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WORKING DOCUMENT

From:	Presidency
To:	Working Party on Trade Questions
Subject:	Foreign Direct Investment Screening Regulation review - finalized text

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the screening of foreign investments in the Union and repealing Regulation (EU) 2019/452 of the European Parliament and of the Council

2024/0017(COD)
DRAFT [draft 22/12 12:19]
22-12-2025 at 12h19

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
Formula										
1		2024/0017 (COD)		2024/0017 (COD)		2024/0017 (COD)		2024/0017 (COD) Text Origin: EP Mandate		2024/0017 (COD)
Proposal Title										
2		Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the screening of foreign investments in the Union and repealing Regulation (EU) 2019/452 of the European Parliament and of the Council		Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the screening of foreign investments in the Union and repealing Regulation (EU) 2019/452 of the European Parliament and of the Council		Proposal for a REGULATION (EU) .../... OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of ... on the screening of foreign investments in the Union and repealing Regulation (EU) 2019/452 of the European Parliament and of the Council Text Origin: Council Mandate		Proposal for a REGULATION (EU) .../... OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of ... on the screening of foreign investments in the Union and repealing Regulation (EU) 2019/452 of the European Parliament and of the Council		Proposal for a REGULATION (EU) .../... OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of ... on the screening of foreign investments in the Union and repealing Regulation (EU) 2019/452 of the European Parliament and of the Council
Formula										
3		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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								Text Origin: Commission Proposal		
Citation 1										
4		Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 114 and 207 thereof,		Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 114 and 207 thereof,		Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 114 and ~~207~~ 207(2) thereof,		Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 114 and ~~207~~ 207(2) thereof,		Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 114 and ~~207~~ 207(2) thereof,
								Text Origin: Council Mandate		
Citation 2										
5		Having regard to the proposal from the European Commission,		Having regard to the proposal from the European Commission,		Having regard to the proposal from the European Commission,		Having regard to the proposal from the European Commission,		Having regard to the proposal from the European Commission,
								Text Origin: Commission Proposal		
Citation 3										
6		After transmission of the draft legislative act to the national parliaments,		After transmission of the draft legislative act to the national parliaments,		After transmission of the draft legislative act to the national parliaments,		After transmission of the draft legislative act to the national parliaments,		After transmission of the draft legislative act to the national parliaments,
								Text Origin: Commission Proposal		
Citation 4										
7		Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>		Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>		Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>		Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>		Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>
								Text Origin: Commission Proposal		

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
Citation 5										
8		Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p. .</u>		Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p. .</u>		Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p. .</u>		Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p. .</u>		Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p. .</u>
								Text Origin: Commission Proposal		
Citation 6										
9		Having regard to the Opinion of the European Data Protection Supervisor of [date], which was consulted pursuant to Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council ¹ , <u>1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39-98 , ELI: http://data.europa.eu/eli/reg/2018/1725/oj)</u>		Having regard to the Opinion of the European Data Protection Supervisor of [date], which was consulted pursuant to Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council ¹ , <u>1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39-98 , ELI: http://data.europa.eu/eli/reg/2018/1725/oj)</u>		~~Having regard to the Opinion of the European Data Protection Supervisor of [date], which was consulted pursuant to Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹;~~ ~~<u>1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39-98 , ELI: http://data.europa.eu/eli/reg/2018/1725/oj)</u>~~				
Citation 7										
10		Acting in accordance with the ordinary legislative		Acting in accordance with the ordinary legislative		Acting in accordance with the ordinary legislative		Acting in accordance with the ordinary legislative		Acting in accordance with the ordinary legislative

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	procedure,	procedure,	procedure,	procedure, Text Origin: Commission Proposal	procedure,
Formula					
11	Whereas:	Whereas:	Whereas:	Whereas: Text Origin: Commission Proposal	Whereas:
Recital 1					
12	(1) Investments in the Union contribute to its growth by improving its competitiveness, creating jobs and economies of scale, and bringing in capital, technologies, innovation and expertise.	(1) <i>The Union welcomes foreign</i> investments ~~in the Union~~ as they contribute to its growth by improving its competitiveness, creating jobs and economies of scale, and bringing in capital, technologies, innovation and expertise.	(1) Investments in the Union contribute to its growth by improving its competitiveness, creating jobs and economies of scale, and bringing in capital, technologies, innovation and expertise.	(1) <i>The Union welcomes foreign</i> investments ~~in the Union~~ as they contribute to its growth by improving its competitiveness, creating jobs and economies of scale, and bringing in capital, technologies, innovation and expertise. Text Origin: EP Mandate	(1) <i>The Union welcomes foreign</i> investments ~~in the Union~~ as they contribute to its growth by improving its competitiveness, creating jobs and economies of scale, and bringing in capital, technologies, innovation and expertise.
Recital 2					
13	(2) Article 3(5) of the Treaty on European Union (TEU) specifies that the Union, in its relations with the wider world, is to uphold and promote its values and interests and contribute to the protection of its citizens. Moreover, the Union and Member States have an open investment environment, which is enshrined in the Treaty on the Functioning of	(2) Article 3(5) of the Treaty on European Union (TEU) specifies that the Union, in its relations with the wider world, is to uphold and promote its values and interests and contribute to the protection of its citizens. Moreover, the Union and Member States have an open investment environment, which is enshrined in the Treaty on the Functioning of	(2) Article 3(5) of the Treaty on European Union (TEU) specifies that the Union, in its relations with the wider world, is to uphold and promote its values and interests and contribute to the protection of its citizens. ~~Moreover, the Union and Member States have an open investment environment, which is enshrined in the Treaty on the Functioning of~~	(2) Article 3(5) of the Treaty on European Union (TEU) specifies that the Union, in its relations with the wider world, is to uphold and promote its values and interests and contribute to the protection of its citizens. ~~Moreover, the Union and Member States have an open investment environment, which is enshrined in the Treaty on the Functioning of~~	(2) Article 3(5) of the Treaty on European Union (TEU) specifies that the Union, in its relations with the wider world, is to uphold and promote its values and interests and contribute to the protection of its citizens. ~~Moreover, the Union and Member States have an open investment environment, which is enshrined in the Treaty on the Functioning of~~

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	the European Union (TFEU) and embedded in the Union and its Member States' international commitments.	the European Union (TFEU) and embedded in the Union and its Member States' international commitments.	~~the European Union (TFEU) and embedded in the Union and its Member States' international commitments.~~	~~the European Union (TFEU) and embedded in the Union and its Member States' international commitments.~~ Text Origin: Council Mandate	~~the European Union (TFEU) and embedded in the Union and its Member States' international commitments.~~
Recital 3					
14	(3) However, under international commitments made in the World Trade Organization (WTO), the Organisation for Economic Cooperation and Development (OECD), and the trade and investment agreements concluded with third countries, it is possible for the Union and Members States to restrict foreign direct investments (FDIs) on the grounds of security or public order, subject to certain requirements.	(3) However, ~~under Article 21(2) TEU states that the Union's policies and actions aim to safeguard its values, fundamental interests, security, independence, and integrity. Those principles and objectives underpin the Union's common commercial policy, as set out in Article 207 TFEU including in relation to foreign investment. Within that context,~~ international commitments made in the World Trade Organization (WTO), the Organisation for Economic Cooperation and Development (OECD), and the trade and investment agreements concluded with third countries, ~~it is possible for allow~~ the Union and ~~Members~~ Member States to restrict foreign direct investments (FDIs) on the grounds of security or public order, subject to certain	(3) The Union and Member States have an open investment environment, which is enshrined in the Treaty on the Functioning of the European Union (TFEU) and embedded in the Union and its Member States' international commitments. However, under international commitments made in the World Trade Organization (WTO), the Organisation for Economic Cooperation and Development (OECD), ~~and the~~ ~~and in~~ trade and investment agreements concluded with third countries, it is possible for the Union ~~and/or its~~ Members States to restrict foreign direct investments (FDIs) on the grounds of security or public order, subject to certain requirements.	(3) The Union and Member States have an open investment environment, which is enshrined in the Treaty on the Functioning of the European Union (TFEU) and embedded in the Union and its Member States' international commitments. However, Article 21(2) TEU states that the Union's policies and actions aim to safeguard its values, fundamental interests, security, independence, and integrity. Those principles and objectives underpin the Union's common commercial policy, as set out in Article 207 TFEU including in relation to foreign investment. Within that context, under international commitments made in the World Trade Organization (WTO), the Organisation for Economic	(3) The Union and Member States have an open investment environment, which is enshrined in the Treaty on the Functioning of the European Union (TFEU) and embedded in the Union and its Member States' international commitments. However, Article 21(2) TEU states that the Union's policies and actions aim to safeguard its values, fundamental interests, security, independence, and integrity. Those principles and objectives underpin the Union's common commercial policy, as set out in Article 207 TFEU including in relation to foreign investment. Within that context, under international commitments made in the World Trade Organization (WTO), the Organisation for Economic

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				requirements.				Cooperation and Development (OECD), ~~and the and in~~ trade and investment agreements concluded with third countries, it is possible for the Union ~~and Members~~ or its Member States to restrict foreign direct investments ~~(FDIs)~~ on the grounds of security or public order, subject to certain requirements. Text Origin: Council Mandate		Cooperation and Development (OECD), ~~and the and in~~ trade and investment agreements concluded with third countries, it is possible for the Union ~~and Members~~ or its Member States to restrict foreign direct investments ~~(FDIs)~~ on the grounds of security or public order, subject to certain requirements.
Recital 4										
15		(4) In accordance with Regulation (EU) 2019/452 of the European Parliament and of the Council ¹ a framework has been set up for screening FDI into the Union by Member States. In particular, that Regulation has set out a cooperation mechanism enabling Member States and the Commission to exchange information on FDI and raise concerns about risks to security or public order. That cooperation mechanism required the Member State where the FDI was planned or completed to give due		(4) In accordance with Regulation (EU) 2019/452 of the European Parliament and of the Council ¹ a framework has been set up for screening FDI into the Union by Member States. In particular, that Regulation has set out a cooperation mechanism enabling Member States and the Commission to exchange information on FDI and raise concerns about risks to security or public order. That cooperation mechanism required the Member State where the FDI was planned or completed (host Member		(4) ~~In accordance with~~ Pursuant to Regulation (EU) 2019/452 of the European Parliament and of the Council ¹ a framework has been set up for ~~the screening FDI into the Union~~ by Member States of foreign direct investments in the Union by third-country investors . In particular, that Regulation has set out a cooperation mechanism enabling Member States and the Commission to exchange information on ~~FDI~~ foreign direct investments and raise concerns about risks to		(4) ~~In accordance with~~ Pursuant to Regulation (EU) 2019/452 of the European Parliament and of the Council ¹ a framework has been set up for ~~the screening FDI into the Union~~ by Member States of foreign direct investments in the Union by third-country investors . In particular, that Regulation has set out a cooperation mechanism enabling Member States and the Commission to exchange information on ~~FDI~~ foreign direct investments and raise concerns about risks to		(4) ~~In accordance with~~ Pursuant to Regulation (EU) 2019/452 of the European Parliament and of the Council ¹ a framework has been set up for ~~the screening FDI into the Union~~ by Member States of foreign direct investments in the Union by third-country investors . In particular, that Regulation has set out a cooperation mechanism enabling Member States and the Commission to exchange information on ~~FDI~~ foreign direct investments and raise concerns about risks to

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	consideration to the comments issued by other Member States and the opinion issued by the Commission in its screening decision. 1. Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union (OJ L 79I, 21.3.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/452/oj).	State) to give due consideration to the comments issued by other Member States and the opinion issued by the Commission in its screening decision. 1. Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union (OJ L 79I, 21.3.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/452/oj).	security or public order. That cooperation mechanism required the host Member State ~~where the FDI was planned or completed~~ to give due consideration to the comments issued by other Member States and the opinion issued by the Commission in its screening decision. 1. Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union (OJ L 79I, 21.3.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/452/oj).	security or public order. That cooperation mechanism required the host Member State ~~where the FDI was planned or completed~~ to give due consideration to the comments issued by other Member States and the opinion issued by the Commission in its screening decision. 1. Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union (OJ L 79I, 21.3.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/452/oj). Text Origin: Council Mandate	security or public order. That cooperation mechanism required the host Member State ~~where the FDI was planned or completed~~ to give due consideration to the comments issued by other Member States and the opinion issued by the Commission in its screening decision. 1. Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union (OJ L 79I, 21.3.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/452/oj).
Recital 5					
16	(5) The framework set up in accordance with Regulation (EU) 2019/452 has delivered on its objective to provide a formal mechanism for Member States and the Commission to exchange information on FDIs and to raise awareness on cross-border risks to security or public order arising from certain FDIs.	(5) The framework set up in accordance with Regulation (EU) 2019/452 has delivered on its objective to provide a formal mechanism for Member States and the Commission to exchange information on FDIs and to raise awareness on cross-border risks to security or public order arising from certain FDIs.	(5) The framework set up ~~in accordance with~~ pursuant to Regulation (EU) 2019/452 has delivered on its objective to provide a formal mechanism for Member States and the Commission to exchange information on ~~FDIs~~ foreign direct investments and to raise awareness on cross-border risks to security or public	(5) The framework set up ~~in accordance with~~ pursuant to Regulation (EU) 2019/452 has delivered on its objective to provide a formal mechanism for Member States and the Commission to exchange information on ~~FDIs~~ foreign direct investments and to raise awareness on cross-border risks to security or public	(5) The framework set up ~~in accordance with~~ pursuant to Regulation (EU) 2019/452 has delivered on its objective to provide a formal mechanism for Member States and the Commission to exchange information on ~~FDIs~~ foreign direct investments and to raise awareness on cross-border risks to security or public

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
						order arising from certain ~~FDIs~~ foreign direct investments. However, a new legislative instrument is needed to strengthen the efficiency and effectiveness of the screening of foreign direct investments and to ensure a higher degree of harmonisation across the Union.		order arising from certain ~~FDIs~~ foreign direct investments. Text Origin: Council Mandate		order arising from certain ~~FDIs~~ foreign direct investments.
Recital 6										
17		(6) However, a new legislative instrument is needed to strengthen the efficiency and effectiveness of Regulation (EU) 2019/452 and ensure a higher degree of harmonisation across the Union.		(6) However, a new legislative instrument is needed to strengthen the efficiency and effectiveness of Regulation (EU) 2019/452 and ensure a higher degree of harmonisation across the Union.		~~(6) However, a new legislative instrument is needed to strengthen the efficiency and effectiveness of Regulation (EU) 2019/452 and ensure a higher degree of harmonisation across the Union.~~		(6) However, a new legislative instrument is needed to strengthen the efficiency and effectiveness of <i>Regulation (EU) 2019/452</i> and the screening of foreign direct investments and to ensure a higher degree of harmonisation across the Union. Such improvements are necessary due to the evolving nature of investment flows. The integration of global economies, combined with war and geopolitical tensions, has led to the emergence of new risks that need to be addressed by the Union and the Member States. On 20 June 2023 and 3 December		(6) However, a new legislative instrument is needed to strengthen the efficiency and effectiveness of <i>Regulation (EU) 2019/452</i> and the screening of foreign direct investments and to ensure a higher degree of harmonisation across the Union. Such improvements are necessary due to the evolving nature of investment flows. The integration of global economies, combined with war and geopolitical tensions, has led to the emergence of new risks that need to be addressed by the Union and the Member States. On 20 June 2023 and 3 December

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								<i>2025, the Commission adopted Communications on the “European economic security strategy”, and on “Strengthening EU economic security” which identify FDI screening as a tool to protect the Union against economic security risks. Those communications underscore the need to address risks associated with the resilience of supply chains, access to critical infrastructure, technology leakage, and the weaponisation of economic dependencies or economic coercion.</i>		<i>2025, the Commission adopted Communications on the “European economic security strategy”, and on “Strengthening EU economic security” which identify FDI screening as a tool to protect the Union against economic security risks. Those communications underscore the need to address risks associated with the resilience of supply chains, access to critical infrastructure, technology leakage, and the weaponisation of economic dependencies or economic coercion.</i>
Recital 6a										
17a				<i>(6a) Moreover, a new legislative instrument is necessary due to the evolving nature of investment flows. The integration of global economies, combined with war and geopolitical tensions, has led to the emergence of new risks that need to be addressed by the Union and the Member States. On 20 June 2023, the Commission presented a</i>						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>Communication to the European Parliament, the European Council, and the Council on the “European Economic Security Strategy,” which identifies FDI screening as a tool to protect the Union against economic security risks. The strategy underscores the need to address risks associated with the resilience of supply chains, physical and cyber security of critical infrastructures, technology security and leakage, and the weaponisation of economic dependencies or economic coercion. Those economic security risks are also relevant in the context of the screening of foreign investments, as they could have a negative impact on fundamental societal interests such as prosperity, sovereignty, safety, and the operation of the social market economy, and thereby on Member States' and the Union's public order.</i>						
Recital 7										
G	18	(7) Certain investments not	(7) Certain investments not	(7) Certain investments <i>that</i>	(7) Certain investments <i>that</i>	(7) Certain investments <i>that</i>	(7) Certain investments <i>that</i>	(7) Certain investments <i>that</i>		G

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
		covered by Regulation (EU) 2019/452 could create risks for the Union's security and public order. In particular, this concerns certain investments carried out in Member States that do not have a screening mechanism; investments carried out in Member States that have a screening mechanism whose scope does not include certain sensitive investments; and investments that are made by foreign investors through a subsidiary established in the Union and that potentially present the same risks to security or public order as direct investments made from third countries.		covered by Regulation (EU) 2019/452 could create risks for the Union's security and public order. In particular, this concerns certain investments carried out in Member States that do not have a screening mechanism; investments carried out in Member States that have a screening mechanism whose scope does not include certain sensitive investments; and investments that are made by foreign investors through a subsidiary established in the Union and that potentially present the same risks to security or public order as direct investments made from third countries.		<i>are</i> not covered by Regulation (EU) 2019/452 could create risks for ~~the Union's~~ security and public order. Those concern , in particular, ~~this concerns~~ certain investments carried out in Member States that do not have a screening mechanism; investments carried out in Member States that do have a screening mechanism ~~whose~~ but the scope of which does not include certain sensitive investments; and investments that are made by ~~foreign~~ third-country investors through a subsidiary established in the Union and that potentially present the same risks to security or public order as ~~direct~~ investments made directly from third countries.		<i>are</i> not covered by Regulation (EU) 2019/452 could create risks for ~~the Union's~~ security and public order. Those concern , in particular, ~~this concerns~~ certain investments carried out in Member States that do not yet have a screening mechanism; in force , investments carried out in Member States that do have a screening mechanism ~~whose~~ in force but the scope of which does not include certain sensitive investments; and investments that are made by ~~foreign~~ third-country investors through a subsidiary established in the Union (intra-Union investments) and that potentially present the same risks to security or public order as ~~direct~~ investments made directly from third countries. Text Origin: Council Mandate		<i>are</i> not covered by Regulation (EU) 2019/452 could create risks for ~~the Union's~~ security and public order. Those concern , in particular, ~~this concerns~~ certain investments carried out in Member States that do not yet have a screening mechanism; in force , investments carried out in Member States that do have a screening mechanism ~~whose~~ in force but the scope of which does not include certain sensitive investments; and investments that are made by ~~foreign~~ third-country investors through a subsidiary established in the Union (intra-Union investments) and that potentially present the same risks to security or public order as ~~direct~~ investments made directly from third countries.
Recital 7a										
G	18a			(7a) Acquisitions through resolution tools under the respective resolution frameworks (for banks,				Text Origin: EP Mandate		G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>central counterparties or reinsurance or reinsurance undertakings) should be excluded from the scope of this Regulation. In resolution, time is of the essence and decisions are often made literally overnight. The in-depth screening procedures provided for in this Regulation are not in line with the need for a timely response. In order to avoid financial stability risks, resolution transactions should therefore be excluded. Resolution authorities should take into account, to the extent possible, this Regulation when performing resolution actions with the involvement of a foreign investor, in particular when strategic assets are involved.</i>						
Recital 8										
19		(8) A significant majority of Member States, but not all, have a legislative instrument in place that provides for a mechanism to screen FDIs. In many Member States, national laws also extend to screening intra-Union		(8) A significant majority of Member States, but not all, have a legislative instrument in place that provides for a mechanism to screen FDIs. In many Member States, national laws also extend to		(8) A significant majority of Member States, but not all, have a legislative instrument in place that provides for a mechanism to screen ~~FDIs~~ foreign direct investments. The absence of a screening mechanism in		(8) A significant majority of Member States, but not all, have a legislative instrument in ~~place~~ force that provides for a mechanism to screen ~~FDIs~~ foreign direct investments. The absence of a screening mechanism in		(8) A significant majority of Member States, but not all, have a legislative instrument in ~~place~~ force that provides for a mechanism to screen ~~FDIs~~ foreign direct investments. The absence of a screening mechanism in

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	investments. Among the Member States, there are substantial differences as to the scope, thresholds and criteria used to assess whether an investment is likely to negatively affect security or public order. There are also differences in the screening processes. In certain Member States, the investment can be implemented before having received clearance with respect to the impact on security and public order. However, others require that the investment is only finalised after authorisation under the screening mechanism. Such divergences create a problem for the smooth functioning of the internal market. For example, they create an uneven playing field and increase compliance costs for investors seeking to notify transactions in more than one Member State. This Regulation helps in reducing divergences on key elements of the mechanisms implemented at national level. This is crucial to ensure predictability for	screening intra-Union investments. Among the Member States, there are substantial differences as to the scope, thresholds and criteria used to assess whether an investment is likely to negatively affect security or public order. There are also differences in the screening processes. In certain Member States, the investment can be implemented before having received clearance with respect to the impact on security and public order. However, others require that the investment is only finalised after authorisation under the screening mechanism. Such divergences create a problem for the smooth functioning of the internal market. For example, ~~they~~those inconsistencies create an uneven playing field and increase compliance costs for investors ~~seeking~~who need to notify transactions in ~~more than one~~multiple Member ~~State~~States. This Regulation helps in ~~reducing divergences on~~harmonising key elements of the	<i>certain Member States allows problematic foreign investors wanting to invest in sensitive assets to invest in those Member States as a gateway into the internal market. Furthermore,</i> in many Member States, national laws also extend ~~to~~ screening <i>to</i> intra-Union investments. Among the Member States, there are substantial differences as to the scope, thresholds and criteria used to assess whether an investment is likely to negatively affect security or public order. There are also differences in ~~the~~ screening processes. <i>This Regulation is aimed at reducing divergences on key elements of the screening mechanisms implemented at national level.</i> In certain Member States, the investment can be implemented before having received clearance with respect to the impact on security and public order. However, others require that the investment is only finalised after authorisation under the screening mechanism. Such	<i>certain Member States allows problematic foreign investors wanting to invest in sensitive assets to invest in those Member States as a gateway into the internal market. Furthermore,</i> in many Member States, national laws also extend ~~to~~ screening <i>to</i> intra-Union investments. Among the Member States, there are substantial differences as to the scope, thresholds and criteria used to assess whether an investment is likely to negatively affect security or public order. There are also differences in ~~the~~ screening processes. <i>This Regulation is aimed at reducing divergences on key elements of the screening mechanisms implemented at national level.</i> In certain Member States, the investment can be implemented before having received clearance with respect to the impact on security and public order. However, others require that the investment is only finalised after authorisation under the screening mechanism. Such	<i>certain Member States allows problematic foreign investors wanting to invest in sensitive assets to invest in those Member States as a gateway into the internal market. Furthermore,</i> in many Member States, national laws also extend ~~to~~ screening <i>to</i> intra-Union investments. Among the Member States, there are substantial differences as to the scope, thresholds and criteria used to assess whether an investment is likely to negatively affect security or public order. There are also differences in ~~the~~ screening processes. <i>This Regulation is aimed at reducing divergences on key elements of the screening mechanisms implemented at national level.</i> In certain Member States, the investment can be implemented before having received clearance with respect to the impact on security and public order. However, others require that the investment is only finalised after authorisation under the screening mechanism. Such

