Directive should be without prejudice to the fulfilment of the requirements defined in the international and Union law, including provisions requirements to protect the environment and human health. <u>This Directive should not lead to lower standards envisaged to avoid, prevent, reduce or offset adverse</u>	B (legal form of the proposal excluded.) EP provisionally accepts Council AM (legal form excluded).

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			<u>effects on the environment.</u>	
26.		Amendment 10 Recital 8		
27.	(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 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.	(8) Given the urgency to complete the TEN-T core network by 2030 , the simplification of permit granting procedures should be accompanied by a time limit within which competent authorities responsible should make a comprehensive decision regarding the construction of the project. This time limit should stimulate ensure a more efficient handling of procedures and should, under no circumstances, compromise the Union's high standards for environmental protection, transparency , and public participation. <i>Projects should be evaluated in terms of the project selection maturity criteria established by the Connecting Europe Facility. Compliance with the deadlines</i>	(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 <u>for procedures aiming at the adoption of an authorising decision regarding the construction of the project to build the transport infrastructure</u> . 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. <u>It should be possible to extend the time limit for the permit granting procedures in duly justified cases, including when unforeseeable</u>	C - linked to timelines.

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		<i>set out in this Regulation should be taken into account when carrying out such evaluations.</i>	<u>circumstances arise or where necessary for environmental protection. The deadline of the prolongation may for instance be set as a date, period of time or other certain and future event. The extended time limit should not include the time necessary to undertake administrative or judicial appeal procedures.</u>	
28.	(9) Member States should endeavour to ensure that appeals challenging the substantive or procedural legality of a comprehensive decision are handled in the most efficient way possible.	(9) Member States should endeavour to ensure that appeals challenging the substantive or procedural legality of a comprehensive decision are handled in the most efficient way possible.	(9) Member States should endeavour to ensure that appeals challenging the substantive or procedural legality of a comprehensive an authorising decision are handled in the most efficient way possible.	C
29.		Amendment 11 Recital 10		
30.	(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	(10) Cross-border TEN-T infrastructure projects face particular challenges as regards the coordination of permit granting procedures. The European Coordinators <i>referred to in Article 45 of Regulation</i>	(10) Cross-border TEN-T infrastructure projects that concern two or more Member States face particular challenges as regards the coordination of permit-granting procedures. The European Coordinators should be empowered	C <u>Proposed compromise:</u> TEN-T infrastructure projects that concern two or more Member States face particular challenges as regards

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	monitor these procedures and facilitate their synchronisation and completion.	<i>(EU) No 1315/2013</i> should be empowered to monitor these procedures and facilitate their synchronisation and completion <i>to ensure compliance with the deadlines set by this Regulation.</i>	to monitor <u>informed about</u> these procedures <u>and in order to</u> facilitate their synchronisation and completion.	the coordination of permit-granting procedures. The European Coordinators referred to in Article 45 of Regulation (EU) No 1315/2013 should be informed about these procedures in order to facilitate their synchronisation and completion in view of the timely implementation of the TEN-T core network by 2030.
31.	(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	(11) Public procurement in cross-border projects of common interest should be conducted in accordance with the Treaty and Directives 2014/25/EU ¹⁴ and/or 2014/24/EU ¹⁵ of the European Parliament and of the Council. 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	(11) Public procurement in cross-border projects of common interest should be conducted in accordance with the Treaty and Directives, <u>where relevant, Directive 2014/25/EU and/or Directive 2014/24/EU⁵ of the European Parliament and of the Council.</u> 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 the <u>national legislation law of one Member State.</u> By way of derogation from the Union <u>law on</u> public procurement legislation, the applicable national rules should in	B EP tentatively accepts Council AM (legal form excluded): (11) Public procurement in cross-border [projects/projects of common interest] should be conducted in accordance with the Treaty and, where relevant, Directive 2014/25/EU ⁴ or Directive 2014/24/EU ⁵ of the European Parliament and of the Council. In order to ensure the efficient completion of the cross-border core network [projects/projects of common interest], public procurement carried out by a joint entity should be subject to the

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	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.	where the joint entity has its registered office. It should remain possible to define the applicable legislation in an intergovernmental agreement. (14) Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 094 28.3.2014, p. 243). (15) Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC	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. <u>For reasons of legal certainty, current procurement strategies should remain applicable to a joint entity set up before ... [date of entry into force of this Directive].</u> (4) Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 094 28.3.2014, p. 243). (5) Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).	national law of one Member State. By way of derogation from the Union law on public procurement, 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. For reasons of legal certainty, current procurement strategies should remain applicable to a joint entity set up before ... [date of entry into force of this [Regulation/Directive]].

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		(OJ L 94, 28.3.2014, p. 65).		
32.		Amendment 12 Recital 12		
33.	(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	(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. <i>Without prejudice to the deadlines set out in this Regulation and</i> in line with the Best Practice Code for the conduct of State aid control procedures, Member States <i>should be able to</i> ask the Commission to deal with projects of common interest on	(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 <i>these</i> 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	B Presidency proposes to accept EP AM. <u>Proposed compromise:</u> 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 / projects of common interest] and ensure certainty for project promoters. In some cases State aid approval might be required. Without prejudice to the deadlines set out in this [Regulation/Directive] and in line with the Best Practice Code for the conduct of State aid control