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	investors on the applicable national regimes and their characteristics, thereby reducing the associated compliance costs. This is all the more relevant considering the level of integration of internal market, which may result in a single transaction impacting multiple Member States across the Union. It is for example possible that a transaction aimed to the acquisition of a target company in one Member State also affects security and public order in another Member State, due to the supply chain structure or other economic elements connecting the target with other companies based in a different Member States. In order to address these internal market problems and ensure greater consistency and predictability, it is appropriate that the criteria and elements to be used for the assessment of foreign investments are established through Union action.	mechanisms implemented at national level. This is crucial to ensure predictability for investors on the applicable national regimes and their characteristics, thereby reducing the associated compliance costs. This is all the more relevant considering the high level of integration ~~ofin the~~ internal market, which may result in a single transaction impacting multiple Member States across the Union. It is for example possible that a transaction aimed ~~to the acquisition of~~ at acquiring a target company in one Member State also affects security and public order in ~~another~~ other Member ~~State~~ States , due to the supply chain structure or other economic elements connecting the target with other companies based in a different Member States. In order to address these internal market problems and ensure greater consistency and predictability, it is appropriate that the criteria and elements to be used for the assessment of foreign	divergences create a problem for the smooth functioning of the internal market. For example, they create an uneven playing field and increase compliance costs for investors seeking to notify transactions in more than one Member State. ~~This Regulation helps in Reducing divergences on key elements of the mechanisms implemented at national level. This~~ divergence is crucial to ensure predictability for investors ~~on~~ in respect of the applicable national regimes and their characteristics, thereby reducing ~~the~~ associated compliance costs. This is all the more relevant considering the level of integration of the internal market, which may result in a single transaction impacting multiple Member States across the Union. It is for example possible that a transaction aimed ~~to~~ at the acquisition of a target company in one Member State ('Union target') also affects the security and public order ~~in~~ of another Member State, due to the	divergences create a problem for the smooth functioning of the internal market. For example, they create an uneven playing field and increase compliance costs for investors seeking to notify transactions in more than one Member State. ~~This Regulation helps in Reducing divergences on key elements of the mechanisms implemented at national level. This~~ divergence is crucial to ensure predictability for investors ~~on~~ in respect of the applicable national regimes and their characteristics, thereby reducing ~~the~~ associated compliance costs. This is all the more relevant considering the level of integration of the internal market, which may result in a single transaction impacting multiple Member States across the Union. It is for example possible that a transaction aimed ~~to~~ at the acquisition of a target company in one Member State ('Union target') also affects the security and public order ~~in~~ of another Member State, due to the	divergences create a problem for the smooth functioning of the internal market. For example, they create an uneven playing field and increase compliance costs for investors seeking to notify transactions in more than one Member State. ~~This Regulation helps in Reducing divergences on key elements of the mechanisms implemented at national level. This~~ divergence is crucial to ensure predictability for investors ~~on~~ in respect of the applicable national regimes and their characteristics, thereby reducing ~~the~~ associated compliance costs. This is all the more relevant considering the level of integration of the internal market, which may result in a single transaction impacting multiple Member States across the Union. It is for example possible that a transaction aimed ~~to~~ at the acquisition of a target company in one Member State ('Union target') also affects the security and public order ~~in~~ of another Member State, due to the

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				investments are established through Union action.		supply chain structure or other economic elements connecting the Union target with other companies based in ~~a different~~ other Member States. In order to address ~~these~~ such problems related to the integration of the internal market ~~problems~~ and in order to ensure greater consistency and predictability, it is appropriate that the criteria and elements to be used for the assessment of foreign investments are established through Union action. Thus, this Regulation is aimed at increasing the convergence of national rules applicable to the screening of foreign investments, including intra-EU investments, thereby creating a level-playing field, increasing certainty for foreign investors, and preventing the emergence of additional obstacles to the internal market.		supply chain structure or other economic elements connecting the Union target with other companies based in ~~a different~~ other Member States. In order to address ~~these~~ such problems related to the integration of the internal market ~~problems~~ and in order to ensure greater consistency and predictability, it is appropriate that the criteria and elements to be used for the assessment of foreign investments are established through Union action. Thus, this Regulation is aimed at increasing the convergence of national rules applicable to the screening of foreign investments, including intra-EU investments, thereby creating a level-playing field, increasing certainty for foreign investors, and preventing the emergence of additional obstacles to the internal market. Text Origin: Council Mandate		supply chain structure or other economic elements connecting the Union target with other companies based in ~~a different~~ other Member States. In order to address ~~these~~ such problems related to the integration of the internal market ~~problems~~ and in order to ensure greater consistency and predictability, it is appropriate that the criteria and elements to be used for the assessment of foreign investments are established through Union action. Thus, this Regulation is aimed at increasing the convergence of national rules applicable to the screening of foreign investments, including intra-EU investments, thereby creating a level-playing field, increasing certainty for foreign investors, and preventing the emergence of additional obstacles to the internal market.
Recital 9										
G	20	(9) To ensure a consistent approach to foreign	(9) To ensure a consistent approach to foreign	(9) In order to ensure a consistent approach to	(9) In order to ensure a consistent approach to	(9) In order to ensure a consistent approach to	(9) In order to ensure a consistent approach to	(9) In order to ensure a consistent approach to	G	

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		investment screening across the Union, all Member States should be required to screen foreign investments on the grounds of security or public order. Therefore, the core elements of national screening mechanisms should be harmonised. That minimum harmonisation includes the scope of investments to be screened, the screening procedure's essential features, and the interaction between the national mechanism and the Union cooperation mechanism. In addition, Member States should also be able to extend the scope of their national screening mechanism to include other types of foreign investments, foreign investments in other sectors, additional Union targets or economic activities that the relevant Member State considers critical for its security or public order. When they do so, such screening should also comply with the provisions of this Regulation.		investment screening across the Union, all Member States should be required to screen foreign investments on the grounds of security or public order. Therefore, the core elements of national screening mechanisms should be harmonised. That ~~minimum~~ harmonisation ~~includes~~ should also include the scope of investments to be screened, the screening procedure's essential features, and the interaction between the national mechanism and the Union cooperation mechanism, including consistent timelines for screening procedures . In addition, Member States should also be able to extend the scope of their national screening mechanism to include other types of foreign investments, foreign investments in other sectors, additional Union targets or economic activities that the relevant Member State considers critical for its security or public order. When they do so, such screening should also comply with the provisions of this		foreign investment screening across the Union, all Member States should be required to screen foreign investments on the grounds of security or public order. ~~Therefore~~ Furthermore , the core elements of national screening mechanisms should be harmonised. That minimum harmonisation ~~includes the scope of~~ should include an obligation for Member States to ensure that investments to ~~betargeting entities operating in a specific set of sensitive areas are screened.~~ This obligation should ensure that a common minimum scope of sensitive investments is screened in all Member States. Moreover, the Regulation should further harmonise and clarify the procedures under the cooperation mechanism, the screening procedure's essential features, and the interaction between the national mechanisms screening mechanisms and the Union cooperation mechanism. In particular, it is appropriate to ensure that all screening		foreign investment screening across the Union, all Member States should be required to screen foreign investments on the grounds of security or public order. ~~Therefore~~ Furthermore , the core elements of national screening mechanisms should be harmonised. That minimum harmonisation ~~includes the scope of~~ should include an obligation for Member States to ensure that investments to ~~betargeting entities operating in a specific set of sensitive areas are screened.~~ This obligation should ensure that certain sensitive investments are screened in all Member States. Moreover, the Regulation should further harmonise and clarify the procedures under the cooperation mechanism, the screening procedure's essential features, and the interaction between the national mechanisms screening mechanisms and the Union cooperation mechanism. In particular, it is appropriate to ensure that all screening mechanisms include an		foreign investment screening across the Union, all Member States should be required to screen foreign investments on the grounds of security or public order. ~~Therefore~~ Furthermore , the core elements of national screening mechanisms should be harmonised. That minimum harmonisation ~~includes the scope of~~ should include an obligation for Member States to ensure that investments to ~~betargeting entities operating in a specific set of sensitive areas are screened.~~ This obligation should ensure that certain sensitive investments are screened in all Member States. Moreover, the Regulation should further harmonise and clarify the procedures under the cooperation mechanism, the screening procedure's essential features, and the interaction between the national mechanisms screening mechanisms and the Union cooperation mechanism. In particular, it is appropriate to ensure that all screening mechanisms include an

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				Regulation. <i>It is essential to establish a harmonised and streamlined approach across Member States, which ensures that foreign investments which may have implications for security and public order are subject to consistent scrutiny and efficient decision-making. To that end, screening mechanisms should minimise administrative complexity, avoid unnecessary delays and take into consideration the limited resources of small and medium-sized enterprises (SMEs) when applied to them. Furthermore, the Commission should act in a coordinating role to ensure greater security for the Union while minimising inefficiencies and fragmented approaches.</i>		<i>mechanisms include an initial review, which should not last more than 45 calendar days from the date on which the filing is deemed complete by the screening authority. Where necessary, an in-depth and comprehensive review should be carried out. In addition, the timelines for notification to the cooperation mechanism should be harmonised, and the steps for the procedure under the cooperation mechanism, particularly with respect to the provision of comments from Member States and Commission opinions, should ~~also be able to extend the scope of~~ <i>their</i> be better aligned. This would allow to address situations where the timelines of national screening mechanism to include other types of foreign investments, procedures are not aligned and could delay a transaction. There should be a certain level of harmonisation on the criteria Member States and the Commission should</i>		<i>initial review, which should not last more than 45 calendar days from the date on which the filing is deemed complete by the screening authority. Where necessary, an in-depth review should be carried out. In addition, the timelines for notification to the cooperation mechanism should be harmonised, and the steps for the procedure under the cooperation mechanism, particularly with respect to the provision of comments from Member States and Commission opinions, should ~~also be able to extend the scope of~~ <i>their</i> be better aligned. This would allow to address situations where the timelines of national screening mechanism to include other types of foreign investments, procedures are not aligned and could delay a transaction. There should be a certain level of harmonisation on the criteria Member States and the Commission should consider when assessing whether a foreign</i>		<i>initial review, which should not last more than 45 calendar days from the date on which the filing is deemed complete by the screening authority. Where necessary, an in-depth review should be carried out. In addition, the timelines for notification to the cooperation mechanism should be harmonised, and the steps for the procedure under the cooperation mechanism, particularly with respect to the provision of comments from Member States and Commission opinions, should ~~also be able to extend the scope of~~ <i>their</i> be better aligned. This would allow to address situations where the timelines of national screening mechanism to include other types of foreign investments, procedures are not aligned and could delay a transaction. There should be a certain level of harmonisation on the criteria Member States and the Commission should consider when assessing whether a foreign</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
						<i>consider when assessing whether a foreign investments in other sectors, additional Union targets or economic activities that the relevant Member State considers critical for its investment is likely to negatively affect security or public order. When they do so, such screening should also comply with the provisions of this Regulation</i> <i>This common set of criteria includes the security, integrity, resilience and functioning of critical entities, the availability of critical technologies or the continuity of supply of critical inputs. This would ensure a more uniform assessment of the impacts of foreign investments on security and public order while preserving the possibility for Member States to take into account further criteria which may differ between Member States.</i>		<i>investments in other sectors, additional Union targets or economic activities that the relevant Member State considers critical for its investment is likely to negatively affect security or public order. When they do so, such screening should also comply with the provisions of this Regulation</i> <i>This common set of criteria includes the security, integrity, resilience and functioning of critical entities, the availability of critical technologies or the continuity of supply of critical inputs. This would ensure a more uniform assessment of the impacts of foreign investments on security and public order while preserving the possibility for Member States to take into account further criteria which may differ between Member States.</i> Text Origin: Council Mandate		<i>investments in other sectors, additional Union targets or economic activities that the relevant Member State considers critical for its investment is likely to negatively affect security or public order. When they do so, such screening should also comply with the provisions of this Regulation</i> <i>This common set of criteria includes the security, integrity, resilience and functioning of critical entities, the availability of critical technologies or the continuity of supply of critical inputs. This would ensure a more uniform assessment of the impacts of foreign investments on security and public order while preserving the possibility for Member States to take into account further criteria which may differ between Member States.</i>
	Recital 9a									
G	20a					<i>(9a) This Regulation only provides for minimum harmonisation. Thus,</i>		<i>(9a) This Regulation only provides for core elements of the screening</i>		<i>(9a) This Regulation only provides for core elements of the screening</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>Member States should have the right to adopt, amend or maintain national provisions that are complementary to or are more specific than the provisions of this Regulation. For example, Member States should be able to extend the scope of their national screening mechanism to include foreign investments in sectors not covered by the minimum scope, and to specify thresholds of voting rights acquired by investors triggering the screening of foreign investments which the Member State concerned considers to be of particular importance for its security or public order. Where a Member State opts to extend the scope of its screening mechanism beyond the minimum scope, such screening should comply with this Regulation, provided that such screening falls within the scope of this Regulation.</i>		<i>mechanisms. Thus, Member States may adopt national provisions that are complementary to or are more specific than the provisions of this Regulation. For example, Member States should be able to specify thresholds of voting rights acquired by investors triggering the screening of foreign investments. Member States may extend the scope of their national screening mechanism to include foreign investments in sectors not covered by the minimum scope. Where a Member State opts to extend the scope of its screening mechanism beyond the minimum scope, such screening should comply with this Regulation, provided that such screening falls within the scope of this Regulation.</i>		<i>mechanisms. Thus, Member States may adopt national provisions that are complementary to or are more specific than the provisions of this Regulation. For example, Member States should be able to specify thresholds of voting rights acquired by investors triggering the screening of foreign investments. Member States may extend the scope of their national screening mechanism to include foreign investments in sectors not covered by the minimum scope. Where a Member State opts to extend the scope of its screening mechanism beyond the minimum scope, such screening should comply with this Regulation, provided that such screening falls within the scope of this Regulation.</i>
Recital 10										
21	(10)	Regulation (EU) 2019/452 only covers FDI	(10)	Regulation (EU) 2019/452 only covers FDI	(10)	Regulation (EU) 2019/452 only covers ~~FDIs~~	(10)	Regulation (EU) 2019/452 only covers ~~FDIs~~	(10)	Regulation (EU) 2019/452 only covers ~~FDIs~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	made from third countries into the Union. However, it is also necessary to extend the scope of the cooperation mechanism to investments made between Member States, where the investor in one Member State is controlled, directly or indirectly, by a foreign entity regardless of whether the ultimate owner is located in the Union or elsewhere. In particular, this extended scope is appropriate to ensure that any investment creating a lasting link between the foreign investor and the Union target, whether it is carried out directly by a foreign investor or through an entity established in the Union and controlled by a foreign investor, is consistently captured and assessed. This should foster the consistency and predictability of screening rules across Member States, which in turn will reduce compliance costs for foreign investors and limit incentives to target an investment in Member States where such transactions are out of scope.	made from third countries into the Union. However, it is also necessary to extend the scope of the cooperation mechanism to investments made between Member States, where the investor in one Member State is controlled, directly or indirectly, by a foreign entity regardless of whether the ultimate owner is located in the Union or elsewhere. In particular, this extended scope is appropriate to ensure that any investment creating a lasting link between the foreign investor and the Union target, whether it is carried out directly by a foreign investor or through an entity established in the Union and controlled by a foreign investor, is consistently captured and assessed. This should foster the consistency and predictability of screening rules across Member States, which in turn will reduce compliance costs for foreign investors and limit incentives to target an investment in Member States where such transactions are out of scope.	~~made from third countries into~~ foreign direct investments made by third-country investors ('foreign investors') in the Union. However, it is ~~also~~ necessary to extend the scope of the Union cooperation mechanism to investments made between Member States, ~~where the investor~~ that is through an entity established in one Member State ~~that is~~ controlled, directly or indirectly, by a ~~foreign~~ third-country person or entity ~~regardless of whether the ultimate owner is located~~ ('foreign investor's subsidiary in the Union') . These investments carry the same specific risks to security or public order as foreign direct investments carried out through a legal entity not established in the Union, because the controlling third-country person or entity has power and influence over the Union target even if exercised through that subsidiary. These specific risks could be caused by the jurisdiction to which the	~~made from third countries into~~ foreign direct investments made by third-country investors ('foreign investors') in the Union. However, it is ~~also~~ necessary to extend the scope of the Union cooperation mechanism to investments made between Member States, ~~where the investor~~ that is through an undertaking established in one Member State ~~that is~~ controlled, directly or indirectly, by a foreign investor ('foreign investor's subsidiary in the Union'). These investments carry the same specific risks to security or public order as foreign direct investments carried out through a legal entity regardless of whether the ultimate owner is located not established in the Union, because the controlling foreign investor has power and influence over the Union target even if exercised through that subsidiary. These specific risks could be caused by the jurisdiction to which the foreign investor is subject or by the influence from the	~~made from third countries into~~ foreign direct investments made by third-country investors ('foreign investors') in the Union. However, it is ~~also~~ necessary to extend the scope of the Union cooperation mechanism to investments made between Member States, ~~where the investor~~ that is through an undertaking established in one Member State ~~that is~~ controlled, directly or indirectly, by a foreign investor ('foreign investor's subsidiary in the Union'). These investments carry the same specific risks to security or public order as foreign direct investments carried out through a legal entity regardless of whether the ultimate owner is located not established in the Union, because the controlling foreign investor has power and influence over the Union target even if exercised through that subsidiary. These specific risks could be caused by the jurisdiction to which the foreign investor is subject or by the influence from the

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
						<i>foreign investor is subject or by the influence from the government or non-state actors of a third country. Such risks are not caused by investments carried out by investors that are not controlled, directly or indirectly, by a third-country person or entity. It is therefore appropriate to cover under the cooperation mechanism investments made through a foreign investor's subsidiary in the Union ~~or elsewhere~~.but not investments made by other Union investors, in particular, ~~this extended scope is appropriate~~ to ensure that any investment creating a lasting link between the foreign investor and the Union target, whether ~~it is~~ carried out directly by a foreign investor or through an entity established in the Union and controlled by a foreign investor, is consistently ~~captured and assessed~~. This ~~should foster~~ covered and screened. This would increase the consistency and predictability of screening rules across Member States,</i>		<i>government or non-state actors of a third country. Such risks are not caused by investments carried out by investors that are not controlled, directly or indirectly, by a third-country person or entity. It is therefore appropriate to cover under the cooperation mechanism investments made through a foreign investor's subsidiary in the Union ~~or elsewhere~~.but not investments made by other Union investors, in particular, ~~this extended scope is appropriate~~ to ensure that any investment creating a lasting link between the foreign investor and the Union target, whether ~~it is~~ carried out directly by a foreign investor or through an entity established in the Union and controlled by a foreign investor, is consistently ~~captured and assessed~~. This ~~should foster~~ covered and screened. This would increase the consistency and predictability of screening rules across Member States, which in turn ~~will~~would reduce compliance costs for</i>		<i>government or non-state actors of a third country. Such risks are not caused by investments carried out by investors that are not controlled, directly or indirectly, by a third-country person or entity. It is therefore appropriate to cover under the cooperation mechanism investments made through a foreign investor's subsidiary in the Union ~~or elsewhere~~.but not investments made by other Union investors, in particular, ~~this extended scope is appropriate~~ to ensure that any investment creating a lasting link between the foreign investor and the Union target, whether ~~it is~~ carried out directly by a foreign investor or through an entity established in the Union and controlled by a foreign investor, is consistently ~~captured and assessed~~. This ~~should foster~~ covered and screened. This would increase the consistency and predictability of screening rules across Member States, which in turn ~~will~~would reduce compliance costs for</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						which in turn ~~will~~ would reduce compliance costs for foreign investors and ~~limit incentives to target an investment~~ remove the incentive to invest exclusively in Member States where such transactions ~~are out of scope~~ were not screened.		foreign investors and ~~limit incentives to target an investment~~ remove the incentive to invest exclusively in Member States where such transactions ~~are out of scope~~ were not screened.		
								Text Origin: Council Mandate		
Recital 11										
22		(11) Investments in Union targets carried out by foreign investors, including investments executed through a controlled entity in the Union, may present specific risks to security and public order in the Union and its Member States. Such investor-related risks should not be present and therefore do not need to be addressed in an investment that only involves entities where no ownership, control, connection to or influence from foreign investors is present, including when a foreign investor participates in the Union entity without a controlling stake. Avoiding any divergence in the rules applicable to the treatment of foreign investments,		(11) Investments in Union targets carried out by foreign investors, including investments executed through a controlled entity in the Union, may present specific risks to security and public order in the Union and its Member States. Such investor-related risks should not be present and therefore do not need to be addressed in an investment that only involves entities where no ownership, control, connection to or influence from foreign investors is present, including when a foreign investor participates in the Union entity without a controlling stake. Avoiding any divergence in the rules applicable to the treatment of foreign investments,		(11) ~~Investments in Union targets carried out by foreign investors, including investments executed through a controlled entity in the Union, may present specific risks to security and public order in the Union and its Member States. Such investor-related risks should not be present and therefore do not need to be addressed in an investment that only involves entities where no ownership, control, connection to or influence from foreign investors is present, including when a foreign investor participates in the Union entity without a controlling stake. Avoiding any divergence in the rules applicable to the treatment of foreign investments,~~				

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		regardless of whether they are made from outside the Union directly or through an entity already established in the Union, is necessary to ensure a coherent investment screening framework and the Union control mechanism. This framework reflects the importance of protecting security and public order and is exclusively targeted at risks that may arise from investments involving foreign entities. Therefore, Member States should ensure at least the screening of those foreign investments, which relate to projects or programmes of Union interest or where the Union target is active in areas, where a foreign investment may affect security or public order in more than one Member State. Member States should also be able to screen other foreign investments. When they do so, such screening should also comply with the provisions of this Regulation. Transactions with no foreign investor involvement or in which the level of involvement does		regardless of whether they are made from outside the Union directly or through an entity already established in the Union, is necessary to ensure a coherent investment screening framework and the Union control mechanism. This framework reflects the importance of protecting security and public order and is exclusively targeted at risks that may arise from investments involving foreign entities. Therefore, Member States should ensure at least the screening of those foreign investments, which relate to projects or programmes of Union interest or where the Union target is active in areas, where a foreign investment may affect security or public order in more than one Member State. Member States should also be able to screen other foreign investments. When they do so, such screening should also comply with the provisions of this Regulation. Transactions with no foreign investor involvement or in which the level of involvement does		~~regardless of whether they are made from outside the Union directly or through an entity already established in the Union, is necessary to ensure a coherent investment screening framework and the Union control mechanism. This framework reflects the importance of protecting security and public order and is exclusively targeted at risks that may arise from investments involving foreign entities. Therefore, Member States should ensure at least the screening of those foreign investments, which relate to projects or programmes of Union interest or where the Union target is active in areas, where a foreign investment may affect security or public order in more than one Member State. Member States should also be able to screen other foreign investments. When they do so, such screening should also comply with the provisions of this Regulation. Transactions with no foreign investor involvement or in which the level of involvement does not~~				

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	not lead to the direct or indirect control of the Union entity are not covered by this Regulation.	not lead to the direct or indirect control of the Union entity are not covered by this Regulation.	~~lead to the direct or indirect control of the Union entity are not covered by this Regulation.~~		
Recital 12					
23	(12) Screening foreign investments should be carried out in accordance with this Regulation, taking into account all factual information available and adhering to the principle of proportionality and other principles enshrined in the Treaties. Moreover, the screening of foreign investments which are carried out through subsidiaries of the foreign investor established in the Union should in all cases comply with the requirements stemming from Union law, and in particular with the Treaty provisions on freedom of establishment and free movement of capital, as interpreted in the case-law of the Court of Justice of the European Union, consistently with the objective of preserving an open and inclusive internal market. Any restrictions to the freedom of establishment	(12) Screening foreign investments should be carried out in accordance with this Regulation, taking into account all factual information available and adhering to the principle of proportionality and other principles enshrined in the Treaties. Moreover, the screening of foreign investments which are carried out through subsidiaries of the foreign investor established in the Union should in all cases comply with the requirements stemming from Union law, and in particular with the Treaty provisions on freedom of establishment and free movement of capital, as interpreted in the case-law of the Court of Justice of the European Union, consistently with the objective of preserving an ~~an~~ open a functioning, open, resilient and inclusive internal market. Any	(12) The screening of foreign investments should be carried out in accordance with this Regulation, ~~taking.~~ It should take into account all ~~factual~~ information available and ~~adhering~~ adhere to the principle of proportionality ~~and other principles enshrined in the Treaties.~~ It should respect the objective of preserving an open investment environment and the internal market. Moreover, the screening of foreign investments ~~which are carried out through subsidiaries of the foreign investor established in the Union should in all cases~~ comply with ~~the requirements stemming from Union law, and in particular with the Treaty provisions on freedom of establishment and free movement of capital, as interpreted in the case-law of the Court of Justice of the European~~	(12) The screening of foreign investments should be carried out in accordance with this Regulation, ~~taking.~~ It should take into account all ~~factual~~ information available and ~~adhering~~ adhere to the principle of proportionality ~~and other principles enshrined in the Treaties.~~ It should respect the objective of preserving an open investment environment and the internal market. Moreover, the screening of foreign investments ~~which are carried out through subsidiaries of the foreign investor established in the Union should in all cases~~ comply with ~~the requirements stemming from Union law, and in particular with the Treaty provisions on freedom of establishment and free movement of capital, as interpreted in the case-law of the Court of Justice of the European~~	(12) The screening of foreign investments should be carried out in accordance with this Regulation, ~~taking.~~ It should take into account all ~~factual~~ information available and ~~adhering~~ adhere to the principle of proportionality ~~and other principles enshrined in the Treaties.~~ It should respect the objective of preserving an open investment environment and the internal market. Moreover, the screening of foreign investments ~~which are carried out through subsidiaries of the foreign investor established in the Union should in all cases~~ comply with ~~the requirements stemming from Union law, and in particular with the Treaty provisions on freedom of establishment and free movement of capital, as interpreted in the case-law of the Court of Justice of the European~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	and free movement of capital in the Union, including the screening and measures arising from screening, such as mitigating measures and prohibitions should be based on a genuine and sufficiently serious threat to a fundamental interest of society, and should be appropriate and necessary as set out in the case law of the Court of Justice. At the same time, when assessing the justification and proportionality of a restriction, the specificities of investments within the Union operated through a subsidiary of a foreign investor may be taken into account when assessing any restrictions on freedom of establishment or to the free movement of capital, including where appropriate in any Commission opinion adopted pursuant to this Regulation. This should be done taking into account the integration of Member State schemes into a Union-wide cooperation mechanism.	restrictions to the freedom of establishment and free movement of capital in the Union, including the screening and measures arising from screening, such as mitigating measures and prohibitions should be based on a genuine and sufficiently serious threat to a fundamental interest of society, and should be appropriate and necessary as set out in the case law of the Court of Justice. At the same time, ~~when assessing the justification and proportionality of a restriction,~~ the specificities of investments within the Union operated through a subsidiary of a foreign investor ~~may~~ should be taken into account when assessing the justification and proportionality of any restrictions on freedom of establishment or to the free movement of capital, including where appropriate in any Commission opinion or decision adopted pursuant to this Regulation. This should be done taking into account the integration of Member State schemes into	~~Union, consistently with the objective of preserving an open and inclusive internal market~~ Articles 49 and 63 TFEU. Any restrictions ~~to~~ on the freedom of establishment ~~and/or the~~ free movement of capital ~~in the Union,~~ ~~including the screening and measures arising that could result from screening mechanisms or screening decisions,~~ such as ~~the imposition of~~ mitigating measures ~~and prohibitions~~ or the prohibition or unwinding of a foreign investment, should be ~~based on~~ justified by reasons of public policy or public security, including genuine and sufficiently serious ~~threats~~ to a fundamental interest of society, ~~and should be appropriate and necessary as set out in the case law.~~ This includes risks to the functioning of the Court of Justice. ~~At the same time,~~ ~~when assessing the justification and proportionality of a restriction,~~ the specificities of investments within the Union operated through a	~~Union, consistently with the objective of preserving an open and inclusive internal market~~ Articles 49 and 63 TFEU. Any restrictions ~~to~~ on the freedom of establishment ~~and/or the~~ free movement of capital ~~in the Union,~~ ~~including the screening and measures arising that could result from screening mechanisms or screening decisions,~~ such as ~~the imposition of~~ mitigating measures ~~and prohibitions~~ or the prohibition or unwinding of a foreign investment, should be ~~based on~~ justified by reasons of public policy or public security, including genuine and sufficiently serious ~~threats~~ to a fundamental interest of society, ~~and should be appropriate and necessary as set out in the case law.~~ This includes risks to the functioning of the Court of Justice. ~~At the same time,~~ ~~when assessing the justification and proportionality of a restriction,~~ the specificities of investments within the Union operated through a	~~Union, consistently with the objective of preserving an open and inclusive internal market~~ Articles 49 and 63 TFEU. Any restrictions ~~to~~ on the freedom of establishment ~~and/or the~~ free movement of capital ~~in the Union,~~ ~~including the screening and measures arising that could result from screening mechanisms or screening decisions,~~ such as ~~the imposition of~~ mitigating measures ~~and prohibitions~~ or the prohibition or unwinding of a foreign investment, should be ~~based on~~ justified by reasons of public policy or public security, including genuine and sufficiently serious ~~threats~~ to a fundamental interest of society, ~~and should be appropriate and necessary as set out in the case law.~~ This includes risks to the functioning of the Court of Justice. ~~At the same time,~~ ~~when assessing the justification and proportionality of a restriction,~~ the specificities of investments within the Union operated through a

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				a Union-wide cooperation mechanism.		<i>subsidiary of a foreign investor may be taken into account when assessing any restrictions on freedom of establishmentinstitutions and essential public services, to the supply of essential products or services or to the free movement of capital, including where appropriate in any Commission opinion adopted pursuant to this Regulation. This should be done taking into account the integration of Member State schemes into a Union wide cooperation mechanismsurvival of the population, risks of a serious disturbance to foreign relations or to peaceful coexistence of nations, or risks to military interests.</i>		<i>subsidiary of a foreign investor may be taken into account when assessing any restrictions on freedom of establishmentinstitutions and essential public services, to the supply of essential products or services or to the free movement of capital, including where appropriate in any Commission opinion adopted pursuant to this Regulation. This should be done taking into account the integration of Member State schemes into a Union wide cooperation mechanismsurvival of the population, risks of a serious disturbance to foreign relations or to peaceful coexistence of nations, or risks to military interests.</i> Text Origin: Council Mandate		<i>subsidiary of a foreign investor may be taken into account when assessing any restrictions on freedom of establishmentinstitutions and essential public services, to the supply of essential products or services or to the free movement of capital, including where appropriate in any Commission opinion adopted pursuant to this Regulation. This should be done taking into account the integration of Member State schemes into a Union wide cooperation mechanismsurvival of the population, risks of a serious disturbance to foreign relations or to peaceful coexistence of nations, or risks to military interests.</i>
Recital 13										
24		(13) To enable the cooperation mechanism laid down in this Regulation to function efficiently and effectively, it is necessary to define a minimum common scope for foreign		(13) To enable the cooperation mechanism laid down in this Regulation to function efficiently and effectively, it is necessary to define a minimum common scope for foreign		(13) To enable the Union cooperation mechanism ~~laid down in~~ established by this Regulation to function efficiently and effectively, it is necessary to define a minimum common scope		(13) To enable the Union cooperation mechanism ~~laid down in~~ established by this Regulation to function efficiently and effectively, it is necessary to define a minimum common scope		(13) To enable the Union cooperation mechanism ~~laid down in~~ established by this Regulation to function efficiently and effectively, it is necessary to define a minimum common scope

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		investments that all Member States should notify to the cooperation mechanism. Member States should remain free to notify foreign investments outside the scope of this Regulation.		investments that all Member States should notify to the cooperation mechanism. Member States should remain free to notify foreign investments outside the scope of this Regulation.		~~for~~ of foreign investments that all Member States should ~~notify to the cooperation mechanisms~~ screen. Member States should remain free to notify foreign investments outside the scope of this Regulation.		~~for~~ of foreign investments that all Member States should ~~notify to the cooperation mechanisms~~ screen. Member States should remain free to notify foreign investments outside the scope of this Regulation. Text Origin: Council Mandate		~~for~~ of foreign investments that all Member States should ~~notify to the cooperation mechanisms~~ screen. Member States should remain free to notify foreign investments outside the scope of this Regulation.
Recital 14										
25		(14) It is also necessary to make the Member State where the foreign investment is planned or completed more accountable to the Commission and to those Member States that express duly justified concerns for their public order or security or the Union's.		(14) It is also necessary to make the host Member State ~~where the foreign investment is planned or completed~~ more accountable to the Commission and to those Member States that express duly justified concerns for their public order or security or the Union's.		(14) ~~It is also necessary to make the Member State where the foreign investment is planned or completed more accountable to the Commission and to those Member States that express duly justified concerns for their public order or security or the Union's.~~		(14) It is also necessary to make the host Member State ~~where the foreign investment is planned or completed~~ more accountable to the Commission and to those Member States that express duly justified concerns for their security or public order or security or the Union's.		(14) It is also necessary to make the host Member State ~~where the foreign investment is planned or completed~~ more accountable to the Commission and to those Member States that express duly justified concerns for their security or public order or security or the Union's. Text Origin: EP Mandate
Recital 15										
26		(15) The common framework set out in this Regulation should be without prejudice to the sole responsibility of Member States to safeguard their national security as provided for in Article 4(2) TEU. It should also be without		(15) The common framework set out in this Regulation should be without prejudice to the sole responsibility of each Member States to safeguard ~~their~~ its national security as provided for in Article 4(2) TEU. It should also be		(15) The common framework set out in this Regulation should be without prejudice to the sole responsibility of Member States to safeguard their national security as provided for in Article 4(2) TEU. It should also be without		(15) The common framework set out in this Regulation should be without prejudice to the sole responsibility of each Member States to safeguard ~~their~~ its national security as provided for in Article 4(2) TEU. It should also be		(15) The common framework set out in this Regulation should be without prejudice to the sole responsibility of each Member States to safeguard ~~their~~ its national security as provided for in Article 4(2) TEU. It should also be

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	prejudice to the protection of their essential security interests in accordance with Article 346 TFEU.	without prejudice to the protection of ~~their~~ Member States ' essential security interests in accordance with Article 346 TFEU.	prejudice to the protection of their essential security interests ~~in accordance with~~ pursuant to Article 346 TFEU.	without prejudice to the protection of ~~their~~ Member States ' essential security interests ~~in accordance with~~ pursuant to Article 346 TFEU. Text Origin: EP Mandate	without prejudice to the protection of ~~their~~ Member States ' essential security interests ~~in accordance with~~ pursuant to Article 346 TFEU.
Recital 16					
27	(16) Foreign investments that create or maintain lasting and direct links between investors from third countries (including state bodies) and Union targets carrying out an economic activity in a Member State should fall within the scope of this Regulation. This should apply where those investments are directly carried out from third countries or by a Union entity with foreign control. However, the framework should not cover the acquisition of company securities intended purely for financial investment without any intention to influence the management and control of the undertaking (portfolio investments). Restructuring operations within a group of companies or a merger of more than one legal entities	(16) Foreign investments that create or maintain lasting and direct links between investors from third countries (including state bodies) and Union targets carrying out an economic activity in a Member State should fall within the scope of this Regulation. This should apply where those investments are directly carried out from third countries or by a Union entity with foreign control. However, the framework should not cover the acquisition of company securities intended purely for financial investment without any intention to influence the management and control of the undertaking (portfolio investments). Restructuring operations within a group of companies or a merger of more than one legal entities	(16) <i>This Regulation should cover</i> foreign investments that create or maintain lasting and direct links between <i>third-country</i> investors ~~from third countries~~ (including State bodies) and Union targets carrying out an economic activity in a Member State ~~should fall within the scope of~~ . This Regulation ~~should apply where those~~ investments are ~~directly~~ carried out <i>directly from a third-country investor</i> ~~from third countries~~ or by a Union entity ~~with foreign control~~ <i>controlled by such an investor</i> . However, ~~the framework~~ it should not cover the acquisition of company securities intended purely for financial investment without any intention to influence the management ~~and/or~~ control	(16) <i>This Regulation should cover</i> foreign investments that create or maintain lasting and direct links between <i>third-country</i> investors ~~from third countries~~ (including State bodies) and Union targets carrying out an economic activity in a Member State ~~should fall within the scope of~~ . This Regulation ~~should apply where those~~ investments are ~~directly~~ carried out <i>directly from a third-country investor</i> ~~from third countries~~ or by a Union entity ~~with foreign control~~ <i>controlled by such an investor (intra-Union investment)</i> . However, ~~the framework~~ it should not cover the acquisition of company securities intended purely for financial investment without any intention to influence the	(16) <i>This Regulation should cover</i> foreign investments that create or maintain lasting and direct links between <i>third-country</i> investors ~~from third countries~~ (including State bodies) and Union targets carrying out an economic activity in a Member State ~~should fall within the scope of~~ . This Regulation ~~should apply where those~~ investments are ~~directly~~ carried out <i>directly from a third-country investor</i> ~~from third countries~~ or by a Union entity ~~with foreign control~~ <i>controlled by such an investor (intra-Union investment)</i> . However, ~~the framework~~ it should not cover the acquisition of company securities intended purely for financial investment without any intention to influence the

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		into a single legal entity do not constitute a foreign investment, provided that there is no increase in the shares held by foreign investors, or the transaction does not result in additional rights that may lead to a change in the effective participation of one or more foreign investors in the management or control of a Union target.		into a single legal entity do not constitute a foreign investment, provided that there is no increase in the shares held by foreign investors, or the transaction does not result in additional rights that may lead to a change in the effective participation of one or more foreign investors in the management or control of a Union target.		of the ~~undertaking (company~~ ('portfolio investments'). ~~Restructuring operations within a group of companies or a merger of more than one legal entities into a single legal entity do not constitute a foreign investment, provided that there is no increase in the shares held by foreign investors, or the transaction does not result in additional rights that may lead to a change in the effective participation of one or more foreign investors in the management or control of a Union target.~~		management ~~and/or~~ control of the ~~undertaking (company~~ ('portfolio investments'). ~~Restructuring operations within a group of companies or a merger of more than one legal entities into a single legal entity do not constitute a foreign investment, provided that there is no increase in the shares held by foreign investors, or the transaction does not result in additional rights that may lead to a change in the effective participation of one or more foreign investors in the management or control of a Union target.~~ Text Origin: Council Mandate		management ~~and/or~~ control of the ~~undertaking (company~~ ('portfolio investments'). ~~Restructuring operations within a group of companies or a merger of more than one legal entities into a single legal entity do not constitute a foreign investment, provided that there is no increase in the shares held by foreign investors, or the transaction does not result in additional rights that may lead to a change in the effective participation of one or more foreign investors in the management or control of a Union target.~~
Recital 16a										
27a						(16a) Lasting and direct links between the third-country investor and a Union target are created where the foreign investor acquires effective participation in the management or control of the Union target. This is certainly the case where the foreign investor acquires decisive influence over the		(16a) Lasting and direct links between the third-country investor and a Union target are created where the foreign investor acquires effective participation in the management or control of the Union target. This is certainly the case where the foreign investor acquires decisive influence over the		(16a) Lasting and direct links between the third-country investor and a Union target are created where the foreign investor acquires effective participation in the management or control of the Union target. This is certainly the case where the foreign investor acquires decisive influence over the

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>Union target, meaning the capacity to solely or jointly determine the commercial policy of the target either de facto or de jure. However, effective participation in the management or control might also exist where the foreign investor, without having decisive influence over the Union target, can nonetheless materially impact its commercial policy, behaviour or decisions, for example through shareholding, voting rights, contracts, including leverage resulting from supplier relationships, and significant board representation.</i>		<i>Union target, meaning the capacity to solely or jointly determine the commercial policy of the target either de facto or de jure. However, effective participation in the management or control might also exist where the foreign investor, without having decisive influence over the Union target, can nonetheless materially impact its commercial policy, behaviour or decisions, for example through shareholding, voting rights, contracts, including leverage resulting from supplier relationships, and significant board representation.</i> Text Origin: Council Mandate		<i>Union target, meaning the capacity to solely or jointly determine the commercial policy of the target either de facto or de jure. However, effective participation in the management or control might also exist where the foreign investor, without having decisive influence over the Union target, can nonetheless materially impact its commercial policy, behaviour or decisions, for example through shareholding, voting rights, contracts, including leverage resulting from supplier relationships, and significant board representation.</i>
Recital 16b										
27b						<i>(16b) Restructuring operations within a corporate group and investments made in financial institutions in application of a resolution tool as well as of write down and conversion powers should fall outside of the scope of this Regulation. Internal</i>		<i>(16b) Restructuring operations within a corporate group should fall outside of the scope of this Regulation. Such operations should only be excluded from the scope of application to the extent that they are conducted solely for the purpose of the internal reorganisation, for</i>		<i>(16b) Restructuring operations within a corporate group should fall outside of the scope of this Regulation. Such operations should only be excluded from the scope of application to the extent that they are conducted solely for the purpose of the internal reorganisation, for</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
						<i>restructurings should only be excluded from the scope of application to the extent that they are conducted solely for the purpose of the internal reorganisation of a Union target or of the corporate group to which the Union target belongs, without resulting in any changes in the beneficial ownership of the Union target. In particular, internal restructurings should be excluded where they do not result in a situation where a new foreign investor acquires ownership or control over the Union target or over a company that directly or indirectly owns or controls that Union target, where there is an increase in the shares held by foreign investors, or where the transaction results in additional rights for foreign investors that may lead to a change in the effective participation of one or more foreign investors in the management or control of the Union target.</i>		<i>example through merger or division, of a Union target or of the corporate group to which the Union target belongs, without resulting in any changes in the beneficial ownership of the Union target. In particular, internal restructurings should be excluded from the scope of application where: they do not result in the acquisition of ownership or control by a new foreign investor over the Union target or over a company that directly or indirectly owns or controls that Union target; they do not lead to an increase in the shares held by foreign investors; and they do not confer additional rights on foreign investors that may lead to a change in the effective participation of one or more foreign investors in the management or control of the Union target. However, internal restructurings which entail the introduction of a new legal entity established in a third country that is not already present in the upstream ownership chain</i>		<i>example through merger or division, of a Union target or of the corporate group to which the Union target belongs, without resulting in any changes in the beneficial ownership of the Union target. In particular, internal restructurings should be excluded from the scope of application where: they do not result in the acquisition of ownership or control by a new foreign investor over the Union target or over a company that directly or indirectly owns or controls that Union target; they do not lead to an increase in the shares held by foreign investors; and they do not confer additional rights on foreign investors that may lead to a change in the effective participation of one or more foreign investors in the management or control of the Union target. However, internal restructurings which entail the introduction of a new legal entity established in a third country that is not already present in the upstream ownership chain</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>of the Union target, may create security risks and should thus be included in the scope of this Regulation. For instance, such an entity could be subject to the legislation of a third country that imposes obligations on natural or legal persons to share information for intelligence purposes without due process or oversight mechanisms.</i>		<i>of the Union target, may create security risks and should thus be included in the scope of this Regulation. For instance, such an entity could be subject to the legislation of a third country that imposes obligations on natural or legal persons to share information for intelligence purposes without due process or oversight mechanisms.</i>
Recital 16c										
G	27c							<i>(16c) Acquisitions through resolution tools under the respective resolution frameworks (for banks, central counterparties or insurance or reinsurance undertakings) should be excluded from the scope of this Regulation. In such circumstances, time is of the essence and decisions are often made overnight. The screening procedures provided for in this Regulation could hinder the ability to provide a timely response. In order to avoid financial stability risks, resolution</i>		<i>(16c) Acquisitions through resolution tools under the respective resolution frameworks (for banks, central counterparties or insurance or reinsurance undertakings) should be excluded from the scope of this Regulation. In such circumstances, time is of the essence and decisions are often made overnight. The screening procedures provided for in this Regulation could hinder the ability to provide a timely response. In order to avoid financial stability risks, resolution</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>transactions should therefore be excluded. Resolution authorities should take into account, to the extent possible, this Regulation when performing resolution actions with the involvement of a foreign investor, in particular when strategic assets are involved.</i>		<i>transactions should therefore be excluded. Resolution authorities should take into account, to the extent possible, this Regulation when performing resolution actions with the involvement of a foreign investor, in particular when strategic assets are involved.</i>
Recital 16d										
27d								<i>(16d) To ensure a proper assessment of whether a foreign investment is likely to negatively affect security or public order, it is important that the term ‘beneficial owner’ captures the true holders of influence, whether directly or indirectly, over a foreign investor or Union target. In the case of trusts, the legal ownership lies with the trust as such, but the economic benefit is for the natural person or persons on whose behalf the trust operates. For this reason, the definition of ‘beneficial owner’ should also capture those who ultimately benefit from the foreign investment, notably</i>		<i>(16d) To ensure a proper assessment of whether a foreign investment is likely to negatively affect security or public order, it is important that the term ‘beneficial owner’ captures the true holders of influence, whether directly or indirectly, over a foreign investor or Union target. In the case of trusts, the legal ownership lies with the trust as such, but the economic benefit is for the natural person or persons on whose behalf the trust operates. For this reason, the definition of ‘beneficial owner’ should also capture those who ultimately benefit from the foreign investment, notably</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
								<i>beneficiaries of a trust. However, it is necessary to take into account the fact that foreign investors can sometimes be a front for the person actually behind the foreign investment. Similarly, foreign investors can sometimes be coerced by other actors who are ultimately able to exert influence over the foreign investment. Thus, the definition of ‘beneficial owner’ should also include natural persons on whose behalf the foreign investment is made or on whose behalf the control over that foreign investment is exercised. In general, a single natural person is the beneficial owner of a foreign investment. However, it cannot be excluded that there could be more than one person, such as in the case of spouses or other family members. Likewise, it is necessary to take into account situations where it is not possible to identify the natural person, including in the case of publicly traded companies. In such situations, the legal</i>		<i>beneficiaries of a trust. However, it is necessary to take into account the fact that foreign investors can sometimes be a front for the person actually behind the foreign investment. Similarly, foreign investors can sometimes be coerced by other actors who are ultimately able to exert influence over the foreign investment. Thus, the definition of ‘beneficial owner’ should also include natural persons on whose behalf the foreign investment is made or on whose behalf the control over that foreign investment is exercised. In general, a single natural person is the beneficial owner of a foreign investment. However, it cannot be excluded that there could be more than one person, such as in the case of spouses or other family members. Likewise, it is necessary to take into account situations where it is not possible to identify the natural person, including in the case of publicly traded companies. In such situations, the legal</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
								<i>person, entity or trust at the highest identifiable level in the upstream ownership or control chain of the foreign investor or Union target should be considered as the beneficial owner.</i>		<i>person, entity or trust at the highest identifiable level in the upstream ownership or control chain of the foreign investor or Union target should be considered as the beneficial owner.</i>
Recital 17										
28		(17) Greenfield foreign investments occur where the foreign investor or a foreign investor's subsidiary in the Union sets up new facilities or a new undertaking in the Union. Greenfield foreign investments should fall within the scope of this Regulation to the extent they are considered relevant by a Member State for the purpose of the screening of foreign investments because they create lasting and direct links between a foreign investor and such facilities or such undertakings. In addition, by setting up new facilities, a foreign investor can impact on security and public order, including when that risk concerns essential economic inputs. Member States are therefore encouraged to include greenfield foreign		(17) Greenfield foreign investments occur where the foreign investor or a foreign investor's subsidiary in the Union sets up new facilities or a new undertaking in the Union. ~~Greenfield foreign investments should fall within the scope of this Regulation to the extent they are considered relevant by a Member State for the purpose of the screening of foreign investments because they create lasting and direct links between a foreign investor and such facilities or such undertakings.~~ performance of a new economic activity. In addition, By setting up new facilities, a foreign investor can impact on security and public order, including when that risk concerns essential economic inputs. Member States ~~are~~ should therefore		(17) Greenfield foreign investments occur where the foreign investor or a foreign investor's subsidiary in the Union sets up new facilities or a new undertaking for the generation of an economic activity in the Union. Greenfield foreign investments should fall within the scope of this Regulation ~~to the extent they are considered relevant by a Member State for the purpose of the~~ . However, they should not fall within the minimum scope of screening of foreign investments because they create lasting and direct links between a foreign investor and such facilities or such undertakings. In addition mechanisms. Thus, by setting up new facilities, a foreign investor can impact on security and public order,		(17) Greenfield foreign investments occur where the foreign investor or a foreign investor's subsidiary in the Union sets up new facilities or a new undertaking for the generation of an economic activity in the Union. Greenfield foreign investments should fall within the scope of this Regulation ~~to the extent they are considered relevant by a Member State for the purpose of the screening of foreign~~ . However, this Regulation should not impose a prior authorisation requirement in respect of those investments because they create lasting and direct links between a foreign investor and such facilities or such undertakings. In addition. Thus, by setting up new facilities, a foreign		(17) Greenfield foreign investments occur where the foreign investor or a foreign investor's subsidiary in the Union sets up new facilities or a new undertaking for the generation of an economic activity in the Union. Greenfield foreign investments should fall within the scope of this Regulation ~~to the extent they are considered relevant by a Member State for the purpose of the screening of foreign~~ . However, this Regulation should not impose a prior authorisation requirement in respect of those investments because they create lasting and direct links between a foreign investor and such facilities or such undertakings. In addition. Thus, by setting up new facilities, a foreign