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	be of priority with more predictable timelines under the case portfolio approach or the mutually agreed planning.	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.	agreed planning.	procedures, Member States should be able to ask the Commission to deal with [projects/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.
34.		Amendment 13 Recital 13		
35.	(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 ⁴ foresees such guidance to bring more clarity in view of respecting the Birds and Habitats	(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 ¹⁶ foresees such guidance to bring more clarity in view of respecting the Birds and Habitats Directives. Direct support related to public	(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 ⁶ foresees such, <u>presented by the Commission from the Commission to the European Parliament, the Council, the European Economic and Social</u>	C

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	Directives. Direct support related to public procurement should be made available for projects of common interests to ensure the best value for public money⁵. 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. (4) COM(2017)198 final (5) COM(2017)573 final	procurement should be made available for projects of common interests to ensure the <i>minimising of external costs and the</i> best value for public money¹⁷. 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. (16) COM(2017)0198 final (17) COM(2017)0573 final	<u>Committee and the Committee of the Regions of 27 April 2017, provides guidance to bring and brings more clarity in view of respecting the Birds and Habitats Directives on how to comply with Directive 2009/147/EC and Directive 92/43/EEC.</u> Direct support related to public procurement should be made available for projects of common interests to ensure the best value for public money⁷. 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. (6) COM(2017)198 final (7) COM(2017)573 final	
36.	(14) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States and can	(14) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States and can	(14) Since the objectives of this RegulationDirective cannot be sufficiently achieved by the Member States andbut can	B (except for legal form of the proposal.) Wording (except for legal form of

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	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.	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.	therefore <u>rather</u> , 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 <u>Directive</u> does not go beyond what is necessary in order to achieve those objectives.	the proposal) to be addressed at legal-linguistic revision stage.
37.		Amendment 14 Recital 15		
38.	(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.	(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, <i>unless otherwise decided with the agreement of</i>	(15) For reasons of legal certainty, the administrative <u>permit-granting</u> procedures which started prior to the entry into force <u>transposition</u> of this Regulation <u>Directive</u> should not be subject to the provisions of this Regulation <u>Directive</u> .	B (except for legal form of the proposal.) Presidency proposes to keep GA.

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		<i>those concerned.</i>		
39.	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION <u>DIRECTIVE</u> :	C
40.	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	
41.	<i>Article 1</i> Subject matter and scope	<i>Article 1</i> Subject matter and scope	<i>Article 1</i> Subject matter and scope	
42.		Amendment 15 Article 1, Paragraph 1		
43.	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..	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 <i>relating to Regulation (EU) No 1315/2013, including the pre-selected projects listed in Part III of the</i>	<u>1. This Directive shall apply to the permit-granting procedures required in order to authorise the implementation of projects that are part of pre-identified sections of TEN-T core network as listed in the Annex⁸ with the exception of projects exclusively related to telematic applications, new technology and innovation as defined in articles 31 and 33 of</u> Regulation sets out requirements applicable to the administrative	C - scope.

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		<i>Annex to the Regulation establishing the 'Connecting Europe Facility' 2021-2027.</i>	procedures followed by the competent authorities of <u>1315/2013.</u> _____ <u>(8) The Annex will be added to this Directive and shall be the list of cross-border links and missing links in Section 1 "Core Network Corridors and indicative list of pre-identified cross-border links and missing links" of Part III of the Annex of the draft Regulation of the European Parliament and of the Council establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014, as set out in the partial Common Understanding, doc. 7207/1/19 REV 1, once adopted.</u>	

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44.		Amendment 16 Article 1, Paragraph 2		
45.		Member States may decide to extend the application of all provisions of this Regulation, as a block, to projects of common interest on the comprehensive network of the trans-European transport network.	<u>2. Member States may decide to extend the application of this Directive to other projects on the core and comprehensive network of the trans-European transport network including projects exclusively related to telematic applications, new technology and innovation referred to in paragraph 1.</u>	C - scope.
46.	<i>Article 2 Definitions</i>	<i>Article 2 Definitions</i>	<i>Article 2 Definitions</i>	
47.	For the purposes of this Regulation, the definitions set out in Regulation (EU) No 1315/2013 shall apply. The following definitions shall also apply:	For the purposes of this Regulation, the definitions set out in Regulation (EU) No 1315/2013 shall apply. The following definitions shall also apply:	For the purposes of this Regulation, the definitions set out in Regulation (EU) No 1315/2013 shall apply. <u>The Directive, the</u> following definitions shall also apply:	C Keep GA.

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48.		Amendment 17 Article 2 a		
49.	(a)"comprehensive decision" means the decision or set of decisions taken by a Member State authority or authorities 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;	(a) "comprehensive decision" means the decision or set of decisions taken by <i>the single competent authority of</i> a Member State, <i>and where applicable, the joint competent authority or authorities</i> , <i>but</i> 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;	(a) " <u>authorising</u> comprehensive decision" means the decision or <u>a</u> set of decisions <u>simultaneously or successively</u> taken by a Member State authority or authorities, not including <u>administrative appeal authorities</u> , courts or tribunals that <u>determines, under national legal system and administrative law that determine</u> whether or not a project promoter is <u>to be granted</u> authorisation to build the transport infrastructure needed to complete a project <u>entitled to implement the project on the geographical area concerned. The decision or a set of decisions may be of an administrative nature and shall be</u> without prejudice to any decision taken in the context of an administrative appeal procedure;	C Keep GA.

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50.		Amendment 18 Article 2 b		
51.	(b)"permit granting procedures" means every procedure that has to be followed or step that has to be taken before the authorities of a Member State, under Union or national law, before the project promoter can implement the project;	(b) "permit granting procedures" means every procedure that has to be followed or step that has to be taken before the <i>competent</i> authorities of a Member State, under Union or national law, before the project promoter can implement the project <i>and starting from the date on which the acceptance of the file notification is signed by the single competent authority of the Member State</i> ;	(b) "permit-granting procedures procedure " means every <u>any</u> procedure that has to be followed or step that has to be taken before <u>related to an individual project falling within the scope of this Directive in order to obtain the authorising decision as required by</u> the authorities of a Member State, under Union or national law before the project promoter can implement the project ; <u>It shall not include procedures related to urban or land use planning, for the award of public procurements, nor steps undertaken at strategic level, which do not refer to a specific project, such as strategic environmental assessment, public budgetary planning as well as national or regional transport plans.</u>	C - linked to procedures covered. Keep GA.

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52.			<u>(b)(i) "project" means the construction, adaptation or modification of a defined section in the transport infrastructure, which leads to improvement of capacity, safety and efficiency of the infrastructure and whose implementation requires an authorising decision;</u>	C Keep GA.
53.		Amendment 19 Article 2 c		
54.	(c)"Project promoter" means the applicant for authorisation for a private project or the public authority which initiates a project";	(c) "Project promoter" means the applicant any natural person or public or private legal person applying for authorisation for a private project or the public authority which initiates to initiate a project";	(c) "project promoter" means the applicant for authorisation for of a private project implementation or the public authority which initiates a project;	C Keep GA.

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55.		Amendment 20 Article 2 d		
56.	(d)"single competent authority" means the authority which the Member State designates as responsible for performing the duties arising from this Regulation;	(d) "single competent authority" means the authority which the Member State designates, <i>in accordance with its national law</i> , as responsible for performing the duties arising from this Regulation;	(d) " single competent designated authority" means the authority which <u>is the main point of contact for the project promoter and aims to facilitate efficient and structured processing of permit-granting procedures in accordance with this Directive</u> the Member State designates as responsible for performing the duties arising from this Regulation;	C - linked to the role and responsibility of the authority. <u>Proposed compromise:</u> (d) "designated authority" means the authority which is the main point of contact for the project promoter and facilitates efficient and structured processing of permit-granting procedures in accordance with this [Regulation/Directive];
57.	(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.	(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;	(e) deleted.	C <u>Proposed compromise:</u> <u>(e) "Cross-border project" means a project covering a cross-border section between two or more Member States;</u> (e) "Cross-border project" means a project covering a cross-border section as defined in point (m)

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				Article 3 of Regulation (EU) No 1315/2013 which is implemented by a joint entity.
58.		Amendment 21 Article 2 ea		
59.		(ea) <i>“Joint competent authority” means an authority established by mutual agreement between the single competent authorities from two or more Member States or from one or more Member States and one or more third countries which is in charge of facilitating the permit-granting procedures related to cross-border projects of common interest.</i>		C <u>Proposed compromise:</u> "Joint authority" means an authority which may be established by mutual agreement between the [single competent/designated] authorities from two or more Member States to facilitate the permit-granting procedures related to cross-border projects. <u>In that case, Member States may empower the [designated/single competent] authorities to establish a joint</u>

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				<u>authority.</u>
60.	CHAPTER II PERMIT GRANTING	CHAPTER II PERMIT GRANTING	CHAPTER II PERMIT GRANTING	
61.	<i>Article 3</i> <i>‘Priority status’ of projects of common interest</i>	<i>Article 3</i> <i>‘Priority status’ of projects of common interest</i>	<i>Article 3</i> <i>Priority status of projects of common interest</i>	B
62.		Amendment 22 Article 3.1		
63.	1. Each project of common interest on the TEN-T core network shall be subject to an integrated permit granting procedure managed by a single competent authority designated by each Member State in accordance with Articles 5 and 6.	1. Each project of common interest on the TEN-T core network, <i>including the pre-selected sections in Part III of the Annex to the Regulation establishing the Connecting Europe Facility</i> , shall be subject to an integrated permit granting procedure managed by a single competent authority designated by each Member State in accordance with Articles 5 and 6.	<u>1. Member States shall endeavour to ensure that all authorities involved in the permit-granting procedure, excluding courts and tribunals, give priority to projects covered by this Directive.</u> Each project of common interest on the TEN-T core network shall be subject to an integrated permit granting procedure managed by a single competent authority designated by each Member State in accordance with Articles 5 and 6.	C <u>Keep GA.</u> <u>Proposed compromise:</u> Member States shall endeavour to ensure take the necessary measures that all authorities involved in the permit-granting procedure, excluding courts and tribunals, give priority to projects covered by this Directive. <u>Note:</u>

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				EP text to be considered together with Council GA on line 98.
64.	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.	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.	2. Where priority status exists <u>specific permit-granting procedures for priority projects</u> exists under national law, <u>Member States shall, without prejudice to the objectives, requirements and time-limits of this Directive, ensure that projects covered by this Directive are handled under these procedures. This shall not prevent Member States from testing specific permit granting procedures for a limited number of projects that may or may not include projects falling under the scope of this Directive, in order to evaluate their potential extension to other projects</u> projects of common interest shall be granted the status with the highest national significance possible, and be treated as such in permit granting	C <u>Proposed compromise:</u> 2. Where specific permit-granting procedures for priority projects exists under national law, Member States shall, without prejudice to the objectives, requirements and time-limits of this Directive, ensure that projects covered by this Directive are handled under these procedures. This shall not prevent Member States from testing specific permit granting procedures for a limited number of projects, in order to evaluate their potential extension to other projects, without having to apply such procedures to projects falling under the scope of the Directive.