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		investments in the scope of transactions covered by their screening mechanisms, in particular when such investments occur in sectors relevant to their security or public order or when they present characteristics such as size or essential nature to be relevant to their security or public order.		~~encouraged to include greenfield foreign investments in the scope of transactions covered by their screening mechanisms, in particular when such investments occur in sectors relevant to their security or public order or when they present characteristics such as size or essential nature to be relevant to their security or public order.~~		~~including when that risk concerns essential economic inputs. Member States are therefore encouraged~~ should remain free to decide whether to include ~~greenfield foreign~~ such investments ~~in the scope of transactions covered by their screening mechanisms, in particular when such investments occur in sectors relevant to their security or public order or when they present characteristics such as size or essential nature to be relevant to their security or public order.~~		~~investor can impact on security and public order, including when that risk concerns essential economic inputs. Member States are therefore encouraged~~ should remain free to decide whether to include ~~greenfield foreign~~ such investments in the scope of transactions covered by their screening mechanisms, in particular when such investments occur in sectors relevant to their security or public order or when they present characteristics such as size or essential nature to be relevant to their security or public order.		~~investor can impact on security and public order, including when that risk concerns essential economic inputs. Member States are therefore encouraged~~ should remain free to decide whether to include ~~greenfield foreign~~ such investments in the scope of transactions covered by their screening mechanisms, in particular when such investments occur in sectors relevant to their security or public order or when they present characteristics such as size or essential nature to be relevant to their security or public order.
	Recital 18									
29		(18) To ensure consistent and predictable screening processes, it is appropriate to lay down the essential features of the screening mechanisms to be implemented by Member States. Those features should at least include the scope of the transactions to be subject to an authorisation requirement, deadlines for		(18) To ensure consistent and predictable screening processes, it is appropriate to lay down the essential features of the screening mechanisms to be implemented by Member States. Those features should at least include the scope of the transactions to be subject to an authorisation requirement, deadlines for		(18) In order to ensure consistent and predictable screening processes, it is appropriate to lay down the essential features of the screening mechanisms to be implemented by Member States. Those features should at least include the minimum scope of the transactions to be subject to an authorisation		(18) In order to ensure consistent and predictable screening processes, it is appropriate to lay down the essential features of the screening mechanisms to be implemented by Member States. Those features should at least include the minimum scope of the transactions to be subject to ~~an~~ prior authorisation		(18) In order to ensure consistent and predictable screening processes, it is appropriate to lay down the essential features of the screening mechanisms to be implemented by Member States. Those features should at least include the minimum scope of the transactions to be subject to ~~an~~ prior authorisation

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		the screening and the possibility for undertakings concerned by the screening decision to seek recourse against such decisions. Rules and procedures relating to screening mechanisms should be transparent and should not discriminate between third countries.		the screening ~~and~~ , the possibility for undertakings concerned by the screening decision to seek recourse against such decisions and the ability of screening authorities to effectively address cases of non-compliance or circumvention . Rules and procedures relating to screening mechanisms should be transparent and should not discriminate between third countries. The procedure for the filing of a request for authorisation should ensure that compliance requirements are kept to a minimum.		requirement, the division of the screening procedure in an initial review and an in-depth review , deadlines for the screening, a public annual report , and the possibility for ~~undertakings concerned by parties subject~~ to the screening decision to seek judicial recourse against such decisions. Rules and procedures relating to screening mechanisms should be transparent and should not discriminate between third countries.		requirement, the division of the screening procedure in an initial review and an in-depth review , deadlines for the screening, a public annual report , ~~and~~ the possibility for ~~undertakings concerned by parties subject~~ to the screening decision to seek judicial recourse against such decisions, and the ability of screening authorities to effectively address cases of non-compliance or circumvention . Rules and procedures relating to screening mechanisms should be transparent and should not discriminate between third countries. Text Origin: Council Mandate		requirement, the division of the screening procedure in an initial review and an in-depth review , deadlines for the screening, a public annual report , ~~and~~ the possibility for ~~undertakings concerned by parties subject~~ to the screening decision to seek judicial recourse against such decisions, and the ability of screening authorities to effectively address cases of non-compliance or circumvention . Rules and procedures relating to screening mechanisms should be transparent and should not discriminate between third countries.
Recital 18a										
29a								(18a) To enhance transparency and predictability in screening procedures, screening authorities should, where applicable and without undue delay, inform the person who made the filing of the completeness of that filing. This does not preclude the screening		(18a) To enhance transparency and predictability in screening procedures, screening authorities should, where applicable and without undue delay, inform the person who made the filing of the completeness of that filing. This does not preclude the screening

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
								<i>authority from requesting further information or posing additional questions after confirming the completeness of the filing. Furthermore, this is without prejudice to the possibility for screening authorities to inform the person who made the filing of other important procedural milestones.</i>		<i>authority from requesting further information or posing additional questions after confirming the completeness of the filing. Furthermore, this is without prejudice to the possibility for screening authorities to inform the person who made the filing of other important procedural milestones.</i>
Recital 19										
30		(19) The cooperation mechanism laid down in Regulation (EU) 2019/452 enables Member States to cooperate and help each other where a foreign direct investment in one Member State could affect the security or public order of other Member States or of projects or programmes of Union interest. This mechanism has proven very useful so far, hence it should be maintained and strengthened under this Regulation.		(19) The cooperation mechanism laid down in Regulation (EU) 2019/452 enables Member States to cooperate and help each other where a foreign direct investment in one Member State could affect the security or public order of other Member States or of <i>the Union, or of</i> projects or programmes of Union interest. This mechanism has proven very useful so far, hence it should be maintained ~~and~~ , strengthened <i>and expanded</i> under this Regulation <i>to ensure a more unified approach to foreign investments across the Union.</i>		(19) The cooperation mechanism laid down in Regulation (EU) 2019/452 enables Member States to cooperate and help each other where a foreign direct investment in one Member State could affect the security or public order of other Member States or of projects or programmes of Union interest. This mechanism has proven very useful so far, hence it should be maintained and strengthened ~~underby~~ this Regulation.		(19) The cooperation mechanism laid down in Regulation (EU) 2019/452 enables Member States to cooperate and help each other where a foreign direct investment in one Member State could affect the security or public order of other Member States or of projects or programmes of Union interest. This mechanism has proven very useful so far, hence it should be maintained and strengthened ~~underby~~ this Regulation <i>to ensure a more aligned approach to foreign investments across the Union.</i> Text Origin: Council Mandate		(19) The cooperation mechanism laid down in Regulation (EU) 2019/452 enables Member States to cooperate and help each other where a foreign direct investment in one Member State could affect the security or public order of other Member States or of projects or programmes of Union interest. This mechanism has proven very useful so far, hence it should be maintained and strengthened ~~underby~~ this Regulation <i>to ensure a more aligned approach to foreign investments across the Union.</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
Recital 20										
31		(20) To ensure that foreign investments likely to negatively affect security or public order in the Union are adequately identified, Member States should screen foreign investments where the Union target is part of or participates in a project or programme of Union interest or where the Union target's economic activity relates to a technology, asset, facility, equipment, network, system or service of particular importance for the security or public order interests of the Union. In addition to these criteria, screening mechanisms may apply to other sectors, Union targets or economic activities that the relevant Member State considers critical for its security or public order.		(20) To ensure that foreign investments likely to negatively affect security or public order in the Union are adequately identified, Member States should screen foreign investments where the Union target is part of or participates in a project or programme of Union interest or where the Union target's economic activity relates to a technology, materials, asset, facility, equipment, network, system or service of particular importance for the security or public order interests of the Union. Member States should also screen greenfield foreign investments in such sensitive programmes or sectors when a specific risk arises from the characteristics of the investor and the size of the transaction. In addition to these criteria, screening mechanisms may apply to other sectors, Union targets or economic activities that the relevant Member State considers critical for its security or public order.		(20) To <del>ensure that</del>~~adequately detect~~ foreign investments ~~that would likely to~~ negatively affect security or public order ~~in the Union are adequately identified~~, Member States should screen foreign investments where the Union target ~~is part of or participates in a project or programme of Union interest or where the Union target's economic activity relates to a technology, asset, facility,~~develops, produces, commercialises dual-use items subject to export controls as listed in Annex I to Regulation (EU) 2021/821 of the European Parliament and of the Council', and equipment, ~~network, system or service of particular importance for the security or public order interests of the Union. In addition to these criteria, screening mechanisms may apply to other sectors, Union targets or economic activities that the relevant Member State considers~~ covered by Council		(20) To ensure a consistent and effective level of protection of security and public order throughout the Union, it is necessary to provide for minimum harmonisation of the scope of screening mechanisms. Member States should be required to screen foreign investments where the Union target is active in sectors or activities that are of particular relevance for security, defence, the integrity of democratic processes, the resilience of essential services or the safeguarding of vital societal functions. Establishing such a common minimum scope of application of screening mechanisms is necessary to ensure that foreign investments likely to negatively affect security or public order ~~in the Union are adequately~~are identified, irrespective of the Member States ~~should screen foreign investments where the Union target is part of or participates in a project or programme of Union interest~~		(20) To ensure a consistent and effective level of protection of security and public order throughout the Union, it is necessary to provide for minimum harmonisation of the scope of screening mechanisms. Member States should be required to screen foreign investments where the Union target is active in sectors or activities that are of particular relevance for security, defence, the integrity of democratic processes, the resilience of essential services or the safeguarding of vital societal functions. Establishing such a common minimum scope of application of screening mechanisms is necessary to ensure that foreign investments likely to negatively affect security or public order ~~in the Union are adequately~~are identified, irrespective of the Member States ~~should screen foreign investments where the Union target is part of or participates in a project or programme of Union interest~~

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
						Common Position 2008/944/CFSP² (the ‘EU Common Military List’). The list of dual-use items and the EU Common Military List comprise products that are critical for maintaining, developing and enhancing military capabilities and often incorporating critical technologies, such as semiconductors. As such, those products and the know-how and technology related to them are vital for maintaining security. At the same time, the disruption, failure, loss or destruction of these items can seriously undermine security or public order. In view of the importance of these products and technologies for security or public order, it is necessary to ensure that their development, production and commercialisation is subject to effective controls. To this end, it was decided at Union level to control the export of the listed dual-use and EU Common Military List items, including related technologies, in order to		~~or where the Union target’s economic activity relates to a technology, asset, facility, equipment, network, system or service of particular importance for the security or public order interests of the Union. In addition to these criteria, screening mechanisms may apply to other sectors, in which the Union targets or economic activities that the relevant are located, thereby strengthening the effectiveness of the Union cooperation mechanism while preserving Member State considers critical for its States’ sole responsibility for national security or public order.~~		~~or where the Union target’s economic activity relates to a technology, asset, facility, equipment, network, system or service of particular importance for the security or public order interests of the Union. In addition to these criteria, screening mechanisms may apply to other sectors, in which the Union targets or economic activities that the relevant are located, thereby strengthening the effectiveness of the Union cooperation mechanism while preserving Member State considers critical for its States’ sole responsibility for national security or public order.~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>prevent their misuse. Furthermore, covering those sectors under foreign investments screening ensures coherence with export controls. It prevents foreign investors from acquiring means to develop or produce items otherwise subject to export authorisation and their access to controlled technology. In order to have an effective cooperation mechanism to protect security and public order, it is necessary that all Member States screen foreign investments identified in the critical sectors ex ante, that is before the investor completes the relevant foreign investment. This is because certain risks linked to these investments cannot be remedied ex post. For example, this is the case if a foreign investor acquires access to critical information and know-how linked to the development and production of dual-use or military items.</i> <i>1. Regulation (EU) 2021/821 of</i>				