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			procedures, where and in the manner such treatment is provided for in national legislation applicable to the corresponding types of transport infrastructure.	
65.		Amendment 23 Article 3.3		
66.	3. To ensure efficient administrative 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.	3. To ensure efficient <i>and effective</i> administrative 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 <i>evaluation of the project-selection maturity criteria and the</i> resources allocated.	3. <u>This Article shall be without prejudice to any budgetary decisions.</u> To ensure efficient administrative 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.	C Keep GA. Paragraph 3 of EP text is covered by paragraph 1 of the Council GA (line 63).

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67.	<i>Article 4 Integration of permit granting procedures</i>	<i>Article 4 Integration of permit granting procedures</i>	<i>Article 4 Integration of permit granting procedures</i>	C
68.		Amendment 24 Article 4.1		
69.	1. In order to meet the time limits set out in Article 6 and reduce the administrative burden related to the completion of projects of common interest, all the administrative procedures resulting from the applicable law, both national and of the Union, shall be integrated and result in only one comprehensive decision.	1. In order to meet the time limits set out in Article 6 and reduce the administrative burden related to the completion of projects of common interest, all the administrative permit granting procedures resulting from the applicable law, both including the relevant environmental assessments, both at national and of the Union level, shall be integrated and result in only one comprehensive decision, without prejudice to transparency, public participation, environmental and safety requirements under Union law.	Deleted.	C - linked to the type of procedure to be applied.

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70.		Amendment 25 Article 4.2		
71.	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.	2. <i>Without prejudice to the deadlines set out in Article 6 of this Regulation,</i> 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 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.	<i>Deleted.</i>	C - linked to the type of procedure to be applied.
72.	<i>Article 5 Single competent permit granting authority</i>	<i>Article 5 Single competent permit granting authority</i>	<i>Article 5 Single competent permit granting <u>Designated Authority</u></i>	C
73.		Amendment 26 Article 5.1		
74.	1. By ... <i>(OP please insert the date one year of the entry into force of this Regulation),</i>	1. By ... [one year after the date of entry into force of this Regulation] and in any event no	<i>Deleted.</i>	C

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	each Member State shall designate one single competent authority which shall be responsible for facilitating the permit granting process including for making the comprehensive decision.	<i>later than 31 December 2020</i> , each Member State shall designate one single competent authority which shall be responsible for facilitating the permit granting process including <i>procedures necessary</i> for making the comprehensive decision, <i>in accordance with paragraph 3 of this Article</i> .		
75.		Amendment 27 Article 5.2		
76.	2. The 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, another authority at the appropriate administrative level, per project of common interest or per particular category of projects of common interest, under the following conditions:	2. The responsibility <i>On the initiative</i> of the single competent authority referred to in paragraph 1 , <i>its responsibilities, obligations</i> and/or the tasks related to it, may as referred to in paragraph 1, may, with the agreement of the Member State, be delegated to, or and carried out by, another authority at the appropriate <i>regional, local or other</i> administrative level, per project of common interest or per particular category of	2. <u>The Member State shall designate an authority at the appropriate administrative level to act as designated authority. Member States may, where relevant, designate different authorities as the designated authority depending on the project or category of projects, transport mode, or the geographical area provided that there is only one designated authority for a given authorising decision. Member States may</u>	C

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		projects of common interest, <i>with the exception of the taking of the comprehensive decision referred to in paragraph 3 of this Article</i> , under the following conditions:	<u>empower the designated authority to issue the authorising decision.</u> The 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, another authority at the appropriate administrative level, per project of common interest or per particular category of projects of common interest, under the following conditions:	
77.		Amendment 28 Article 5.2.a		
78.	(a) only one authority is responsible per project of common interest;	(a) only one <i>competent</i> authority is responsible per <i>for each</i> project of common interest;	<i>Deleted.</i>	C

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79.		Amendment 29 Article 5.2.b		
80.	(b) the authority is the sole point of contact for the project promoter in the procedure leading to the comprehensive decision for a given project of common interest, and	(b) the <i>competent</i> authority is the sole point of contact for the project promoter in the procedure leading to the comprehensive decision for a given project of common interest, and	<i>Deleted.</i>	C
81.		Amendment 30 Article 5.2.c		
82.	(c) the authority coordinates the submission of all relevant documents and information.	(c) the <i>competent</i> authority coordinates the submission of all relevant documents and information.	<i>Deleted.</i>	C
83.	The single competent authority may retain the responsibility to establish time limits, without prejudice to the time limits set in accordance with Article 6.	The single competent authority may retain the responsibility to establish time limits, without prejudice to the time limits set in accordance with Article 6.	<i>Deleted.</i>	C

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84.	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.	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.	<i>Deleted.</i>	C
85.		Amendment 31 Article 5.3		
86.	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.	The comprehensive decision issued by the single competent authority shall be the sole legally binding decision resulting from the statutory permit granting procedure. <i>Without prejudice to the deadlines set out in Article 6 of this Regulation,</i> 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 <i>is required to take such opinions into account,</i>	<i>Deleted.</i>	C

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		<i>particularly if they concern the requirements laid down in Directives 2014/52/EU and 92/43/EEC.</i>		
87.		Amendment 32 Article 5.4		
88.	4. When taking the comprehensive decision, the single competent authority shall ensure that the relevant requirements under international and Union law are respected and shall duly justify its decision.	4. When taking the comprehensive decision, the single competent authority shall ensure that the relevant requirements under international and Union law are respected and shall duly justify its decision <i>on the basis of the applicable legal provisions.</i>	4. When taking the comprehensive decision, the single competent authority shall ensure that the relevant requirements under international and Union law are respected and shall duly justify its decision. <u>The designated authority shall:</u>	C
89.			<u>(a) be the main point of contact for information for the project promoter in the procedure leading to the Authorising decision for a given project;</u>	C
90.			<u>(b) provide, where foreseen by national legislation, the Detailed Application Outline referred to in Article 6a to the project promoter, including the</u>	C