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>the European Parliament and of the Council of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items (OJ L 206, 11.6.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/821/oj).</i> <i>2. Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment (OJ L 335, 13.12.2008, p. 99, ELI: http://data.europa.eu/eli/compos/2008/944/oj).</i>				
Recital 20a										
31a								<i>(20a) The common minimum scope should include foreign investments in Union targets that develop, produce or commercialise dual-use items listed in Annex I to Regulation (EU) 2021/821 of the European Parliament and of the Council¹ or military goods and technologies listed in the Annex to Directive 2009/43/EC², given the inherent risks linked to the transfer of control over defence-related capabilities, technologies and know-how, which are vital for</i>		<i>(20a) The common minimum scope should include foreign investments in Union targets that develop, produce or commercialise dual-use items listed in Annex I to Regulation (EU) 2021/821 of the European Parliament and of the Council¹ or military goods and technologies listed in the Annex to Directive 2009/43/EC², given the inherent risks linked to the transfer of control over defence-related capabilities, technologies and know-how, which are vital for</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>maintaining security. The common minimum scope should also cover foreign investments in Union targets that produce, conduct research in or develop semiconductors, quantum technologies or certain artificial intelligence technologies, in view of their strategic importance and their enabling role across a wide range of applications critical for security. Furthermore, Member States should screen foreign investments in Union targets exercising certain activities related to strategic raw materials listed in Section I of Annex I to Regulation (EU) 2024/1252 of the European Parliament and of the Council³, such as exploration, extraction, processing, recycling, recovery or stockpiling. Foreign control over such activities can create risks of supply disruption, strategic dependency or undue leverage. In addition, foreign investments in certain financial market infrastructure and</i>		<i>maintaining security. The common minimum scope should also cover foreign investments in Union targets that produce, conduct research in or develop semiconductors, quantum technologies or certain artificial intelligence technologies, in view of their strategic importance and their enabling role across a wide range of applications critical for security. Furthermore, Member States should screen foreign investments in Union targets exercising certain activities related to strategic raw materials listed in Section I of Annex I to Regulation (EU) 2024/1252 of the European Parliament and of the Council³, such as exploration, extraction, processing, recycling, recovery or stockpiling. Foreign control over such activities can create risks of supply disruption, strategic dependency or undue leverage. In addition, foreign investments in certain financial market infrastructure and</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>systemically important financial entities — including central counterparties, central securities depositories, operators of regulated markets, operators of payment systems other than central banks, other systemically important institutions and global providers of specialised financial messaging services — should also be screened, given the central role of that infrastructure and those entities in the stability, integrity and resilience of the Union financial system. Moreover, Member States should screen foreign investments in Union targets that own, develop or operate voter registration databases, voting systems or other information systems specifically designed to manage electoral processes, as foreign influence over such systems may pose serious risks to public order, notably as regards the integrity of the democratic process.</i>		<i>systemically important financial entities — including central counterparties, central securities depositories, operators of regulated markets, operators of payment systems other than central banks, other systemically important institutions and global providers of specialised financial messaging services — should also be screened, given the central role of that infrastructure and those entities in the stability, integrity and resilience of the Union financial system. Moreover, Member States should screen foreign investments in Union targets that own, develop or operate voter registration databases, voting systems or other information systems specifically designed to manage electoral processes, as foreign influence over such systems may pose serious risks to public order, notably as regards the integrity of the democratic process.</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
								<i>1. Regulation (EU) 2021/821 of the European Parliament and of the Council of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items (OJ L 206, 11.6.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/821/oj).</i> <i>2. Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community (OJ L 146, 10.6.2009, p. 1, ELI: http://data.europa.eu/eli/dir/2009/43/oj).</i> <i>3. Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020 (OJ L, 2024/1252, 3.5.2024, ELI: http://data.europa.eu/eli/reg/2024/1252/oj).</i>		<i>1. Regulation (EU) 2021/821 of the European Parliament and of the Council of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items (OJ L 206, 11.6.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/821/oj).</i> <i>2. Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community (OJ L 146, 10.6.2009, p. 1, ELI: http://data.europa.eu/eli/dir/2009/43/oj).</i> <i>3. Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020 (OJ L, 2024/1252, 3.5.2024, ELI: http://data.europa.eu/eli/reg/2024/1252/oj).</i>
	Recital 20b									
G	31b							<i>(20b) The common minimum scope should also include foreign investments in Union targets that are active in the transport, energy or digital infrastructure sectors but</i>		<i>(20b) The common minimum scope should also include foreign investments in Union targets that are active in the transport, energy or digital infrastructure sectors but</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>only to the extent they are considered critical following a risk-based, targeted assessment carried out by the Member State where they are established. That assessment should take into account national security interests and vital societal functions, in light of the essential services provided by the Union target concerned. Member States should retain discretion to designate the entities concerned within those sectors and should, as appropriate, take into account assessments carried out pursuant to Directive (EU) 2022/2557 of the European Parliament and of the Council¹. In order to ensure predictability for foreign investors, entities should be able to ascertain, if necessary after having contacted the competent screening authority, whether they are considered as critical for the purposes of this Regulation. Moreover, the Member States should regularly reassess which Union targets should be considered</i>		<i>only to the extent they are considered critical following a risk-based, targeted assessment carried out by the Member State where they are established. That assessment should take into account national security interests and vital societal functions, in light of the essential services provided by the Union target concerned. Member States should retain discretion to designate the entities concerned within those sectors and should, as appropriate, take into account assessments carried out pursuant to Directive (EU) 2022/2557 of the European Parliament and of the Council¹. In order to ensure predictability for foreign investors, entities should be able to ascertain, if necessary after having contacted the competent screening authority, whether they are considered as critical for the purposes of this Regulation. Moreover, the Member States should regularly reassess which Union targets should be considered</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>as critical for the purposes of this Regulation.</i> <i>Examples of entities to be assessed include: (a) in the energy sector: energy storage facility within the meaning of Directive (EU) 2019/944 of the European Parliament and of the Council², gas transmission system operators within the meaning of Directive (EU) 2024/1788 of the European Parliament and of the Council³; (b) in the transport sector: airports within the meaning of Directive 2009/12/EC of the European Parliament and of the Council⁴, including the core airports listed in Regulation (EU) 2024/1679 of the European Parliament and of the Council⁵ and entities operating ancillary installations contained within the airports, when these installations are essential for the security and continuity of operations of such airports, managing bodies within the meaning of Regulation (EU) 2017/352 of the European Parliament and of the Council⁶ of core ports or</i>		<i>as critical for the purposes of this Regulation.</i> <i>Examples of entities to be assessed include: (a) in the energy sector: energy storage facility within the meaning of Directive (EU) 2019/944 of the European Parliament and of the Council², gas transmission system operators within the meaning of Directive (EU) 2024/1788 of the European Parliament and of the Council³; (b) in the transport sector: airports within the meaning of Directive 2009/12/EC of the European Parliament and of the Council⁴, including the core airports listed in Regulation (EU) 2024/1679 of the European Parliament and of the Council⁵ and entities operating ancillary installations contained within the airports, when these installations are essential for the security and continuity of operations of such airports, managing bodies within the meaning of Regulation (EU) 2017/352 of the European Parliament and of the Council⁶ of core ports or</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>providers of port services within the meaning of that Regulation and other entities within the core ports, when these are essential for the security and continuity of operations of such core ports; and (c) in the digital infrastructure sector: providers of cloud computing services, providers of public electronic communications networks.</i> <i>1. Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC (OJ L 333, 27.12.2022, p. 164, ELI: http://data.europa.eu/eli/dir/2022/2557/oj).</i> <i>2. Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, ELI: http://data.europa.eu/eli/dir/2019/944/oj).</i> <i>3. Directive (EU) 2024/1788 of the European Parliament and of the Council of 13 June 2024 on common rules for the internal markets for renewable gas, natural gas and hydrogen, amending Directive (EU) 2023/1791 and repealing Directive</i>		<i>providers of port services within the meaning of that Regulation and other entities within the core ports, when these are essential for the security and continuity of operations of such core ports; and (c) in the digital infrastructure sector: providers of cloud computing services, providers of public electronic communications networks.</i> <i>1. Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC (OJ L 333, 27.12.2022, p. 164, ELI: http://data.europa.eu/eli/dir/2022/2557/oj).</i> <i>2. Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, ELI: http://data.europa.eu/eli/dir/2019/944/oj).</i> <i>3. Directive (EU) 2024/1788 of the European Parliament and of the Council of 13 June 2024 on common rules for the internal markets for renewable gas, natural gas and hydrogen, amending Directive (EU) 2023/1791 and repealing Directive</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								2009/73/EC (OJ L, 2024/1788, 15.7.2024, ELI: http://data.europa.eu/eli/dir/2024/1788/oj). 4. Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges (OJ L 70, 14.3.2009, ELI: http://data.europa.eu/eli/dir/2009/12/oj). 5. Regulation (EU) 2024/1679 of the European Parliament and of the Council of 13 June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing Regulation (EU) No 1315/2013 (OJ L, 2024/1679, 28.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1679/oj). 6. Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports (OJ L 57, 3.3.2017, (ELI: http://data.europa.eu/eli/reg/2017/352/oj).		2009/73/EC (OJ L, 2024/1788, 15.7.2024, ELI: http://data.europa.eu/eli/dir/2024/1788/oj). 4. Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges (OJ L 70, 14.3.2009, ELI: http://data.europa.eu/eli/dir/2009/12/oj). 5. Regulation (EU) 2024/1679 of the European Parliament and of the Council of 13 June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing Regulation (EU) No 1315/2013 (OJ L, 2024/1679, 28.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1679/oj). 6. Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports (OJ L 57, 3.3.2017, (ELI: http://data.europa.eu/eli/reg/2017/352/oj).
Recital 20c										
g		31c						<i>(20c) To adequately protect security and public order and ensure the effectiveness of the Union cooperation mechanism, it is necessary that all Member States</i>		<i>(20c) To adequately protect security and public order and ensure the effectiveness of the Union cooperation mechanism, it is necessary that all Member States</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>carry out ex ante screening of foreign investments falling within the common minimum scope. A prior authorisation requirement is essential, as many risks associated with foreign investments materialise at the moment the foreign investor obtains an effective participation in the management or control and cannot be effectively mitigated after the completion of the foreign investments. This is particularly true for the foreign investments falling within the common minimum scope, since such foreign investments are liable to provide irreversible access to sensitive information, critical technologies, essential infrastructure or strategic assets. Ex post intervention would, in such circumstances, be disproportionately burdensome and, in any event, ineffective to properly safeguard security and public order.</i>		<i>carry out ex ante screening of foreign investments falling within the common minimum scope. A prior authorisation requirement is essential, as many risks associated with foreign investments materialise at the moment the foreign investor obtains an effective participation in the management or control and cannot be effectively mitigated after the completion of the foreign investments. This is particularly true for the foreign investments falling within the common minimum scope, since such foreign investments are liable to provide irreversible access to sensitive information, critical technologies, essential infrastructure or strategic assets. Ex post intervention would, in such circumstances, be disproportionately burdensome and, in any event, ineffective to properly safeguard security and public order.</i>
Recital 21										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
32		(21) To ensure that the cooperation mechanism focuses only on those foreign investments where the characteristics of the foreign investor or the Union target make an effect on security or public order likely, it is appropriate to establish risk-based conditions for the notification of foreign investments undergoing screening in a Member State to the other Member States and the Commission. Where a foreign investment does not meet any of the conditions, the Member State where the foreign investment is undergoing screening may notify the foreign investment to the other Member States and the Commission, including where the Union target has significant operations in other Member States, or belongs to a corporate group that has several companies in different Member States.		(21) To ensure that the cooperation mechanism focuses only on those foreign investments where the characteristics of the foreign investor or the Union target make an effect on security or public order likely, it is appropriate to establish risk-based conditions for the notification of foreign investments undergoing screening in a Member State to the other Member States and the Commission. <i>In particular, Member State should assess whether the foreign investor is controlled or influenced by a third country government. Control or influence may be determined based on criteria such as direct or indirect ownership thresholds, the nature and extent of third-country government funding and specific governance arrangements such as golden shares. Cases of opaque or unclear ownership structure, or where the ultimate beneficiary is unknown, should also be included as</i>		(21) ~~To ensure that the For the Union~~ cooperation mechanism ~~focuses to focus~~ only on those foreign investments where the characteristics of the foreign investor or the Union target make ~~ana negative~~ effect on security or public order likely, it is appropriate to establish risk-based conditions for the notification of foreign investments undergoing screening in a Member State to the other Member States and the Commission. Where a foreign investment does not meet any of ~~the those~~ conditions, the Member State where the foreign investment is undergoing screening ~~may should still~~ have the possibility to notify the foreign investment to the other Member States and the Commission, ~~including where the Union target has significant operations in other this Member States, or belongs to a corporate group that has several companies in different State~~ considers that the foreign investment could negatively affect security or public		(21) ~~To ensure that the For the Union~~ cooperation mechanism ~~focuses to focus~~ only on those foreign investments where the characteristics of the foreign investor or the Union target make ~~ana negative~~ effect on security or public order likely, it is appropriate to establish risk-based conditions for the notification of foreign investments undergoing screening in a Member State to the other Member States and the Commission. <i>In particular, where a foreign investor or its subsidiary in the Union is directly or indirectly controlled by a third-country government, it is more likely that it may pursue that third-country's policy objectives. It is therefore appropriate that Member States notify foreign investments made by such foreign investors where they fall within the common minimum scope of screening mechanisms. Direct or indirect control by a third-country government could be exercised in several ways and could be</i>		(21) ~~To ensure that the For the Union~~ cooperation mechanism ~~focuses to focus~~ only on those foreign investments where the characteristics of the foreign investor or the Union target make ~~ana negative~~ effect on security or public order likely, it is appropriate to establish risk-based conditions for the notification of foreign investments undergoing screening in a Member State to the other Member States and the Commission. <i>In particular, where a foreign investor or its subsidiary in the Union is directly or indirectly controlled by a third-country government, it is more likely that it may pursue that third-country's policy objectives. It is therefore appropriate that Member States notify foreign investments made by such foreign investors where they fall within the common minimum scope of screening mechanisms. Direct or indirect control by a third-country government could be exercised in several ways and could be</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>such a condition.</i> Where a foreign investment does not meet any of the conditions, the Member State where the foreign investment is undergoing screening may notify the foreign investment to the other Member States and the Commission, including where the Union target has significant operations in other Member States, or belongs to a corporate group that has several companies in different Member States.		<i>order in one or more Member States. In such case, Member States should explain the reasons for notifying such investments.</i>		<i>determined on the basis of, inter alia, ownership structure, government funding, specific governance arrangements such as golden shares, or other features aimed at influencing management decisions. Equally, it is appropriate that Member States notify foreign investments falling within the common minimum scope where the foreign investor was involved in foreign investments that were prohibited or authorised subject mitigating measures which were significantly or repeatedly not complied with. Hence, mere procedural or formal cases of non-compliance would in general not be a reason for notification. Similarly, Member States should notify foreign investments where they decide to conduct an in-depth investigation and the Union target is linked to projects or programmes of Union interest or to other Member States. Moreover, where a foreign investment does not</i>		<i>determined on the basis of, inter alia, ownership structure, government funding, specific governance arrangements such as golden shares, or other features aimed at influencing management decisions. Equally, it is appropriate that Member States notify foreign investments falling within the common minimum scope where the foreign investor was involved in foreign investments that were prohibited or authorised subject mitigating measures which were significantly or repeatedly not complied with. Hence, mere procedural or formal cases of non-compliance would in general not be a reason for notification. Similarly, Member States should notify foreign investments where they decide to conduct an in-depth investigation and the Union target is linked to projects or programmes of Union interest or to other Member States. Moreover, where a foreign investment does not</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
								meet ~~any of~~ the conditions <i>otherwise laid down for its notification to the cooperation mechanism</i>, the Member State where the foreign investment is undergoing screening ~~may~~<i>should nevertheless</i> notify ~~that~~ foreign investment to the other Member States and the Commission, ~~including~~ where ~~the Union target has significant operations in other~~<i>this Member States, or belongs to a corporate group that has several companies in different State considers that the foreign investment could negatively affect security or public order in one or more Member States. This ensures that all foreign investments that could negatively affect security or public order are notified to the cooperation mechanism, whilst ensuring that the host Member States retains a margin of discretion in determining whether the conditions for notification are fulfilled. In such a case, the notifying Member State should explain the reasons</i>		meet ~~any of~~ the conditions <i>otherwise laid down for its notification to the cooperation mechanism</i>, the Member State where the foreign investment is undergoing screening ~~may~~<i>should nevertheless</i> notify ~~that~~ foreign investment to the other Member States and the Commission, ~~including~~ where ~~the Union target has significant operations in other~~<i>this Member States, or belongs to a corporate group that has several companies in different State considers that the foreign investment could negatively affect security or public order in one or more Member States. This ensures that all foreign investments that could negatively affect security or public order are notified to the cooperation mechanism, whilst ensuring that the host Member States retains a margin of discretion in determining whether the conditions for notification are fulfilled. In such a case, the notifying Member State should explain the reasons</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
								<i>for notifying that investment.</i> Text Origin: Council Mandate		<i>for notifying that investment.</i>
Recital 22										
33		(22) To ensure that the likely effect of a foreign investments on the security or public order of one or more Member States is adequately identified, Member States should be able to provide comments to a Member State in which a foreign investment is planned or has been completed even if that Member State is not screening that foreign investment or if the foreign investment is screened but not notified to the cooperation mechanism. Requests for information, replies and comments from Member States should be notified to the Commission simultaneously.		(22) To ensure that the likely effect of a foreign investments on the security or public order of one or more Member States is adequately identified, Member States should be able to provide comments to a Member State in which a foreign investment is planned or has been completed even if that Member State is not screening that foreign investment or if the foreign investment is screened but not notified to the cooperation mechanism. Requests for information, replies and comments from Member States should be notified to the Commission simultaneously to ensure transparency throughout the process.		(22) To ~~ensure~~ ~~that~~ adequately identify the likely negative effect of a foreign ~~investments~~ investment on the security or public order of one or more Member States ~~is adequately identified~~ , Member States should be able to provide comments to a host Member State ~~in which a foreign investment is planned or has been completed~~ even if that Member State is not screening that foreign investment or if the foreign investment ~~is has been~~ screened but not notified ~~to~~ ~~through the Union~~ cooperation mechanism. Requests for information, replies and comments from Member States should simultaneously be transmitted ~~be notified~~ to the Commission. ~~simultaneously.~~		(22) To ~~ensure~~ ~~that~~ adequately identify the likely negative effect of a foreign ~~investments~~ investment on the security or public order of one or more Member States ~~is adequately identified~~ , Member States should be able to provide comments to a host Member State ~~in which a foreign investment is planned or has been completed~~ even if that Member State is not screening that foreign investment or if the foreign investment ~~is has been~~ screened but not notified ~~to~~ ~~through the Union~~ cooperation mechanism. Requests for information, replies and comments from Member States should simultaneously be transmitted ~~be notified~~ to the Commission. ~~simultaneously.~~ Text Origin: Council		(22) To ~~ensure~~ ~~that~~ adequately identify the likely negative effect of a foreign ~~investments~~ investment on the security or public order of one or more Member States ~~is adequately identified~~ , Member States should be able to provide comments to a host Member State ~~in which a foreign investment is planned or has been completed~~ even if that Member State is not screening that foreign investment or if the foreign investment ~~is has been~~ screened but not notified ~~to~~ ~~through the Union~~ cooperation mechanism. Requests for information, replies and comments from Member States should simultaneously be transmitted ~~be notified~~ to the Commission. ~~simultaneously.~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
							Mandate			
Recital 23										
34		(23) To ensure that the likely effect of a foreign investment on the security or public order of more than one Member States or the Union as a whole is adequately identified, it should be possible for the Commission to issue an opinion within the meaning of Article 288 TFEU to the Member State in which the foreign investment is planned or has been completed, even if that foreign investment is not undergoing screening in that Member State or if that foreign investment is screened but not notified to the cooperation mechanism.		(23) To ensure that the likely effect of a foreign investment on the security or public order of more than one Member States or the Union as a whole is adequately identified, it should be possible for the Commission to issue an opinion within the meaning of Article 288 TFEU to the host Member State ~~in which the foreign investment is planned or has been completed~~ , even if that foreign investment is not undergoing screening in that Member State or if that foreign investment is screened but not notified to the cooperation mechanism. To ensure transparency and predictability, opinions of the Commission should be based on specific and documented risks and should follow set issuance criteria, including documented security risks or cross-border concerns.		(23) To ~~ensure that~~ adequately identify the likely negative effect of a foreign investment on the security or public order of more than one Member States ~~or the Union as a whole is adequately identified~~ State , it should be possible for the Commission to issue an opinion within the meaning of Article 288 TFEU to the host Member State ~~in which the foreign investment is planned or has been completed~~ , even if that foreign investment is not undergoing screening in that Member State or if that foreign investment ~~is~~ has been screened but not notified ~~to the~~ through the Union cooperation mechanism.		~~(23) To ensure that the likely effect of a foreign investment on the security or public order of more than one Member States or the Union as a whole is adequately identified, it should be possible for the Commission to issue an opinion within the meaning of Article 288 TFEU to the Member State in which the foreign investment is planned or has been completed, even if that foreign investment is not undergoing screening in that Member State or if that foreign investment is screened but not notified to the cooperation mechanism.~~ Text Origin: Council Mandate		~~(23) To ensure that the likely effect of a foreign investment on the security or public order of more than one Member States or the Union as a whole is adequately identified, it should be possible for the Commission to issue an opinion within the meaning of Article 288 TFEU to the Member State in which the foreign investment is planned or has been completed, even if that foreign investment is not undergoing screening in that Member State or if that foreign investment is screened but not notified to the cooperation mechanism.~~
Recital 24										
35		(24) Furthermore, to allow		(24) Furthermore, to		(24) ~~Furthermore, to allow~~		(24) ~~Furthermore, to allow~~		(24) ~~Furthermore, to allow~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	the protection of security or public order where the likely effect emanates from a foreign investment into a Union target that provides for the development, maintenance or acquisition of infrastructure, technologies or inputs, which are critical for the Union as a whole, the Commission should be allowed to issue an opinion. This would give the Commission a tool to protect projects and programmes which serve the Union as a whole and represent an important contribution to the Union's security or public order. A Commission opinion identifying the likely impact on projects or programmes of Union interest on the grounds of security or public order should be notified to all Member States.	~~allow~~ensure the protection of security or public order where the likely effect emanates from a foreign investment into a Union target that provides for the development, maintenance or acquisition of infrastructure, technologies or inputs, which are critical for the Union as a whole, the Commission should be allowed to issue an opinion. This would give the Commission a tool to protect projects and programmes which serve the Union as a whole and represent an important contribution to the Union's security or public order. A Commission opinion identifying the likely impact on projects or programmes of Union interest on the grounds of security or public order should be notified to all Member States.	~~the protection of~~Where the likely negative effect on security or public order ~~where the likely effect emanates from a foreign investment into a Union target that provides for the development, maintenance or acquisition of infrastructure, technologies or inputs~~is part of or participates in one of the projects or programmes of Union interest, which are critical for the Union as a whole, the Commission should be allowed to issue an opinion. ~~This would give the Commission a tool to protect projects and programmes which serve the Union as a whole and represent an important contribution to the Union's security or public order.~~ A Commission opinion identifying the likely ~~impact~~negative effect on projects or programmes of Union interest on the grounds of security or public order should be notified to all Member States.	~~the protection of~~Where the likely negative effect on security or public order ~~where the likely effect emanates from a foreign investment into a Union target that provides for the development, maintenance or acquisition of infrastructure, technologies or inputs~~is part of or participates in one of the projects or programmes of Union interest, which are critical for the Union as a whole, the Commission should be allowed to issue an opinion. ~~This would give the Commission a tool to protect projects and programmes which serve the Union as a whole and represent an important contribution to the Union's security or public order.~~ A Commission opinion identifying the likely ~~impact~~negative effect on projects or programmes of Union interest on the grounds of security or public order should be notified to all Member States. Text Origin: Council Mandate	~~the protection of~~Where the likely negative effect on security or public order ~~where the likely effect emanates from a foreign investment into a Union target that provides for the development, maintenance or acquisition of infrastructure, technologies or inputs~~is part of or participates in one of the projects or programmes of Union interest, which are critical for the Union as a whole, the Commission should be allowed to issue an opinion. ~~This would give the Commission a tool to protect projects and programmes which serve the Union as a whole and represent an important contribution to the Union's security or public order.~~ A Commission opinion identifying the likely ~~impact~~negative effect on projects or programmes of Union interest on the grounds of security or public order should be notified to all Member States.

Recital 25

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
36		(25) Furthermore, it should be possible for the Commission to adopt an opinion addressed to all Member States if it identifies several foreign investments that, taken together, are likely to impact the security or public order of the Union. This could notably be the case where several foreign investments present comparable characteristics. These include where the foreign investments are made by the same foreign investor, or foreign investors presenting similar risks, or where several foreign investments concern the same target or the same infrastructure, including trans-European infrastructure for transport, energy and communication. Member States and the Commission should discuss the risk analysis and the possible ways to address the risks identified in the opinion.		(25) Furthermore, it should be possible for the Commission to adopt an opinion addressed to all Member States if it identifies several foreign investments that, taken together, are likely to impact the security or public order of the Union. This could notably be the case where several foreign investments present comparable characteristics. These include where the foreign investments are made by the same foreign investor, or foreign investors presenting similar risks, or where several foreign investments concern the same Union target or ~~the same~~ infrastructure, including trans-European infrastructure for transport, energy and communication. Member States and the Commission should discuss the risk analysis and the possible ways to address the risks identified in the opinion, ensuring a coordinated approach .		(25) ~~Furthermore~~ —It should be possible for the Commission to ~~adopt~~ issue an opinion addressed to all Member States ~~if~~ where it identifies several foreign investments that, taken together, are likely to ~~impact~~ thenegatively affect security or public order ~~of the Union~~ . This could ~~notably~~ in particular be the case where several foreign investments present comparable characteristics. ~~These include, for example,~~ where the foreign investments are made by the same foreign investor, ~~or~~ where several foreign investors ~~presenting~~ present similar risks, or where several foreign investments concern the same target or the same infrastructure, ~~including~~ such as trans-European infrastructure for transport, energy ~~and~~ or communication. Member States and the Commission ~~should~~ could discuss the ~~risk~~ Commission's analysis ~~of the risks identified in its opinion~~ and the possible ways to address ~~the~~ those risks ~~identified in the~~		(25) ~~Furthermore~~ —It should be possible for the Commission to ~~adopt~~ issue an opinion addressed to all Member States ~~if~~ where it identifies several foreign investments that, taken together, are likely to ~~impact~~ thenegatively affect security or public order ~~of the Union~~ . This could ~~notably~~ in particular be the case where several foreign investments present comparable characteristics. ~~These include, for example,~~ where the foreign investments are made by the same foreign investor, ~~or~~ where several foreign investors ~~presenting~~ present similar risks, or where several foreign investments concern the same target or the same infrastructure, ~~including~~ such as trans-European infrastructure for transport, energy ~~and~~ or communication. Member States and the Commission ~~should~~ could discuss the ~~risk~~ Commission's analysis ~~of the risks identified in its opinion~~ and the possible ways to address ~~the~~ those risks ~~identified in the~~		(25) ~~Furthermore~~ —It should be possible for the Commission to ~~adopt~~ issue an opinion addressed to all Member States ~~if~~ where it identifies several foreign investments that, taken together, are likely to ~~impact~~ thenegatively affect security or public order ~~of the Union~~ . This could ~~notably~~ in particular be the case where several foreign investments present comparable characteristics. ~~These include, for example,~~ where the foreign investments are made by the same foreign investor, ~~or~~ where several foreign investors ~~presenting~~ present similar risks, or where several foreign investments concern the same target or the same infrastructure, ~~including~~ such as trans-European infrastructure for transport, energy ~~and~~ or communication. Member States and the Commission ~~should~~ could discuss the ~~risk~~ Commission's analysis ~~of the risks identified in its opinion~~ and the possible ways to address ~~the~~ those risks ~~identified in the~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>opinion.</i>		<i>opinion.</i> Text Origin: Council Mandate		<i>opinion.</i>
Recital 25a										
36a						<i>(25a) The Member States should not take a screening decision before the deadlines for comments and opinions have expired unless security or public order interests, such as avoiding bankruptcy of the Union target, require an earlier decision. Such exceptional circumstances should be notified to the other Member States and the Commission, which should issue their comments or opinion expeditiously.</i>		<i>(25a) The Member States should not take a screening decision before the deadlines for comments and opinions have expired unless security or public order interests, such as avoiding bankruptcy of the Union target, require an earlier decision. Such exceptional circumstances should be notified to the other Member States and the Commission, which should issue their comments or opinion expeditiously.</i> Text Origin: Council Mandate		<i>(25a) The Member States should not take a screening decision before the deadlines for comments and opinions have expired unless security or public order interests, such as avoiding bankruptcy of the Union target, require an earlier decision. Such exceptional circumstances should be notified to the other Member States and the Commission, which should issue their comments or opinion expeditiously.</i>
Recital 26										
37		(26) To protect security or public order while providing greater certainty to investors, Member States should have the possibility to make comments and the Commission should have the possibility to issue an opinion on foreign investments that have been		(26) To protect security or public order while providing greater certainty to investors, Member States should have the possibility to make comments and the Commission should have the possibility to issue an opinion on foreign investments that have been		(26) <i>In order</i> to protect security or public order while providing greater certainty to investors, Member States should have the possibility to make comments, and the Commission should have the possibility to issue an opinion on foreign		(26) <i>In order</i> to protect security or public order while providing greater certainty to investors, Member States should have the possibility to make comments, and the Commission should have the possibility to issue an opinion on foreign		(26) <i>In order</i> to protect security or public order while providing greater certainty to investors, Member States should have the possibility to make comments, and the Commission should have the possibility to issue an opinion on foreign

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
		completed but not notified up to 15 months after the completion of the foreign investment.		completed but not notified ~~up to~~ within 15 months ~~after of~~ the completion of the foreign investment.		investments that have been completed but not notified up to 15 months after the completion of ~~the that~~ foreign investment.		investments that have been completed but not notified up to 15 months after the completion of ~~the that~~ foreign investment. Text Origin: Council Mandate		investments that have been completed but not notified up to 15 months after the completion of ~~the that~~ foreign investment.
Recital 27										
38		(27) For greater clarity, the list of projects or programmes of Union interest should be listed in Annex I. These should include any foreign investments undertaken on the trans-European networks for transport, energy and communication, as well as programmes providing funding for research and development for activities relevant for the security or public order of the Union. Due to the importance of these projects and programmes for the security and public order of the Union, Member States should screen foreign investments into Union undertakings that are part of or participating in these projects or programmes, including those that receive funding from the Union.		(27) For greater clarity, the list of projects or programmes of Union interest should be listed in Annex I. These should include any foreign investments undertaken on the trans-European networks for transport, energy and communication, as well as programmes providing funding for research and development for activities relevant ~~for to~~ the security or public order of the Union. Due to the importance of these projects and programmes for the security and public order of the Union and their inherent cross-border nature and network character , Member States should screen foreign investments into Union undertakings that are part of or participating in these projects or programmes,		(27) For ~~greater~~ clarity purposes , the list of projects or programmes of Union interest should be listed in an annex ~~I. These. Those~~ should include ~~any foreign investments undertaken on~~ the trans-European networks for transport, energy and/or communication, as well as programmes providing funding for research and development for activities that are relevant for the security or public order ~~of the Union. The list of technologies of particular importance for the security or public order should be set out in another annex.~~ Due to the importance of ~~thesethose~~ projects and programmes of Union interest and the list of technologies of particular importance for the security and public order ~~of the~~		~~(27) For greater clarity, the list of projects or programmes of Union interest should be listed in Annex I. These should include any foreign investments undertaken on the trans-European networks for transport, energy and communication, as well as programmes providing funding for research and development for activities relevant for the security or public order of the Union. Due to the importance of these projects and programmes for the security and public order of the Union, Member States should screen foreign investments into Union undertakings that are part of or participating in these projects or programmes, including those that receive funding from the Union.~~		~~(27) For greater clarity, the list of projects or programmes of Union interest should be listed in Annex I. These should include any foreign investments undertaken on the trans-European networks for transport, energy and communication, as well as programmes providing funding for research and development for activities relevant for the security or public order of the Union. Due to the importance of these projects and programmes for the security and public order of the Union, Member States should screen foreign investments into Union undertakings that are part of or participating in these projects or programmes, including those that receive funding from the Union.~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				including those that receive funding from the Union.		<i>Union, the Member States should ~~screen~~take them into consideration as a factor when determining the likely negative effect on security or public order of foreign investments into Union undertakings that are part of, or participate in, those or participating in these projects or programmes, including those that receive funding from the Union, or into Union undertakings that dispose of the technologies are listed in the relevant annex.</i>		Text Origin: Council Mandate		
Recital 28										
39		(28) In order to ensure that the likely effect of a foreign investment on the security or public order of one or more Member States is adequately addressed, Member States receiving duly justified comments from other Member States or an opinion from the Commission should give such comments or opinion utmost consideration, including where it considers that its own security or public order is not affected. The Member State should coordinate with		(28) In order to ensure that the likely effect of a foreign investment on the security or public order of one or more Member States is adequately addressed, Member States receiving duly justified comments from other Member States or an opinion from the Commission should give such comments or opinion utmost consideration, including where it considers that its own security or public order is not affected. The Member State should coordinate with		(28) ~~In order to ensure that the likely negative effect of a foreign investment on the security or public order of one or more Member States is adequately addressed, a Member States receiving~~ State that receives duly justified comments from other Member States or an opinion from the Commission should give such comments or opinion ~~utmost~~ due consideration, including where it considers that its own security or		(28) ~~In order to ensure that the likely negative effect of a foreign investment on the security or public order of one or more Member States is adequately addressed, a Member States receiving~~ State that receives duly justified comments from other Member States or an opinion from the Commission should give such comments or opinion ~~utmost~~ due consideration, including where it considers that its own security or		(28) ~~In order to ensure that the likely negative effect of a foreign investment on the security or public order of one or more Member States is adequately addressed, a Member States receiving~~ State that receives duly justified comments from other Member States or an opinion from the Commission should give such comments or opinion ~~utmost~~ due consideration, including where it considers that its own security or

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	the Commission and the Member States concerned if necessary and provide them with written feedback on the decision taken and how the comments and the opinion have been given utmost consideration. The final decision on foreign investments should remain the sole responsibility of the Member State where the foreign investment is planned or completed.	the Commission and the Member States concerned if necessary and provide them with its draft decision, accompanied by written feedback on ~~the decision taken and~~ how the comments and the opinion have been given utmost consideration. The ~~final draft decision on foreign investments~~ should remain open to amendments to take into account the views expressed by the sole responsibility of the Member State where the foreign investment is planned or completed States concerned and the Commission.	public order is not affected. ~~The That~~ Member State should, where necessary , coordinate with the Commission and the Member States concerned ~~if necessary~~ and provide them with ~~written feedback on the decision taken and how the comments~~ the operative part and the ~~opinion have been given utmost consideration~~ summary of the main reasons of its decision. The final decision on foreign investments should remain the sole responsibility of the host Member State ~~where the foreign investment is planned or completed.~~	public order is not affected. ~~The That~~ Member State should, where necessary , coordinate with the Commission and the Member States concerned ~~if necessary~~ and provide them with ~~written feedback on the decision taken and how the comments~~ the operative part and the ~~opinion have been given utmost consideration.~~ ~~The final~~ summary of the main reasons of its decision on foreign investments. That summary should ~~remain the sole responsibility of the~~ include the extent to which the host Member State gave the Member States' comments or the Commission opinion due consideration as well as, where applicable, the reasons for its disagreement with the Member States' comments or the Commission opinion ~~the foreign investment is planned or completed. The provision of that information ensures that Member States are accountable for how they gave due consideration to the concerns raised by other~~	public order is not affected. ~~The That~~ Member State should, where necessary , coordinate with the Commission and the Member States concerned ~~if necessary~~ and provide them with ~~written feedback on the decision taken and how the comments~~ the operative part and the ~~opinion have been given utmost consideration.~~ ~~The final~~ summary of the main reasons of its decision on foreign investments. That summary should ~~remain the sole responsibility of the~~ include the extent to which the host Member State gave the Member States' comments or the Commission opinion due consideration as well as, where applicable, the reasons for its disagreement with the Member States' comments or the Commission opinion ~~the foreign investment is planned or completed. The provision of that information ensures that Member States are accountable for how they gave due consideration to the concerns raised by other~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>Member States or the Commission, whilst respecting the sensitive nature of screening decisions and confidential information contained therein.</i>		<i>Member States or the Commission, whilst respecting the sensitive nature of screening decisions and confidential information contained therein.</i>
Recital 28a										
39a				<i>(28a) In certain instances, disagreements may arise between the host Member State and another Member State, or the Commission, regarding whether the investment is likely to affect the security and public order of a Member State or of the Union. Leaving the resolution of such disagreements solely to the host Member State risks affecting the security and public order of the Union as a whole and undermining the functioning of the cooperation mechanism. Therefore, in such cases, the Commission should be empowered to adopt a decision, basing its assessment of the likelihood of the investment affecting security and public order on the information provided by the host Member State and</i>						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>its own findings, where it has conducted an investigation. In all other cases, the final decision should remain the responsibility of the host Member State.</i>						
Recital 28a										
39b				<i>(28b) Within the allocation of responsibilities between Member States and the Commission provided for by this Regulation, national screening authorities face limitations in investigating foreign investment transactions beyond their geographical borders, which can have an impact on the effectiveness of their analysis. For example, this could be the case where customers of the target company are located in another Member State, while their views may be essential to assess the target's sensitivity to security or public order risks, such as the availability of alternative suppliers for the target's goods or services. Given its cross-border perspective, the Commission is well-</i>			<i>(28a) It is important to take into account that foreign investments that were not notified to the cooperation mechanism might pose a risk for security or public order. Thus, Member States and the Commission should be able, no later than 15 months following the completion of a foreign investment, to issue duly justified comments or an opinion to the host Member State on a foreign investment which has not been notified to the cooperation mechanism. To avoid overburdening the cooperation mechanism, Member States and the Commission should, before issuing comments or an opinion, verify whether the host Member State has already started or completed the screening of the foreign</i>		<i>(28a) It is important to take into account that foreign investments that were not notified to the cooperation mechanism might pose a risk for security or public order. Thus, Member States and the Commission should be able, no later than 15 months following the completion of a foreign investment, to issue duly justified comments or an opinion to the host Member State on a foreign investment which has not been notified to the cooperation mechanism. To avoid overburdening the cooperation mechanism, Member States and the Commission should, before issuing comments or an opinion, verify whether the host Member State has already started or completed the screening of the foreign</i>	

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>placed to address those limitations and contribute to the assessment of the impact of foreign investment transactions on security and public order. To that end, it should be granted appropriate investigative powers to gather necessary information. The Commission should be able to request information from entities in another Member State when such information cannot be efficiently obtained through the cooperation mechanism. The Commission's power to request information should be based on a justified request from a Member State. However, when national authorities face legal or procedural constraints, such as short procedural timelines, the Commission should be able to act independently, provided that the host Member State has been notified. That power should be limited to information necessary to assess the impact of a transaction on more than one Member</i>				<i>investment and whether it intends to notify the foreign investment through the cooperation mechanism. The host Member State should give due consideration to the comments of the other Member States and to the opinion of the Commission and, on this basis, inform the Member States that have issued comments and the Commission if it does not intend to screen the foreign investment. This can for example be the case if the host Member State disagrees with the risks identified in the comments or the opinion. Similarly, the host Member State could indicate that it does not intend to screen the foreign investment because the latter does not fall within the scope of its screening mechanism or has already been screened the foreign investment, although these situations should ideally have been clarified before any comments or opinion were issued. Where the host Member State indicates that</i>		<i>investment and whether it intends to notify the foreign investment through the cooperation mechanism. The host Member State should give due consideration to the comments of the other Member States and to the opinion of the Commission and, on this basis, inform the Member States that have issued comments and the Commission if it does not intend to screen the foreign investment. This can for example be the case if the host Member State disagrees with the risks identified in the comments or the opinion. Similarly, the host Member State could indicate that it does not intend to screen the foreign investment because the latter does not fall within the scope of its screening mechanism or has already been screened the foreign investment, although these situations should ideally have been clarified before any comments or opinion were issued. Where the host Member State indicates that</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>State, including adverse effects on Union programmes and projects.</i>				<i>it does not intend to screen the foreign investment, a meeting should be organised at the request of either a Member State that issued comments or at the request of the Commission, where the latter issued an opinion. The Commission should be invited to the meeting even if it did not issue an opinion. The Member States having issued comments or the Commission might notably request such a meeting to further present or discuss the risks identified. Where, following the meeting and despite the additional explanations received from the Member States having issued comments or the Commission, the host Member State decides not to screen the foreign investment, it should inform the Member States that issued comments and the Commission thereof and provide them with a written explanation. This written explanation might have overlaps with previously indicated reasons stated, for example at the requested</i>		<i>it does not intend to screen the foreign investment, a meeting should be organised at the request of either a Member State that issued comments or at the request of the Commission, where the latter issued an opinion. The Commission should be invited to the meeting even if it did not issue an opinion. The Member States having issued comments or the Commission might notably request such a meeting to further present or discuss the risks identified. Where, following the meeting and despite the additional explanations received from the Member States having issued comments or the Commission, the host Member State decides not to screen the foreign investment, it should inform the Member States that issued comments and the Commission thereof and provide them with a written explanation. This written explanation might have overlaps with previously indicated reasons stated, for example at the requested</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
							<i>meeting.</i>		<i>meeting.</i>	
Recital 29										
40		(29) To ensure the effective functioning of the cooperation mechanism, it is important to require that the Member State notifying the foreign investment to the cooperation mechanism provides a minimum level of information in a standardised format. Where the cooperation concerns a foreign investment not notified to the cooperation mechanism, the Member State where the foreign investment is planned or has been completed should be able to provide at least the same minimum level of information. The Commission and Member States may seek additional information from the Member State where the foreign investment is planned or completed. Such request for additional information should be duly justified, limited to the information necessary for the Member States to provide comments or for the Commission to issue an		(29) To ensure the effective functioning of the cooperation mechanism, it is important to require that the Member State notifying the foreign investment to the cooperation mechanism provides a minimum ~~level~~ set of information in a standardised format. Where the cooperation concerns a foreign investment not notified to the cooperation mechanism, the host Member State ~~where the foreign investment is planned or has been completed~~ should be able to provide at least the same minimum ~~level~~ set of information. The Commission and Member States may seek additional information from the Member State where the foreign investment is planned or completed. Such request for additional information should be duly justified, limited to the information necessary for the Member States to provide comments or for the		(29) To ensure the effective functioning of the Union cooperation mechanism, ~~it is important to require that the~~ Member State notifying the foreign investment ~~through~~ the cooperation mechanism ~~provides~~ should be required to provide a minimum level of information in a standardised format. Where ~~the cooperation concerns~~ a foreign investment is not notified ~~through~~ the cooperation mechanism, the host Member State ~~where the foreign investment is planned or has been completed~~ should be able to provide at least the same minimum level of information. The Commission and Member States ~~may seek~~ should be able to request additional information from the host Member State ~~where the foreign investment is planned or completed. Such.~~ A request for additional information should be duly justified, limited to the		(29) To ensure the effective functioning of the Union cooperation mechanism, ~~it is important to require that the~~ Member State notifying the foreign investment ~~through~~ the cooperation mechanism ~~provides~~ should be required to provide a minimum level of information in a standardised format. Where ~~the cooperation concerns~~ a foreign investment is not notified ~~through~~ the cooperation mechanism, the host Member State ~~where the foreign investment is planned or has been completed~~ should be able to provide at least the same minimum level of information. The Commission and Member States ~~may seek~~ should be able to request additional information from the host Member State ~~where the foreign investment is planned or completed. Such.~~ A request for additional information should be duly justified, limited to the		(29) To ensure the effective functioning of the Union cooperation mechanism, ~~it is important to require that the~~ Member State notifying the foreign investment ~~through~~ the cooperation mechanism ~~provides~~ should be required to provide a minimum level of information in a standardised format. Where ~~the cooperation concerns~~ a foreign investment is not notified ~~through~~ the cooperation mechanism, the host Member State ~~where the foreign investment is planned or has been completed~~ should be able to provide at least the same minimum level of information. The Commission and Member States ~~may seek~~ should be able to request additional information from the host Member State ~~where the foreign investment is planned or completed. Such.~~ A request for additional information should be duly justified, limited to the

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	opinion, proportionate to the purpose of the request and not unduly burdensome for the notifying Member State.	Commission to issue an opinion, proportionate to the purpose of the request and not unduly burdensome for the notifying Member State and the companies concerned. Where relevant, the Commission may request information from other Union bodies such as the European Securities and Markets Authority, the European Banking Authority, the European Insurance and Occupational Pensions Authority, the Single Supervisory Mechanism or the European Central Bank.	information necessary for the Member States to ~~provide~~ issue comments or for the Commission to issue an opinion, proportionate to the purpose of the request and not unduly burdensome for the ~~notifying~~ host Member State.	information necessary for the Member States to ~~provide~~ issue comments or for the Commission to issue an opinion, proportionate to the purpose of the request and not unduly burdensome for the ~~notifying~~ host Member State. Text Origin: Council Mandate	information necessary for the Member States to ~~provide~~ issue comments or for the Commission to issue an opinion, proportionate to the purpose of the request and not unduly burdensome for the ~~notifying~~ host Member State.
Recital 30					
41	(30) To ensure that the cooperation is based on complete and accurate information, a foreign investor or an undertaking should provide any relevant information requested by the Member State where they are established or the Member State where the foreign investment is planned or completed. In exceptional circumstances, when, despite its best efforts,	(30) To ensure that the cooperation is based on complete and accurate information, a foreign investor or an undertaking should provide any relevant information requested by the Member State where they are established or the ~~host~~ Member State ~~where the foreign investment is planned or completed~~ . In exceptional circumstances, when, despite its best efforts,	(30) To ensure that ~~the~~ cooperation is based on complete and accurate information, the host Member State may request a foreign investor or ~~an undertaking should~~ any other natural or legal person either within the chain of control of the foreign investor or within the chain of control of the Union target to provide any relevant information. To	(30) To ensure that ~~the~~ cooperation is based on complete and accurate information, the host Member State may request a foreign investor or ~~an undertaking should~~ any other natural or legal person either within the chain of control of the foreign investor or within the chain of control of the Union target to provide any relevant information	(30) To ensure that ~~the~~ cooperation is based on complete and accurate information, the host Member State may request a foreign investor or ~~an undertaking should~~ any other natural or legal person either within the chain of control of the foreign investor or within the chain of control of the Union target to provide any relevant information

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	a Member State is unable to obtain an information requested by another Member State or the Commission, it should notify them without delay. In such a case, any comment issued by another Member State, or any opinion issued by the Commission as part of the cooperation mechanism should be based on the information available to them.	a Member State is unable to obtain an information requested by another Member State or the Commission, it should notify them without delay. In such a case, any comment issued by another Member State, or any opinion issued by the Commission as part of the cooperation mechanism should be based on the information available to them.	<i>ensure the quality of information, Member States should take reasonable steps to verify the information requested by the Member State where they are established or provided to them by companies and their legal representatives. For example, the Member State where the foreign investment is planned or completed should identify obvious contradictions and obviously false, misleading, or missing information.</i> In exceptional circumstances, ~~when~~<i>where</i>, despite its best efforts, a Member State is unable to obtain ~~an~~ information requested by another Member State or the Commission, it should notify them without delay. In such ~~a~~ case, ~~any comment issued by another~~<i>the other</i> Member State, ~~or any opinion issued by~~<i>States and</i> the Commission ~~as part of the cooperation mechanism should be based~~<i>may base their comment and opinion, respectively</i>, on the information available to them.	<i>To ensure the quality of information, Member States should, where they have reasonable doubts about the completeness and accuracy of the information, take reasonable steps to verify the information requested by the Member State where they are established or provided to them by natural or legal persons. For example, the Member State where the foreign investment is planned or completed should identify obvious contradictions and obviously false, misleading, or missing information.</i> In exceptional circumstances, ~~when~~<i>where</i>, despite its best efforts, a Member State is unable to obtain ~~an~~ information requested by another Member State or the Commission, it should notify them without delay. In such ~~a~~ case, ~~any comment issued by another~~<i>the other</i> Member State, ~~or any opinion issued by~~<i>States and</i> the Commission ~~as part of the cooperation mechanism should be based~~<i>may base their comment and opinion, respectively</i>, on the	<i>To ensure the quality of information, Member States should, where they have reasonable doubts about the completeness and accuracy of the information, take reasonable steps to verify the information requested by the Member State where they are established or provided to them by natural or legal persons. For example, the Member State where the foreign investment is planned or completed should identify obvious contradictions and obviously false, misleading, or missing information.</i> In exceptional circumstances, ~~when~~<i>where</i>, despite its best efforts, a Member State is unable to obtain ~~an~~ information requested by another Member State or the Commission, it should notify them without delay. In such ~~a~~ case, ~~any comment issued by another~~<i>the other</i> Member State, ~~or any opinion issued by~~<i>States and</i> the Commission ~~as part of the cooperation mechanism should be based~~<i>may base their comment and opinion, respectively</i>, on the

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
								information available to them.		information available to them.
Recital 31										
42		(31) To ensure that the cooperation mechanism is only used for the purpose of protecting security or public order, Member States should duly justify any request for information about a specific foreign investment in another Member State and any comment they issue to that Member State. The same requirements apply when the Commission requests information about a particular foreign investment or issues an opinion to a Member State.		(31) To ensure that the cooperation mechanism is ~~only~~ used exclusively for the purpose of protecting security or public order, Member States should duly justify any request for information ~~about~~ regarding a specific foreign investment in another Member State and any comment they issue to that Member State. This is essential for preventing misuse of the mechanism and ensuring that it is solely focused on security and public order concerns. The same requirements apply when the Commission requests information about a particular foreign investment or issues an opinion to a Member State.		(31) In order to ensure that the Union cooperation mechanism ~~is only~~ would only be used for the purpose of protecting security or public order, Member States should duly justify any request for information about a specific foreign investment in another Member State and any comment they issue to that Member State. The same requirements should apply when the Commission requests information about a particular foreign investment or issues an opinion to a Member State.		(31) ~~To ensure that the cooperation mechanism is only used for the purpose of protecting~~ The host Member State and the Commission may face potential obstacles in gathering relevant information from natural or legal persons in other Member States. Therefore, where a certain piece of information is strictly necessary for determination of whether the foreign investment is likely to negatively affect security ~~and public order, the host Member State and the Commission may request another Member State to gather information from a natural or legal person residing or established in its territory. Furthermore, a host Member State may face a situation where it is necessary to ask several other Member States to assist in gathering the abovementioned information, which can constitute a significant~~		(31) ~~To ensure that the cooperation mechanism is only used for the purpose of protecting~~ The host Member State and the Commission may face potential obstacles in gathering relevant information from natural or legal persons in other Member States. Therefore, where a certain piece of information is strictly necessary for determination of whether the foreign investment is likely to negatively affect security ~~and public order, the host Member State and the Commission may request another Member State to gather information from a natural or legal person residing or established in its territory. Furthermore, a host Member State may face a situation where it is necessary to ask several other Member States to assist in gathering the abovementioned information, which can constitute a significant~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>burden, especially for Member States with more limited resources. To enhance the effectiveness of the information gathering assistance, a host Member State should ~~duly justify~~ ~~any~~ be able to request the Commission to assist in this process and gather the information for it. At the same time, the Member State, in whose territory the natural or legal person from whom the information is sought resides or is established, should be able to, within a reasonable time limit, object to this process or offer to provide that information itself. The possibility for that Member State to object ensures that Member States retain control over the collection of information on their territory. Therefore, the Commission should sufficiently inform that Member State, including as regards what information is requested by the host Member State. A host Member State may choose to request another Member State to gather the</i>		<i>burden, especially for Member States with more limited resources. To enhance the effectiveness of the information gathering assistance, a host Member State should ~~duly justify~~ ~~any~~ be able to request the Commission to assist in this process and gather the information for it. At the same time, the Member State, in whose territory the natural or legal person from whom the information is sought resides or is established, should be able to, within a reasonable time limit, object to this process or offer to provide that information itself. The possibility for that Member State to object ensures that Member States retain control over the collection of information on their territory. Therefore, the Commission should sufficiently inform that Member State, including as regards what information is requested by the host Member State. A host Member State may choose to request another Member State to gather the</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>necessary information or to request the assistance of the Commission, depending on what it deems more efficient in a given situation. As part of a request for information, the natural or legal person from whom information is sought may, even indirectly, receive confidential information, such as information about the planned foreign investment. Hence, it is necessary to specify that such a natural or legal person should not use any confidential information it received for any purpose other than to reply to the request for information about a specific foreign investment in another Member State and any comment they issue to that Member State. The same requirements apply when the Commission requests information about a particular foreign investment or issues an opinion to a Member State and that it should not disclose it.</i>		<i>necessary information or to request the assistance of the Commission, depending on what it deems more efficient in a given situation. As part of a request for information, the natural or legal person from whom information is sought may, even indirectly, receive confidential information, such as information about the planned foreign investment. Hence, it is necessary to specify that such a natural or legal person should not use any confidential information it received for any purpose other than to reply to the request for information about a specific foreign investment in another Member State and any comment they issue to that Member State. The same requirements apply when the Commission requests information about a particular foreign investment or issues an opinion to a Member State and that it should not disclose it.</i>
Recital 31a										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
42a				<i>(31a) Without prejudice to the cooperation mechanism, there is a need to raise awareness of the participation or contribution of undertakings from third countries in projects of common interest or in critical infrastructure which is strategic for the Union, in order to allow for intervention by public authorities if such participation or contribution is likely to affect security or public order in the Union and does not fall within the scope of this Regulation. Member States may make observations to other Member States as well as to the Commission. Where appropriate, the Commission may request additional information and follow up the situation.</i>						
Recital 32										
43		(32) Member States or the Commission, as appropriate, might consider relevant information received from economic operators, civil society organisations, social		(32) Member States or the Commission, as appropriate, might consider relevant information received from economic operators, civil society organisations, social		(32) Member States or the Commission, ~~as appropriate, might consider~~ should be able to take into consideration relevant information received from		(32) ~~Member States or The screening authority and~~ the Commission, ~~as appropriate, might consider~~ should be able to take into consideration relevant		(32) ~~Member States or The screening authority and~~ the Commission, ~~as appropriate, might consider~~ should be able to take into consideration relevant