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			<u>indicative time-limits within the permit-granting procedures, in line with the time limit set out in accordance with Article 6;</u>	
91.			<u>(c) if requested, provide guidance to the project promoter in the submission of all relevant documents and information, including all the necessary permits, decisions and opinions which have to be provided and obtained for the authorising decision. Where the designated authority is empowered to issue the authorising decision, that authority shall verify that all the necessary permits, decisions and opinions for the authorising decision have been obtained. If Member States so foresee, the designated authority may also provide guidance to the project promoter what additional information and/or documents should be delivered in case a notification has been rejected.</u>	C

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92.			<u>This paragraph is without prejudice to the competence of any other authorities involved in the permit-granting procedure.</u>	C
93.		Amendment 33 Article 5.5		
94.	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.	5. If <i>Where</i> a project of common interest requires decisions to be taken in two or more Member States, <i>or in one or more Member States and one or more third countries</i> , the respective competent authorities shall take all the necessary steps for efficient and effective cooperation and coordination among themselves, <i>or may establish a joint competent authority, without prejudice to the deadlines set out in Article 6, in charge of facilitating the permit granting procedure.</i> Without prejudice to obligations arising under applicable international and Union law, Member States shall endeavour	<i>Deleted.</i>	C EP AM aims at stronger coordination of permit-granting-procedures for cross-border projects.

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		to provide for joint procedures, particularly with regard to the assessment of environmental impacts.		
95.		Amendment 34 <i>Article 5.5.a</i>		
96.		<i>5a. To ensure effective implementation of this Regulation and in particular of its Article 6a, the single competent authority shall inform the Commission of the start date of the permit granting procedure and the comprehensive decision, as set out in Article 6.</i>		B EP AM aims at maintaining the overview of the process and the progress made with implementation. Linked to EP AM on new Article 6a (lines 126-128).
97.	<i>Article 6</i> Duration and implementation of the permit granting procedure	<i>Article 6</i> Duration and implementation of the permit granting procedure	<i>Article 6</i> Duration and implementation of the permit-granting process	C
98.	1. 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	1. 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	1. <u>The Member States shall provide for a permit-granting procedure and set deadlines for the permit-granting procedure not exceeding 4 years from the start of the permit-granting</u>	C

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	competent authority.	authority.	<u>procedure. The Member States may adopt the necessary measures in order to break down the available period in different steps and according to Union and national law.</u> 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.	
99.		Amendment 35 Article 6.2		
100.	2. 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. 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 18 months .	2. <u>The four-year period referred to in paragraph 1 shall be without prejudice to obligations arising from Union and international legal acts and shall not include periods necessary to undertake and to follow-up upon administrative and judicial appeal procedures and judicial remedies before a court or tribunal.</u> The pre-application phase, covering the period from the start of the permit granting	C

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			procedure to the submission of the complete application file to the single competent authority, shall in principle not exceed two years.	
101.			<u>2a. The four-year period referred to in paragraph 1 shall be without prejudice to the adoption of a specific act of national legislation finalising the permit granting procedure. Where the permit granting procedure is finalised through such a national legislative act, the preparatory work, on the basis of which the national legislative act is adopted, shall be concluded within the deadline referred to in paragraph 1. The preparatory work shall be considered to end when the specific act of national legislation is introduced to the national parliament.</u>	C

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102.		Amendment 36 Article 6.3		
103.	3. 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 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	3. In order to launch the permit granting procedure, the project promoter shall notify <i>in writing</i> the single competent authority of the Member States concerned <i>or, where appropriate, the joint competent authority</i> , about the project in writing , and shall include a detailed description of the project. No later than two months <i>one month</i> following the receipt of the above notification, the single competent authority shall either acknowledge <i>accept</i> 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	3. <u>The Member States shall adopt the necessary measures to ensure that, in duly justified cases, an appropriate extension to the four-year period referred to in this Article may be granted. The duration of the prolongation shall be determined on a case-by-case basis and shall be duly justified. This shall also apply to consecutive prolongations.</u> 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 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	C

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	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.	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.	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.	
104.		Amendment 37 Article 6.4		
105.	4. 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	4. Within three two months of the start of the permit granting procedure, the single competent authority, <i>or where appropriate, the joint competent authority</i> , in close cooperation with the project promoter and other authorities concerned and taking	<i>Deleted.</i>	C

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	information submitted by the project promoter on the basis of the notification referred to in paragraph 3, shall establish and communicate to the project promoter a detailed application outline, containing:	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 the project promoter a detailed application outline, containing:		
106.		Amendment 38 Article 6.4.-a		
107.		<i>(a) the competent authority, at the appropriate administrative level, in charge, in case of delegation by the single competent authority in accordance with Article 5(2);</i>		C
108.	(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 decision;	(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 decision;	Deleted.	C
109.	(b) a schedule for the permit granting process, identifying	(b) a schedule for the permit granting process, identifying at	Deleted.	C