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
		partners (such as trade unions) about a foreign investment likely to negatively affect security or public order.		partners (such as trade unions) about a foreign investment likely to negatively affect security or public order. <i>That information should be assessed thoroughly and may lead to the initiation of a screening procedure by the host Member State.</i>		economic operators, civil society organisations, <i>and</i> social partners (such as trade unions) about a foreign investment likely to negatively affect security or public order.		information received from <i>stakeholders, including</i> economic operators, civil society organisations, <i>and</i> social partners (such as trade unions) ~~<i>about,</i>~~ <i>concerning</i> a foreign investment ~~<i>likely to negatively affect security or public order.</i>~~ <i>Such information could lead to the initiation of a screening procedure by the host Member State. For this purpose, the screening authority and the Commission should make publicly available the contact details through which stakeholders could submit information concerning foreign investments in a confidential manner.</i>		information received from <i>stakeholders, including</i> economic operators, civil society organisations, <i>and</i> social partners (such as trade unions) ~~<i>about,</i>~~ <i>concerning</i> a foreign investment ~~<i>likely to negatively affect security or public order.</i>~~ <i>Such information could lead to the initiation of a screening procedure by the host Member State. For this purpose, the screening authority and the Commission should make publicly available the contact details through which stakeholders could submit information concerning foreign investments in a confidential manner.</i>
Recital 33										
44		(33) A Member State where a foreign investment is planned or has been completed may inform other Member States or the Commission if it wishes them to further analyse one or more aspects of a foreign investment that the cooperation mechanism is assessing or becomes aware		(33) A <i>host</i> Member State ~~<i>where a foreign investment is planned or has been completed</i>~~ may inform other Member States or the Commission if it ~~<i>wishes them to further analyse one or more aspects of a foreign investment that the cooperation mechanism is assessing or</i>~~ becomes aware		(33) A <i>host</i> Member State ~~<i>where a foreign investment is planned or has been completed</i>~~ may inform <i>should communicate to the</i> other Member States ~~<i>or and</i>~~ the Commission if it ~~<i>wishes them to further analyse one or more aspects of a foreign investment that the cooperation mechanism is</i>~~				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	of new circumstances or new information that may impact the assessment of the foreign investment. The other Member States and the Commission may then be granted additional time to complement their assessment of the foreign investment.	of new circumstances or new information that may impact the assessment of ~~the~~ notified foreign investment. The other Member States and the Commission may then be granted additional time to complement their assessment of the foreign investment. <i>In such cases, any extension of the assessment period should be kept to a minimum and should not unduly delay the overall screening procedure.</i>	~~assessing or~~ becomes aware of new circumstances or new information that ~~may impact~~ could have an influence on the assessment of the foreign investment. The <i>host Member State, the</i> other Member States and the Commission ~~may then be granted~~ <i>should in such case endeavour to agree on</i> additional time to complement their assessment of the foreign investment.		
Recital 34					
45	(34) To ensure the efficiency and effectiveness of the cooperation mechanism, it is necessary to align deadlines and procedures when several foreign investments linked to the same broader transaction are screened in several Member States. In such multi-country transactions, the applicant should file the different requests for authorisation in the Member States concerned simultaneously. In addition, those Member States should notify the requests	(34) To ensure the efficiency and effectiveness of the cooperation mechanism, it is necessary to align deadlines and procedures when several foreign investments linked to the same broader transaction are screened in several Member States. In such multi-country transactions, the applicant should file the different requests for authorisation in the Member States concerned ~~simultaneously~~ <i>within a limited timeframe.</i> In addition, those Member	(34) <i>In order</i> to ensure the efficiency and effectiveness of the cooperation mechanism, it is necessary to align deadlines and procedures ~~when~~ <i>where</i> several foreign investments linked to the same broader transaction are screened in several Member States. In such multi-country transactions, the ~~applicant~~ <i>applicants</i> should ~~file the different requests for authorisation~~ <i>endeavour to make the separate filings</i> in the Member States concerned simultaneously.	(34) <i>In order</i> to ensure the efficiency and effectiveness of the cooperation mechanism, it is necessary to align deadlines and procedures ~~when~~ <i>where</i> several foreign investments linked to the same broader transaction are screened in several Member States. In such multi-country transactions, the ~~applicant~~ <i>applicants</i> should ~~file the different requests for authorisation~~ <i>endeavour to make the separate filings</i> in the Member States concerned ~~simultaneously. In~~	(34) <i>In order</i> to ensure the efficiency and effectiveness of the cooperation mechanism, it is necessary to align deadlines and procedures ~~when~~ <i>where</i> several foreign investments linked to the same broader transaction are screened in several Member States. In such multi-country transactions, the ~~applicant~~ <i>applicants</i> should ~~file the different requests for authorisation~~ <i>endeavour to make the separate filings</i> in the Member States concerned ~~simultaneously. In~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	simultaneously to the cooperation mechanism. To ensure an efficient handling of these multi-country transactions, the Member States concerned should coordinate and agree on whether the foreign investments are notifiable and when they should be notified. Furthermore, the Member States concerned should also coordinate on the final decision. If the Member States concerned intend to authorise the foreign investment with conditions, they should ensure that these conditions are compatible with one another and address cross-border risks adequately. Before prohibiting a foreign investment, the Member States concerned should consider whether a conditional authorisation with coordinated measures and their coordinated enforcement is not sufficient to address the likely effect on security or public order. The Commission should be able to participate in such coordination.	States should <i>endeavour to</i> notify the requests ~~simultaneously~~ to the cooperation mechanism <i>within a limited timeframe.</i> To ensure an efficient handling of these multi-country transactions, the Member States concerned should coordinate and agree on whether the foreign investments are notifiable and ~~when they should be notified~~ <i>on the alignment of their procedural timelines.</i> Furthermore, the Member States concerned should also coordinate on the <i>content of their</i> final decision. If the Member States concerned intend to authorise the foreign investment with conditions, they should ensure that these conditions are compatible with one another and address cross-border risks adequately. Before prohibiting a foreign investment, the Member States concerned should consider whether a conditional authorisation with coordinated measures and their coordinated enforcement is not sufficient to address the likely effect	~~In addition,~~ Those Member States should <i>endeavour to</i> notify ~~the~~ <i>those</i> requests simultaneously ~~to~~ <i>through</i> the cooperation mechanism. To ensure an efficient handling of ~~these~~ <i>those</i> multi-country transactions, the Member States concerned should <i>endeavour to</i> coordinate and agree ~~among themselves~~ <i>and under what conditions,</i> the foreign investments ~~are notifiable and when they should be notified.~~ ~~Furthermore, the Member States concerned should also coordinate on the~~ <i>as well as on their</i> final decision. ~~If~~ Where the Member States concerned intend to authorise the foreign investment ~~with conditions~~ <i>subject to mitigating measures,</i> they should ~~ensure that these conditions~~ <i>discuss whether the intended screening decisions</i> are compatible with one another and ~~adequately~~ address cross-border risks ~~adequately.~~ Before prohibiting ~~or~~ <i>unwinding</i> a foreign investment, the Member	~~addition, on the same day.~~ Those Member States should <i>endeavour to</i> notify <i>those filings on the same day</i> ~~through the requests simultaneously to the~~ cooperation mechanism. To ensure an efficient handling of ~~these~~ <i>those</i> multi-country transactions, the Member States concerned should coordinate <i>throughout the screening procedure. In particular, they should discuss among themselves and with the Commission, if a Member State so requests, and agree on</i> whether the foreign investments ~~are notifiable and when they should be notified.~~ ~~Furthermore, the Member States concerned~~ <i>They should also coordinate on the final decision.</i> ~~If~~ <i>discuss their screening decisions and endeavour to align the timing of their respective procedures, including the date of adoption of their screening decisions. Where</i> the Member States concerned intend to authorise the foreign investment ~~with conditions~~ <i>subject to</i>	~~addition, on the same day.~~ Those Member States should <i>endeavour to</i> notify <i>those filings on the same day</i> ~~through the requests simultaneously to the~~ cooperation mechanism. To ensure an efficient handling of ~~these~~ <i>those</i> multi-country transactions, the Member States concerned should coordinate <i>throughout the screening procedure. In particular, they should discuss among themselves and with the Commission, if a Member State so requests, and agree on</i> whether the foreign investments ~~are notifiable and when they should be notified.~~ ~~Furthermore, the Member States concerned~~ <i>They should also coordinate on the final decision.</i> ~~If~~ <i>discuss their screening decisions and endeavour to align the timing of their respective procedures, including the date of adoption of their screening decisions. Where</i> the Member States concerned intend to authorise the foreign investment ~~with conditions~~ <i>subject to</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				on security or public order. The Commission should be able to fully participate in such coordination.		States concerned should consider whether a ~~conditional~~ authorisation ~~with subject to~~ coordinated mitigating measures and their coordinated enforcement ~~is not~~ would be sufficient to address the likely negative effect on security or public order. The Commission ~~should be able to~~ may participate in such coordination.		mitigating measures , they should ~~ensure that these conditions~~ discuss whether the intended screening decisions are compatible with one another and ~~address cross-border risks adequately. Before prohibiting a foreign investment, the Member States concerned should consider whether a conditional authorisation with coordinated measures and their coordinated enforcement is not sufficient to~~ address the ~~likely effect on security or public order. The Commission should be able to participate in such coordination.~~ identified risks.		mitigating measures , they should ~~ensure that these conditions~~ discuss whether the intended screening decisions are compatible with one another and ~~address cross-border risks adequately. Before prohibiting a foreign investment, the Member States concerned should consider whether a conditional authorisation with coordinated measures and their coordinated enforcement is not sufficient to~~ address the ~~likely effect on security or public order. The Commission should be able to participate in such coordination.~~ identified risks.
Recital 34a										
45a				(34a) In order to ensure an efficient and secure exchange of information between Member States and between Member States and the Commission under this Regulation, the Commission should establish and maintain a secure, encrypted digital system that complies with the highest standards of data protection				(34a) To safeguard the confidentiality and integrity of communications, the Commission should establish and maintain a secure and encrypted system that complies with the highest standards of data protection and security and includes monitoring and auditing capabilities to ensure compliance with		(34a) To safeguard the confidentiality and integrity of communications, the Commission should establish and maintain a secure and encrypted system that complies with the highest standards of data protection and security and includes monitoring and auditing capabilities to ensure compliance with

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>and security. To safeguard the confidentiality and integrity of communications, all exchanges under this Regulation should take place exclusively through that system, and the system should include monitoring and auditing capabilities to ensure compliance with security standards.</i>				<i>security standards. All substantive communications between Member States, as well as between Member States and the Commission under this Regulation, should be transmitted through that system, unless the nature of the information to be transmitted requires the use of other means, such as physical documents. Substantive communication between the Member States and the Commission should include in particular, notifications to the cooperation mechanism, information about the intention to issue a comment or an opinion, requests for information from the host Member State, answers to those requests, comments and opinions, and substantial new information following the notification of the foreign investment. The establishment and use of the secure and encrypted system should not affect the overall communication between screening authorities and the</i>		<i>security standards. All substantive communications between Member States, as well as between Member States and the Commission under this Regulation, should be transmitted through that system, unless the nature of the information to be transmitted requires the use of other means, such as physical documents. Substantive communication between the Member States and the Commission should include in particular, notifications to the cooperation mechanism, information about the intention to issue a comment or an opinion, requests for information from the host Member State, answers to those requests, comments and opinions, and substantial new information following the notification of the foreign investment. The establishment and use of the secure and encrypted system should not affect the overall communication between screening authorities and the</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>Commission, which should remain possible by all appropriate means.</i>		<i>Commission, which should remain possible by all appropriate means.</i>
Recital 34b										
45b								<i>(34b) To ensure the effectiveness of the cooperation mechanism, the Commission should set up a secure database with information on the foreign investments notified to the cooperation mechanism and the outcome of the assessments under screening mechanisms since 12 October 2020. Member States should, after the completion of the national procedure, upload to the secure database certain information about the foreign investment, including relevant business intelligence procured and verified from commercial vendors, such as providers of risk analysis or sanctions and compliance screening services. Such information should be shared through the cooperation mechanism only to the extent permitted by the contractual arrangements governing its use and disclosure.</i>		<i>(34b) To ensure the effectiveness of the cooperation mechanism, the Commission should set up a secure database with information on the foreign investments notified to the cooperation mechanism and the outcome of the assessments under screening mechanisms since 12 October 2020. Member States should, after the completion of the national procedure, upload to the secure database certain information about the foreign investment, including relevant business intelligence procured and verified from commercial vendors, such as providers of risk analysis or sanctions and compliance screening services. Such information should be shared through the cooperation mechanism only to the extent permitted by the contractual arrangements governing its use and disclosure.</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>Furthermore, Member States should also be able to upload to the database relevant information on cases where mitigating measures were significantly or repeatedly not complied with, since such information could be relevant for determining whether other foreign investments should be notified to the cooperation mechanism or are likely to negatively affect security or public order.</i>		<i>Furthermore, Member States should also be able to upload to the database relevant information on cases where mitigating measures were significantly or repeatedly not complied with, since such information could be relevant for determining whether other foreign investments should be notified to the cooperation mechanism or are likely to negatively affect security or public order.</i>
Recital 34c										
45c				<i>(34b) To ensure the secure and efficient submission and processing of filings related to foreign investment screening, and to alleviate the administrative burden on both applicants and authorities, a single electronic portal at the Union level should be established. That portal should provide a unified mechanism for applicants and their representatives to electronically file transactions with national screening authorities. The</i>				<i>(34c) To ensure the secure and efficient submission and processing of filings related to foreign investment screening, and to alleviate the administrative burden on both natural or legal persons making a filing and screening authorities, the Commission should, at the request of at least nine Member States, establish an online EU portal. That portal should provide a unified mechanism for natural or legal persons making a filing to</i>		<i>(34c) To ensure the secure and efficient submission and processing of filings related to foreign investment screening, and to alleviate the administrative burden on both natural or legal persons making a filing and screening authorities, the Commission should, at the request of at least nine Member States, establish an online EU portal. That portal should provide a unified mechanism for natural or legal persons making a filing to</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>Commission should design the system to be user-friendly and ensure that it complies with applicable data protection regulations and security standards.</i>				<i>electronically file transactions with screening authorities. The Commission should design the system to be user-friendly and ensure that it complies with applicable data protection requirements and security standards. The online EU portal should, if established, only apply in respect of foreign investments in Member States which have so requested. If a Member State requests to opt out of that portal, the portal should no longer apply to that the foreign investments in that Member State, without affecting the continued use of the portal by the other relevant Member States.</i>		<i>electronically file transactions with screening authorities. The Commission should design the system to be user-friendly and ensure that it complies with applicable data protection requirements and security standards. The online EU portal should, if established, only apply in respect of foreign investments in Member States which have so requested. If a Member State requests to opt out of that portal, the portal should no longer apply to that the foreign investments in that Member State, without affecting the continued use of the portal by the other relevant Member States.</i>
Recital 34d										
45d								<i>(34d) To ensure the effectiveness of the cooperation mechanism, the Commission should set up a secure database with information on the foreign investments notified to the cooperation mechanism and the outcome of the assessments under</i>		<i>(34d) To ensure the effectiveness of the cooperation mechanism, the Commission should set up a secure database with information on the foreign investments notified to the cooperation mechanism and the outcome of the assessments under</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>screening mechanisms since 12 October 2020. Member States should, after the completion of the national procedure, upload to the secure database certain information about the foreign investment. Furthermore, Member States should also be able to upload to the database relevant information on cases where mitigating measures were significantly or repeatedly not complied with, since such information could be relevant for determining whether other foreign investments should be notified to the cooperation mechanism or are likely to negatively affect security or public order.</i>		<i>screening mechanisms since 12 October 2020. Member States should, after the completion of the national procedure, upload to the secure database certain information about the foreign investment. Furthermore, Member States should also be able to upload to the database relevant information on cases where mitigating measures were significantly or repeatedly not complied with, since such information could be relevant for determining whether other foreign investments should be notified to the cooperation mechanism or are likely to negatively affect security or public order.</i>
Recital 34e										
45e								<i>(34e) In order to enhance the ability of Member States and the Commission to identify, assess and mitigate potential risks to security or public order stemming from</i>		<i>(34e) In order to enhance the ability of Member States and the Commission to identify, assess and mitigate potential risks to security or public order stemming from</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>foreign direct investments, it is important that they have high quality business intelligence capability at their disposal. This capability should allow for the collection and analysis of relevant information and thus facilitate coordinated risk assessments. Within the Commission, in the framework of the crisis-preparedness architecture established under the Internal Market Emergency and Resilience Act (IMERA, Regulation (EU) 2024/2747 of the European Parliament and the Council) the Commission will develop elements for such a capability . It could complement the cooperation mechanism under this Regulation insofar as the information gathered, processed or analysed under IMERA concerns potential risks to security or public order.</i>		<i>foreign direct investments, it is important that they have high quality business intelligence capability at their disposal. This capability should allow for the collection and analysis of relevant information and thus facilitate coordinated risk assessments. Within the Commission, in the framework of the crisis-preparedness architecture established under the Internal Market Emergency and Resilience Act (IMERA, Regulation (EU) 2024/2747 of the European Parliament and the Council) the Commission will develop elements for such a capability . It could complement the cooperation mechanism under this Regulation insofar as the information gathered, processed or analysed under IMERA concerns potential risks to security or public order.</i>
	Recital 34f									
	45f									
	Recital 35									
G	46	(35) To ensure a consistent	(35) To ensure a consistent	(35) To ensure a consistent	(35) To ensure a consistent	(35) To ensure a consistent	(35) To ensure a consistent	(35) To ensure a consistent	(35) To ensure a consistent	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	approach to the screening of investments across the Union, it is essential that the standards and criteria used to assess likely risks to security and public order are those set at Union level in this Regulation. Those should include the impact on the security, integrity and functioning of critical infrastructure, the availability of critical technologies (including key enabling technologies) and the continued supply of critical inputs for security or public order, the disruption, failure, loss or destruction of which would have a significant impact on security and public order in one or more Member States or on the Union as a whole. In that regard, Member States and the Commission should also take into account the context and circumstances of the foreign investment. This should include, in particular, whether an investor is controlled directly or indirectly, for example through significant funding, by the government of a third	approach to the screening of investments across the Union, it is essential that the standards and criteria used to assess likely risks to security and public order are those set at Union level in this Regulation. Those should include the impact on the security, integrity ~~and~~, functioning and resilience of critical infrastructure and of the internal market, the availability and uptake of critical technologies and knowledge (including key enabling technologies) ~~and~~, the continued supply of critical inputs for security or public order, the disruption, failure, loss or destruction of which would have a significant impact on security and public order in one or more Member States or on the Union as a whole, the security of military facilities and other sensitive public facilities, and the capacity to address strategic dependencies. In that regard, Member States and the Commission should also take into account the context and circumstances of the foreign investment. This	approach to the screening of foreign investments across the Union, it is essential that some of the standards and criteria used to assess likely risks to security and public order are ~~those~~ set at Union level in this Regulation. Those criteria should in particular include the ~~impact~~potential effects on the security, integrity, resilience and functioning of a critical entity within the meaning of Article 2(1) of Directive (EU) 2022/2557 of the European Parliament and of the Council' ~~infrastructure~~, the availability of critical technologies ~~(including key enabling technologies)~~, and the continued supply of critical inputs ~~for security or public order, the disruption, failure, loss or destruction of which would have a significant impact on security and public order in one or more Member States or on the Union as a whole~~. In that regard, Member States and the Commission should also take into account the context and circumstances of the foreign	approach to the screening of foreign investments across the Union, it is essential that some of the standards and criteria used to assess likely risks to security and public order are ~~those~~ set at Union level in this Regulation. ~~Those~~These criteria should ~~include the impact on the security, integrity and functioning of critical infrastructure, the availability of critical technologies (including key enabling technologies) and the continued supply of critical inputs for security or public order, the disruption, failure, loss or destruction of which would have a significant impact on security and public order in one or more Member States or on the Union as a whole~~. In that regard, Member States and the Commission should also take into account the context and ~~circumstances of the foreign~~risks pertaining to the investment. ~~This should include, in particular, whether an~~ and risks pertaining to the investor is controlled directly or	approach to the screening of foreign investments across the Union, it is essential that some of the standards and criteria used to assess likely risks to security and public order are ~~those~~ set at Union level in this Regulation. ~~Those~~These criteria should ~~include the impact on the security, integrity and functioning of critical infrastructure, the availability of critical technologies (including key enabling technologies) and the continued supply of critical inputs for security or public order, the disruption, failure, loss or destruction of which would have a significant impact on security and public order in one or more Member States or on the Union as a whole~~. In that regard, Member States and the Commission should also take into account the context and ~~circumstances of the foreign~~risks pertaining to the investment. ~~This should include, in particular, whether an~~ and risks pertaining to the investor is controlled directly or

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
		country or is involved in pursuing policy objectives of third countries to facilitate their military capabilities. In this context, if applicable, Member States and the Commission should also consider why the foreign investor, its beneficial owner or any of its subsidiaries or a person acting on behalf or at the direction of such a foreign investor is subject to any type of Union restrictive measures pursuant to Article 215 TFEU.		should include, in particular, whether an investor ~~is controlled directly or indirectly, for example through significant funding, by the government of a third country or~~ has engaged in illegal activities, including repeated failure to comply with Union legal standards, whether it is involved in pursuing policy objectives of third countries, or aims to facilitate their military capabilities or violations of international law. The pursuit of a third country's policy objectives may involve its government exerting influence over undertakings, leading to significant market distortions. In this context, if applicable, Member States and the Commission should also consider why the foreign investor, its beneficial owner or any of its subsidiaries or a person acting on behalf or at the direction of such a foreign investor is subject to any type of Union restrictive measures pursuant to Article 215 TFEU.		investment. ~~This should include, in particular, whether an~~ the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign investor is ~~controlled directly or indirectly, for example through significant funding, by the government of~~ likely to pursue a third country ~~or is involved in pursuing~~ 's policy objectives ~~of third countries or to facilitate their~~ development of a third country's military capabilities. ~~In this context, if~~ Where applicable, Member States and the Commission should also consider why the foreign investor, its beneficial owner or any of its subsidiaries or a person acting on behalf or at the direction of such a foreign investor is subject to any type of Union restrictive measures pursuant to Article		~~indirectly, for example through significant funding, by the government of a third country or is involved in pursuing policy objectives of third countries to facilitate their military capabilities. In this context, if applicable, Member States and the Commission should also consider why the foreign investor, its beneficial owner or any of its subsidiaries or a person acting on behalf or at the direction of such a foreign investor is subject to any type of Union restrictive measures pursuant to Article 215 TFEU.~~		~~indirectly, for example through significant funding, by the government of a third country or is involved in pursuing policy objectives of third countries to facilitate their military capabilities. In this context, if applicable, Member States and the Commission should also consider why the foreign investor, its beneficial owner or any of its subsidiaries or a person acting on behalf or at the direction of such a foreign investor is subject to any type of Union restrictive measures pursuant to Article 215 TFEU.~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>29 TEU and Article 215 TFEU. In addition, Member States and the Commission should also examine whether the foreign investor could be a conduit for a third-country government or a non-state actor to acquire and exert influence on the Union target indirectly. Such influence could go beyond influence conveyed through corporate structures or other means of corporate law and could be conveyed by natural persons like the investor's shareholders, directors or board members in any manner of ways. This extends to informal means including leveraging personal relationships, applying personal or political pressure, and employing threats and other manipulative or deceptive practices.</i> <i>1. Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC (OJ L 333, 27.12.2022, p. 164, ELI: http://data.europa.eu/eli/dir/2022/2557/oj).</i>				