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	at least the following:	least the following:		
110.		Amendment 39 Article 6.4.b.i		
111.	(i) the decisions and opinions to be obtained;	(i) the decisions, and <i>permits</i> , opinions <i>and assessments</i> to be obtained;	<i>Deleted.</i>	C
112.		Amendment 40 Article 6.4.b.ii		
113.	(ii) the authorities, stakeholders, and the public likely to be concerned;	(ii) the authorities, stakeholders, and the public likely to be concerned <i>and/or consulted</i> ;	<i>Deleted.</i>	C
114.	(iii) the individual stages of the procedure and their duration;	(iii) the individual stages of the procedure and their duration;	<i>Deleted.</i>	C
115.		Amendment 41 Article 6.4.b.iv		
116.	(iv) major milestones to be accomplished and their deadlines in view of the comprehensive decision to be taken;	(iv) major milestones to be accomplished and their deadlines in view of the comprehensive decision to be taken, <i>and the overall scheduled</i>	<i>Deleted.</i>	C

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		<i>timeframe;</i>		
117.	(v) the resources planned by the authorities and possible additional resource needs.	(v) the resources planned by the authorities and possible additional resource needs.	<i>Deleted.</i>	C
118.	5. 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.	5. 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.	<i>Deleted.</i>	C

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119.		Amendment 42 Article 6.6		
120.	6. The project promoter shall submit the application file based on the detailed application outline within the period of 21 months from the receipt of that detailed application outline. After the expiry of that period, 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.	6. The project promoter shall submit the application file based on the detailed application outline within the period of 21 15 months from the receipt of that detailed application outline. After the expiry of that period, the detailed application outline is no longer considered applicable, unless the single competent authority decides, <i>on its own initiative</i> , to prolong that period <i>by a maximum of 6 months</i> , on the basis of a justified request from the project promoter.	<i>Deleted.</i>	C
121.	7. 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	7. 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	<i>Deleted.</i>	C

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	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.	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.		

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122.		Amendment 43 Article 6.8		
123.	8. The single competent authority shall assess the application and adopt a comprehensive 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.	8. The single competent authority shall assess the application and adopt a comprehensive binding decision within the period of one year 6 months from the date of submission of the complete application file in accordance with paragraph 7, unless the single competent authority decides, on its own initiative, to extend this period, by a maximum of 3 months, substantiating its decision. Member States may set an earlier time-limit, where appropriate.	<i>Deleted.</i>	C
124.	9. 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	9. 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	<i>Deleted.</i>	C

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	procedures and judicial remedies before a court or tribunal.	court or tribunal.		
125.		Amendment 44 Article 6.a.2		
126.		<i>Article 6a Permit granting procedure and financial assistance from the Union</i>		C
127.		<i>1. In accordance with the procedure set out in Article 6 of this Regulation, the state of progress of the project shall be taken into account when evaluating projects according to the selection maturity criteria of projects set out in Article 13 of Regulation (EU) .../... [establishing the Connecting Europe Facility].</i>		C EP AM aims to give incentive to speed up the permit-granting process and contribute to the quick and efficient allocation and absorption of the money used under CEF.
128.		<i>2. Delays occurring with regard to the stages and deadlines set out in Article 6 will justify an investigation of the state of progress of the project and a revision of the financial</i>		C

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		<i>assistance received by the Union under the Connecting Europe Facility, as provided for in Article 17(1) of Regulation (EU) .../... [CEF] and might result in a reduction or the withdrawal of the financial assistance.</i>		
129.			<u>Article 6a</u> <u>Organisation of the permit-granting procedure</u>	
130.			<u>1. The project promoter shall notify the project to the designated authority. The notification of the project by the project promoter shall serve as the start of the permit-granting procedure.</u>	C
131.			<u>2. In order to assess the maturity of the project, Member States may define the level of detail of information and the relevant documents to be provided by the project promoter when notifying a project. If the project is not mature enough, the notification shall be rejected and the decision shall be justified.</u>	

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132.			<u>3. Member States shall take the necessary measures to ensure that project promoters receive general information as guidelines for notification, where relevant according to the mode of transport, about the necessary permits, decisions and opinions that may be required for implementing a project.</u>	C See also line 105.
133.			<u>That information shall, with regard to the different permits, decisions and opinions include the following:</u>	C
134.			<u>- permits, decisions and opinions.</u> <u>- applicable time limits or, if there are no such time limits indicative time limits, as well as</u> <u>- the authorities and stakeholders normally involved in consultations linked to the different permits, decisions and</u>	C

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			<u>opinions.</u>	
135.			<u>That information shall be easily accessible to all relevant project promoters, in particular through information portals (electronic or physical).</u>	C
136.			<u>4. In order to ensure a successful notification, the Member States may provide that the designated authority shall establish, upon request by the project promoter, a detailed application outline comprising the following information customised for the individual project:</u>	C
137.			<u>(a) The individual stages of the procedure and their indicative time limits;</u>	C
138.			<u>(b) The material scope and level of detail of information to be submitted by the project promoter;</u>	C

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139.			<u>(c) A list of necessary permits, decisions and opinions to be obtained by the project promoter during the permit-granting procedure, in accordance with Union and national law;</u>	C
140.			<u>(d) Authorities and stakeholders to be involved in relationship with the respective obligations, including during the formal phase of the public consultation.</u>	C
141.			<u>5. The detailed application outline shall remain valid during the permit-granting procedure. Any amendment to the detailed application outline shall be duly justified.</u>	C
142.			<u>6. When the project promoter has submitted the complete project application file, the authorising decision shall be adopted within the time-limit set out in Article 6.</u>	C
143.	<i>Article 7</i> Coordination of cross-border permit granting procedure	<i>Article 7</i> Coordination of cross-border permit granting procedure	<i>Article 7</i> Coordination of cross-border permit granting procedure	

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144.		Amendment 45 Article 7.1		
145.	1. 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.	1. For projects that involve two or more Member States <i>or one or more Member States and one or more third countries</i> , the competent authorities of the Member States concerned shall align their timetables and agree on a joint schedule.	1. For projects that involve concern two or more Member States, the competent authorities of Member States concerned shall align ensure that the designated authorities of the Member States concerned endeavour to coordinate their timetables and to agree on a joint schedule concerning the permit-granting procedure .	C <u>Proposed compromise:</u> For projects that concern two or more Member States, the Member States shall ensure that the [designated/competent] authorities of the Member States concerned cooperate in view of coordinating their timetables and agreeing on a joint schedule concerning the permit-granting procedure.
146.		Amendment 46 Article 7.1.a		
147.		1a. <i>In such cases, in order to facilitate the permit granting procedure, single competent authorities from two or more Member States or one or more Member States and one or more third countries may, by mutual agreement, establish a joint competent authority, as</i>		C EP AM aims at stronger coordination of permit-granting-procedures for cross-border projects. <u>Proposed compromise:</u> <u>For cross-border projects, a joint authority, as defined in Article</u>

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		<i>provided for under Article 5(5).</i>		<u>2ea, may be established.</u> In such cases, in order to facilitate the permit granting procedure, [single competent/designated] authorities from two or more Member States may, by mutual agreement, establish a joint authority.
148.		Amendment 47 Article 7.2		
149.	2. 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.	2. The European Coordinator referred to in Article 45 of Regulation (EU) No 1315/2013 shall be empowered to follow the permit granting procedure for cross-border projects of common interest and to facilitate contacts <i>and cooperation</i> between the involved competent authorities <i>or where appropriate, with the joint competent authority.</i>	2. The European Coordinator referred to <u>Member States shall take the necessary measures to ensure that, in line with</u> Article 45 of Regulation (EU) No 1315/2013, <u>the European Coordinators receive information on the permit-granting procedures and that they may facilitate contacts between the designated authorities in the context of the permit-granting procedures for projects that concern two or more Member States.</u> shall be	C <u>Proposed compromise:</u> Member States shall take the necessary measures to ensure that the European Coordinators referred to in Article 45 of Regulation (EU) No 1315/2013 receive information on the permit-granting procedures and that the European Coordinators may facilitate contacts between the [single competent/designated] authorities in the context of the

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			empowered to closely follow the permit granting procedure for cross-border projects of common interest and to facilitate contacts between the involved competent authorities.	permit-granting procedures for projects that concern two or more Member States.
150.		Amendment 48 Article 7.3		
151.	3. Without prejudice to the obligation to comply with the time limits under this Regulation, if the time-limit for the comprehensive decision is not observed, the competent authority shall immediately inform the European Coordinator 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.	3. Without prejudice to the obligation to comply with the time limits under this Regulation, if the time-limit for the comprehensive decision is not observed, the <i>single</i> competent authority shall immediately inform <i>the Commission, and where appropriate</i> , the European Coordinator concerned about the measures taken or to be taken to conclude the permit granting procedure with the least possible delay. The <i>Commission, and where appropriate, the</i> European Coordinator may request the <i>single</i> competent	3. <u>Member States shall, if the time limit set out in Article 6 is not observed, provide information upon request to the European Coordinators concerned about the measures taken or planned to be taken to conclude the permit-granting procedure with the least possible delay.</u> Without prejudice to the obligation to comply with the time limits under this Regulation, if the time-limit for the comprehensive decision is not observed, the competent authority shall immediately inform the European Coordinator concerned about the measures taken or to be taken to	B Keep GA.

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		authority to regularly report on progress achieved.	conclude the permit granting procedure with the least possible delay. The European Coordinator may request the competent authority to regularly report on progress achieved.	
152.	CHAPTER III PUBLIC PROCUREMENT	CHAPTER III PUBLIC PROCUREMENT	CHAPTER III PUBLIC PROCUREMENT	
153.	<i>Article 8 Public Procurement in cross-border projects of common interest</i>	<i>Article 8 Public Procurement in cross-border projects of common interest</i>	<i>Article 8 Public Procurement in cross-border projects of common interest</i>	B
154.	1. 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.	1. 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.	Deleted.	B Keep GA.

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155.		Amendment 49 Article 8.2		
156.	2. 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	2. In case the procurement procedures are conducted by a joint entity set up by the participating Member States, that entity, <i>together with its subsidiaries, where appropriate</i> , 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 or point (a) of Article 39(5) of Directive 2014/24/EU, 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 <i>for</i> the procurement procedures conducted by a joint	2. In case When the procurement procedures are conducted by a joint entity set up by the participating Member States in a cross-border project, Member States shall take the necessary measures to ensure that the joint entity applies the national provisions of one Member State and, by way of derogation from Directives 2014/25/EU and 2014/24/EU, 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 ⁹ or point (a) of Article 39(5) of Directive 2014/24/EU of the European Parliament and of the Council ¹⁰ , as applicable, unless an agreement between the	B <u>Proposed compromise:</u> When the procurement procedures are conducted by a joint entity in a cross-border project, Member States shall take the necessary measures to ensure that the joint entity applies the national provisions of one Member State and, by way of derogation from Directives 2014/25/EU and 2014/24/EU, 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 ⁹ or point (a) of Article 39(5) of Directive 2014/24/EU of the European Parliament and of the Council ¹⁰ , 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

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	case of the procurement procedures conducted by a joint entity.	entity <i>and, where appropriate, its subsidiaries, across the whole of the project.</i>	participating Member States provides otherwise. Such an agreement shall in any case provide for the application of a single national legislation for procurement procedures conducted by a joint entity. (9) Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 094 28.3.2014, p. 243). (10) Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).	single national legislation for procurement procedures conducted by a joint entity. For public procurement conducted by a subsidiary of a joint entity, <u>the Member States concerned</u> shall take the necessary measures to ensure that the subsidiary applies the national provisions of one of the Member States. <u>In this respect, the Member States concerned may decide that the subsidiary applies the national law applicable to the joint entity.</u> For public procurement conducted by a subsidiary of a joint entity, Member States shall take the necessary measures to ensure that the subsidiary applies the national provisions of one of the Member States. (9) Directive 2014/25/EU of the

	COM proposal COM(2018)277	European Parliament/P8_TA(2019)0109	General Approach, ST 14401/19	Remarks / Compromise proposal by the Presidency
				European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 094 28.3.2014, p. 243). (10) Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).
157.	CHAPTER IV TECHNICAL ASSISTANCE	CHAPTER IV TECHNICAL ASSISTANCE	CHAPTER IV TECHNICAL ASSISTANCE	
158.	<i>Article 9 Technical assistance</i>	<i>Article 9 Technical assistance</i>	<i>Article 9 Technical assistance</i>	C
159.		Amendment 50 Paragraph 1		
160.	On the request of a project promoter or Member State, in accordance with the relevant	On <i>At</i> the request of a project promoter or Member State, in accordance with the relevant	Deleted.	C Keep GA.

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	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.	Union funding programmes and without prejudice to the Multi-Annual Financial Framework, the Union shall make available technical, <i>advisory and financial</i> assistance for the implementation of this Regulation and the facilitation of the implementation of projects of common interest <i>at each stage of the process.</i>		
161.	CHAPTER V FINAL PROVISIONS	CHAPTER V FINAL PROVISIONS	CHAPTER V FINAL PROVISIONS	
162.	<i>Article 10 Transitional provisions</i>	<i>Article 10 Transitional provisions</i>	<i>Article 10 Transitional provisions</i>	
163.	This Regulation shall not apply to the administrative procedures which started before the date of its entry into force.	This Regulation shall not apply to the administrative procedures which started before the date of its entry into force.	<u>This Directive shall not apply to projects for which the permit-granting procedures have started before ... [24 months after the date of entry into force of this Directive].</u> This Regulation shall not apply to the administrative procedures which started before the date of its entry into force.	B EP tentatively accepts Council AM.

	COM proposal COM(2018)277	European Parliament/P8_TA(2019)0109	General Approach, ST 14401/19	Remarks / Compromise proposal by the Presidency
164.			<u>Article 8 shall only apply to such contracts for which the call for competition has been sent or, in cases where a call for competition is not foreseen, where the contracting authority or contracting entity has commenced the procurement procedure, after ... [24 months after the date of entry into force of this Directive].</u>	B EP tentatively accepts Council AM.
165.			<u>Article 8 shall not apply to a joint entity set up before ... [date of entry into force of this Directive], provided that the procurement procedures of that entity continue to be governed by the legislation applicable to its procurements on that date.</u>	B EP tentatively accepts Council AM.
166.			<u>Article 10a Transposition</u>	
167.			<u>1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 24 months following</u>	C

	COM proposal COM(2018)277	European Parliament/P8_TA(2019)0109	General Approach, ST 14401/19	Remarks / Compromise proposal by the Presidency
			<u>the entry into force of this Directive. They shall immediately communicate to the Commission the text of those provisions.</u>	

	COM proposal COM(2018)277	European Parliament/P8_TA(2019)0109	General Approach, ST 14401/19	Remarks / Compromise proposal by the Presidency
168.			<u>When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.</u>	C
169.			<u>2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.</u>	C

	COM proposal COM(2018)277	European Parliament/P8_TA(2019)0109	General Approach, ST 14401/19	Remarks / Compromise proposal by the Presidency
170.	<i>Article 11 Entry into force</i>	Article 11 Entry into force	<i>Article 11 Entry into force</i>	
171.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation Directive shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	C
172.		Amendment 51 Paragraph 1 and 2		
173.		<i>However, Articles 4, 5, 6 and 7 shall apply in a given Member State from the date when the single competent authority has been designated by that Member State in accordance with Article 5(1).</i> <i>The Commission will publish in the Official Journal a notice when those provisions become applicable in a Member State.</i>		C

	COM proposal COM(2018)277	European Parliament/P8_TA(2019)0109	General Approach, ST 14401/19	Remarks / Compromise proposal by the Presidency
174.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation Directive is addressed to the Member States.	
175.	Done at Brussels,	Done at ...,	Done at Brussels,	
176.	<i>For the European Parliament</i>	<i>For the European Parliament</i>		
177.	<i>The President</i>	<i>The President</i>		
178.	<i>For the Council</i>	<i>For the Council</i>		
179.	<i>The President</i>	<i>The President</i>		

	COM proposal COM(2018)277	European Parliament/P8_TA(2019)0109	General Approach, ST 14401/19	Remarks / Compromise proposal by the Presidency
180.			<u>ANNEX</u>	
181.			<u>The Annex will be added to this Directive and shall be the list of cross-border links and missing links in Section 1 "Core Network Corridors and indicative list of pre-identified cross-border links and missing links" of Part III of the Annex of draft Regulation of the European Parliament and of the Council establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014, as set out in the partial Common Understanding, doc. 7207/1/19 REV 1, once adopted.</u>	C - scope.