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
Recital 35a										
46a								<i>(35a) Foreign investments are more likely to pose risks to security or public order where they are liable to produce effects on certain sectors, assets or activities that are crucial to security or vital societal functions. It is therefore appropriate for Member States and the Commission to focus on these potential effects when determining whether an investment could negatively affect security or public order. In particular, they should assess the impact of an investment on the security, integrity, resilience and functioning of a critical entity within the meaning of Article 2(1) of Directive (EU) 2022/2557, in view of the core functions performed by such entities and the consequences that their disruption would entail. The same applies to foreign investments that could affect the availability of critical technologies, or the protection and availability of intellectual property or other intangible assets such as trade secrets,</i>		<i>(35a) Foreign investments are more likely to pose risks to security or public order where they are liable to produce effects on certain sectors, assets or activities that are crucial to security or vital societal functions. It is therefore appropriate for Member States and the Commission to focus on these potential effects when determining whether an investment could negatively affect security or public order. In particular, they should assess the impact of an investment on the security, integrity, resilience and functioning of a critical entity within the meaning of Article 2(1) of Directive (EU) 2022/2557, in view of the core functions performed by such entities and the consequences that their disruption would entail. The same applies to foreign investments that could affect the availability of critical technologies, or the protection and availability of intellectual property or other intangible assets such as trade secrets,</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
							<i>databases, algorithms, processes, since the leakage or inaccessibility of such technologies or assets could undermine security. It is equally important that Member States and the Commission assess the extent to which a foreign investment could affect food security, public health, including the provision and availability of critical medicines, or the continued supply of critical inputs as well as the security of military facilities and other sensitive public facilities, given the essential role these sectors and assets play in safeguarding societal resilience and the continuity of vital services. Member States and the Commission should also consider the potential effects of foreign investments on sensitive information, including personal data, in particular where large-scale data sets are concerned, due to the risk of misuse or strategic exploitation of such data. Moreover, particular attention should be given to foreign investments that</i>	<i>databases, algorithms, processes, since the leakage or inaccessibility of such technologies or assets could undermine security. It is equally important that Member States and the Commission assess the extent to which a foreign investment could affect food security, public health, including the provision and availability of critical medicines, or the continued supply of critical inputs as well as the security of military facilities and other sensitive public facilities, given the essential role these sectors and assets play in safeguarding societal resilience and the continuity of vital services. Member States and the Commission should also consider the potential effects of foreign investments on sensitive information, including personal data, in particular where large-scale data sets are concerned, due to the risk of misuse or strategic exploitation of such data. Moreover, particular attention should be given to foreign investments that</i>		

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
								<i>may affect projects or programmes of Union interest, where disruptions or undue influence could have cross-border implications for the Union as a whole. Finally, in order to protect from potential foreign interference, Member States and the Commission should consider the potential effects of foreign investments on the freedom and pluralism of the media, including online and social media platforms or their ancillary features, or other digital and interactive environments for education or recreation purposes. For clarity purposes, the list of projects or programmes of Union interest should be listed in an annex. Those should include the trans-European networks for transport, energy or communication, as well as programmes providing funding for research and development for activities that are relevant for the security or public order. The list of technology areas of importance for security</i>		<i>may affect projects or programmes of Union interest, where disruptions or undue influence could have cross-border implications for the Union as a whole. Finally, in order to protect from potential foreign interference, Member States and the Commission should consider the potential effects of foreign investments on the freedom and pluralism of the media, including online and social media platforms or their ancillary features, or other digital and interactive environments for education or recreation purposes. For clarity purposes, the list of projects or programmes of Union interest should be listed in an annex. Those should include the trans-European networks for transport, energy or communication, as well as programmes providing funding for research and development for activities that are relevant for the security or public order. The list of technology areas of importance for security</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>and public order and the list of critical medicines should be set out in separate annexes.</i>		<i>and public order and the list of critical medicines should be set out in separate annexes.</i>
Recital 35b										
46b								<i>(35b) Similarly, Member States and the Commission should also take into account the context and circumstances of the foreign investment. This should include, in particular, whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign investor is likely to pursue a third country's policy objectives or to facilitate the development of a third country's military capabilities, as well as whether it could use the foreign investment to support the commission of serious violations of human rights or international humanitarian law. Such</i>		<i>(35b) Similarly, Member States and the Commission should also take into account the context and circumstances of the foreign investment. This should include, in particular, whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign investor is likely to pursue a third country's policy objectives or to facilitate the development of a third country's military capabilities, as well as whether it could use the foreign investment to support the commission of serious violations of human rights or international humanitarian law. Such</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>serious violations are liable to cause a serious disturbance to foreign relations or to peaceful coexistence of nations, thereby affecting the security of Member States. Furthermore, circumstances such as previous rejections of authorisation requests or non-compliance with mitigating measures, the prior involvement in activities negatively affecting security or public order, illegal or criminal activities, including the circumvention of Union restrictive measures adopted pursuant to Article 29 TEU and Article 215 TFEU, the establishment in a jurisdiction identified as a third country with significant strategic deficiencies in its national AML/CFT regime, a legal requirement to share information for intelligence purposes or an opaque ownership structure may constitute risk factors and should therefore also be assessed. In addition, Member States and the</i>		<i>serious violations are liable to cause a serious disturbance to foreign relations or to peaceful coexistence of nations, thereby affecting the security of Member States. Furthermore, circumstances such as previous rejections of authorisation requests or non-compliance with mitigating measures, the prior involvement in activities negatively affecting security or public order, illegal or criminal activities, including the circumvention of Union restrictive measures adopted pursuant to Article 29 TEU and Article 215 TFEU, the establishment in a jurisdiction identified as a third country with significant strategic deficiencies in its national AML/CFT regime, a legal requirement to share information for intelligence purposes or an opaque ownership structure may constitute risk factors and should therefore also be assessed. In addition, Member States and the</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
								<i>Commission should also examine whether the foreign investor could be a conduit for a third-country government or a non-state actor to acquire and exert influence on the Union target indirectly. Such influence could go beyond influence conveyed through corporate structures or other means of corporate law and could be conveyed by natural persons like the investor's shareholders, directors or board members in any manner of ways. This extends to informal means including leveraging personal relationships, applying personal or political pressure, and employing threats and other manipulative or deceptive practices.</i>		<i>Commission should also examine whether the foreign investor could be a conduit for a third-country government or a non-state actor to acquire and exert influence on the Union target indirectly. Such influence could go beyond influence conveyed through corporate structures or other means of corporate law and could be conveyed by natural persons like the investor's shareholders, directors or board members in any manner of ways. This extends to informal means including leveraging personal relationships, applying personal or political pressure, and employing threats and other manipulative or deceptive practices.</i>
Recital 36										
47		(36) Where the Member State where the foreign investment is planned or completed considers that a foreign investment is likely to negatively affect security or public order in the Union, it is appropriate to require that Member State to take		(36) Where the host Member State ~~where the foreign investment is planned or completed~~ considers that a foreign investment is likely to negatively affect security or public order in the Union, it is appropriate to require that		(36) Where the host Member State ~~where the foreign investment is planned or completed~~ considers that a foreign investment is likely to negatively affect security or public order ~~in the Union~~ , it is appropriate to require that		(36) Where the host Member State ~~where the foreign investment is planned or completed~~ considers that a foreign investment is likely to negatively affect security or public order ~~in the Union~~ , it is appropriate to require that		(36) Where the host Member State ~~where the foreign investment is planned or completed~~ considers that a foreign investment is likely to negatively affect security or public order ~~in the Union~~ , it is appropriate to require that

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	appropriate measures to mitigate the risks, where such measures are available, and it considers them adequate, taking into utmost consideration the comments issued by other Member States and the opinion issued by the Commission, if applicable. Foreign investments should be prohibited only on an exceptional basis, and where mitigating measures or measures available under Union or national law other than the screening mechanism are not sufficient to mitigate the effect on security or public order.	Member State to take appropriate measures to mitigate the risks, where such measures are available, and it considers them adequate, taking into utmost consideration the comments issued by other Member States and the opinion issued by the Commission, if applicable. Foreign investments should be prohibited only on an exceptional basis, and where mitigating measures or measures available under Union or national law other than the screening mechanism are not sufficient to mitigate the effect on security or public order.	<i>that</i> Member State ~~to~~ take appropriate measures to mitigate ~~the risks~~ <i>that risk</i> , where ~~such~~ <i>adequate</i> measures are available, ~~and it considers them adequate~~ , taking into ~~utmost~~ <i>due</i> consideration ~~the any~~ comments issued by other Member States and ~~the an~~ opinion issued by the Commission, ~~if applicable~~ . Foreign investments should <i>only</i> be prohibited ~~only or unwound~~ on an exceptional basis, ~~and~~ where mitigating measures or measures available under Union or national law other than <i>those within</i> the screening mechanism are not sufficient to mitigate the <i>negative</i> effect on security or public order.	<i>that</i> Member State ~~to~~ take appropriate measures to mitigate ~~the risks~~ <i>that risk</i> , where ~~such~~ <i>adequate</i> measures are available, ~~and it considers them adequate~~ , taking into ~~utmost~~ <i>due</i> consideration ~~the any~~ comments issued by other Member States and ~~the an~~ opinion issued by the Commission, ~~if applicable~~ . Foreign investments should <i>only</i> be prohibited ~~only or unwound~~ on an exceptional basis, ~~and~~ where mitigating measures or measures available under Union or national law other than <i>those within</i> the screening mechanism are not sufficient to mitigate the <i>negative</i> effect on security or public order. Text Origin: Council Mandate	<i>that</i> Member State ~~to~~ take appropriate measures to mitigate ~~the risks~~ <i>that risk</i> , where ~~such~~ <i>adequate</i> measures are available, ~~and it considers them adequate~~ , taking into ~~utmost~~ <i>due</i> consideration ~~the any~~ comments issued by other Member States and ~~the an~~ opinion issued by the Commission, ~~if applicable~~ . Foreign investments should <i>only</i> be prohibited ~~only or unwound~~ on an exceptional basis, ~~and~~ where mitigating measures or measures available under Union or national law other than <i>those within</i> the screening mechanism are not sufficient to mitigate the <i>negative</i> effect on security or public order.
Recital 37					
48	(37) To support the implementation of the cooperation mechanism and to foster the exchange of good practices among Member States, the expert group on the screening of foreign investments set up	(37) To support the implementation of the cooperation mechanism and to foster the exchange of good practices among Member States, the expert group on the screening of foreign investments set up	(37) To support the implementation of the cooperation mechanism and to foster the exchange of good practices among Member States, the expert group on the screening of foreign investments set up	(37) To support the implementation of the cooperation mechanism and to foster the exchange of good practices among Member States, the expert group on the screening of foreign investments ~~set up~~	(37) To support the implementation of the cooperation mechanism and to foster the exchange of good practices among Member States, the expert group on the screening of foreign investments ~~set up~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
		pursuant to Regulation (EU) 2019/452 should be maintained.		pursuant to Regulation (EU) 2019/452 should be maintained and its tasks updated in accordance with this Regulation.		pursuant to Regulation (EU) 2019/452 should be maintained.		~~pursuant to~~ referred to in Regulation (EU) 2019/452 should be maintained and its tasks updated in accordance with this Regulation. Text Origin: EP Mandate		~~pursuant to~~ referred to in Regulation (EU) 2019/452 should be maintained and its tasks updated in accordance with this Regulation.
Recital 37a										
G	48a			(37a) In order to enhance transparency and facilitate the process for investors, Member States should publish and regularly update guidance on screening procedures, timelines and risk assessment criteria. In order to ensure transparency and a consistent application of this Regulation across the Member States, the Commission should publish and regularly update guidance on the requirements at Union level and key concepts and assessment criteria established by this Regulation. The Commission should also maintain a publicly available list of all screening mechanisms established by the Member States.				(37a) In order to enhance transparency for foreign investors, the Commission should maintain a publicly available list of all screening mechanisms. Furthermore, in so far this is not already laid down in national law, Member States should publish and regularly update detailed guidance on the scope of their screening mechanisms, the thresholds and triggers for notification obligations, and the applicable timelines and procedural rules.		(37a) In order to enhance transparency for foreign investors, the Commission should maintain a publicly available list of all screening mechanisms. Furthermore, in so far this is not already laid down in national law, Member States should publish and regularly update detailed guidance on the scope of their screening mechanisms, the thresholds and triggers for notification obligations, and the applicable timelines and procedural rules.

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
Recital 38										
49		(38) Member States should notify their screening mechanisms and any amendment to them to the Commission. They should report to the public on the application of their screening mechanisms annually on relevant legislative developments and the activities of the screening authority, including aggregate data on the transactions screened, the outcome of screening procedures, the nationalities of parties to foreign investments and the economic sectors in which those transactions took place.		(38) Member States should notify their screening mechanisms and any amendment to them to the Commission. They should report to the public on the application of their screening mechanisms annually on relevant legislative developments and the activities of the screening authority, including aggregate data on the transactions screened, the outcome of screening procedures, the nationalities of parties to foreign investments and the economic sectors in which those transactions took place.		(38) Member States should notify to the Commission their screening mechanisms and any amendment ~~to them to the Commission thereto~~ . They should publish an annual report ~~to the public~~ on the application of their screening mechanisms ~~annually on~~ , relevant legislative developments and the activities of the screening authority, including aggregate and anonymised data on the transactions screened, ~~the outcome of screening procedures, the nationalities of parties to foreign investments and the economic sectors in which those transactions took place.~~		(38) Member States should notify to the Commission their screening mechanisms and any amendment ~~to them to the Commission thereto~~ . They should publish an annual report ~~to the public~~ on the application of their screening mechanisms ~~annually on~~ , relevant legislative developments and the activities of the screening authority, including aggregate and anonymised data on the transactions screened, ~~the outcome of screening procedures, the nationalities of parties to foreign investments and the economic sectors in which those transactions took place.~~ Text Origin: Council Mandate		(38) Member States should notify to the Commission their screening mechanisms and any amendment ~~to them to the Commission thereto~~ . They should publish an annual report ~~to the public~~ on the application of their screening mechanisms ~~annually on~~ , relevant legislative developments and the activities of the screening authority, including aggregate and anonymised data on the transactions screened, ~~the outcome of screening procedures, the nationalities of parties to foreign investments and the economic sectors in which those transactions took place.~~
Recital 39										
50		(39) To ensure the efficacy of the coordination mechanism, the contact points put in place by Member States and the Commission should be suitably placed in the respective administrations. The contact points should		(39) To ensure the efficacy of the coordination mechanism, the contact points put in place by Member States and the Commission should be suitably strategically placed ~~in~~ within the respective administrations. The contact		(39) To ensure the ~~efficacy~~ efficiency of the ~~coordination~~ cooperation mechanism, the contact points put in place by Member States and the Commission for the application of this Regulation should be		(39) ~~To ensure the efficacy of the coordination mechanism, the contact points put in place by~~ Member States and the Commission should be ~~suitably placed in the respective administrations. The contact~~		(39) ~~To ensure the efficacy of the coordination mechanism, the contact points put in place by~~ Member States and the Commission should be ~~suitably placed in the respective administrations. The contact~~

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	have the qualified staff and powers needed to carry out their work under the coordination mechanism and ensure a proper handling of confidential information.	points should have the qualified staff and powers needed to carry out their work under the coordination mechanism and ensure a proper handling of confidential information in line with applicable legal frameworks.	~~suitably~~ placed in the respective administrations. ~~The~~ Those contact points should have the qualified staff and powers needed to carry out their work under the ~~coordination~~ cooperation mechanism and ensure a proper handling of confidential information.	~~points~~ encouraged to cooperate with the responsible authorities of like-minded third countries on issues related to the screening of foreign investments on grounds of security or public order. Such administrative cooperation should ~~have the qualified staff and powers needed to carry out their work under the coordination mechanism and ensure a proper handling of confidential~~ aim at strengthening the effectiveness of the framework for screening foreign investments by Member States and the cooperation between the Member States and the Commission pursuant to this Regulation. That cooperation may involve the exchange of information and best practices, as well as technical and capacity-building support. In the context of that cooperation, the Commission should encourage the establishment of investment screening mechanisms by third countries, particularly	~~points~~ encouraged to cooperate with the responsible authorities of like-minded third countries on issues related to the screening of foreign investments on grounds of security or public order. Such administrative cooperation should ~~have the qualified staff and powers needed to carry out their work under the coordination mechanism and ensure a proper handling of confidential~~ aim at strengthening the effectiveness of the framework for screening foreign investments by Member States and the cooperation between the Member States and the Commission pursuant to this Regulation. That cooperation may involve the exchange of information and best practices, as well as technical and capacity-building support. In the context of that cooperation, the Commission should encourage the establishment of investment screening mechanisms by third countries, particularly

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>those that are candidates for accession to the Union and countries in the Union's neighbourhood. It should also monitor the developments with regards to screening mechanisms in third countries. The Commission should be kept informed of contacts with third countries to the extent that they relate to systemic issues related to investment screening. It should also be possible for the Commission.</i>		<i>those that are candidates for accession to the Union and countries in the Union's neighbourhood. It should also monitor the developments with regards to screening mechanisms in third countries. The Commission should be kept informed of contacts with third countries to the extent that they relate to systemic issues related to investment screening. It should also be possible for the Commission.</i>
Recital 40										
51		(40) Member States and the Commission should be encouraged to cooperate with the responsible authorities of like-minded third countries on issues related to the screening of foreign investments that could affect security or public order. Such administrative cooperation should aim to strengthen the effectiveness of the framework for screening foreign investments by Member States and the cooperation between Member States and the		(40) Member States and the Commission should be encouraged to actively cooperate with the responsible authorities of like-minded third countries on issues related to the screening of foreign investments that could affect security or public order. Such administrative cooperation should aim to strengthen the effectiveness of the framework for screening foreign investments by Member States and the cooperation between Member States and		(40) Member States and the Commission should be encouraged to cooperate with the responsible authorities of like-minded third countries on issues related to the screening of foreign investments ~~that could affect~~ on grounds of security or public order. Such administrative cooperation should aim ~~to strengthen~~ at strengthening the effectiveness of the framework for screening foreign investments by Member States and the cooperation between ~~the~~		(40) Member States and the Commission should be encouraged to cooperate with the responsible authorities of like-minded third countries on issues related to the screening of foreign investments ~~that could affect~~ on grounds of security or public order. Such administrative cooperation should aim ~~to strengthen~~ at strengthening the effectiveness of the framework for screening foreign investments by Member States and the cooperation between ~~the~~		(40) Member States and the Commission should be encouraged to cooperate with the responsible authorities of like-minded third countries on issues related to the screening of foreign investments ~~that could affect~~ on grounds of security or public order. Such administrative cooperation should aim ~~to strengthen~~ at strengthening the effectiveness of the framework for screening foreign investments by Member States and the cooperation between ~~the~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
		Commission pursuant to this Regulation. The Commission should be kept informed of such bilateral contacts to the extent that they relate to systemic issues related to investment screening. It should also be possible for the Commission to monitor developments with regard to screening mechanisms in third countries.		the Commission pursuant to this Regulation. The Commission should be kept informed of such bilateral contacts to the extent that they relate to systemic issues, trends, or best practices related to investment screening. It should also be possible for the Commission to monitor developments with regard to screening mechanisms in third countries.		Member States and the Commission pursuant to this Regulation. The Commission should be kept informed of ~~such bilateral~~ contacts with third countries to the extent that they relate to systemic issues related to investment screening. It should also be possible for the Commission to monitor developments with regard to screening mechanisms in third countries.		Member States and the Commission pursuant to this Regulation. That cooperation may involve the exchange of information and best practices, as well as technical and capacity-building support. In the context of that cooperation, the Commission should encourage the establishment of investment screening mechanisms by third countries, particularly those that are candidates for accession to the Union and countries in the Union's neighbourhood. It should also monitor the developments with regards to screening mechanisms in third countries. The Commission should be kept informed of ~~such bilateral~~ contacts with third countries to the extent that they relate to systemic issues related to investment screening. ~~It should also be possible for the Commission to monitor developments with regard to screening mechanisms in third countries.~~		Member States and the Commission pursuant to this Regulation. That cooperation may involve the exchange of information and best practices, as well as technical and capacity-building support. In the context of that cooperation, the Commission should encourage the establishment of investment screening mechanisms by third countries, particularly those that are candidates for accession to the Union and countries in the Union's neighbourhood. It should also monitor the developments with regards to screening mechanisms in third countries. The Commission should be kept informed of ~~such bilateral~~ contacts with third countries to the extent that they relate to systemic issues related to investment screening. ~~It should also be possible for the Commission to monitor developments with regard to screening mechanisms in third countries.~~
Recital 40a										
G	51a			(40a) This Regulation						G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>should be considered amongst the wider package of the Union's defensive instruments aimed at addressing security risks, including the Foreign Subsidies Regulation and the International Procurement Instrument, and it should be ensured that the scope is set out in line with those measures to avoid duplication and to ensure a targeted and proportionate approach.</i>						
Recital 41										
52		(41) Member States and the Commission shall ensure the confidentiality of the information they provide or receive in application of this Regulation, in accordance with national and Union law. Where the unauthorised disclosure of information would cause varying degrees of prejudice to the interests of the European Union, or of one or more of the Member States, the originator of the information should classify the information in accordance with national and Union law. When responding to requests of		(41) Member States and the Commission ~~shall~~ <i>should</i> ensure the highest level of confidentiality of the information they provide or receive in application of this Regulation, in accordance with national and Union law. Where the unauthorised disclosure of information would cause varying degrees of prejudice to the interests of the European Union, or of one or more of the Member States, the originator of the information should classify the information in accordance with national and Union law. When		(41) Member States and the Commission shall ensure the confidentiality of the information they provide or receive in application of this Regulation, in accordance with national and Union law. Information received as a result of the application of this Regulation shall be used only for the purpose for which it was requested, which includes the use of such information in the judicial review of screening decisions. Where the unauthorised disclosure of information ~~would~~ <i>might</i> cause ~~varying degrees of~~		(41) Member States and the Commission ~~shall~~ <i>should</i> ensure the confidentiality of the information they provide or receive in application of this Regulation, in accordance with national and Union law. Information received as a result of the application of this Regulation shall be used only for the purpose for which it was requested, which includes the use of such information in the judicial review of screening decisions. Where the unauthorised disclosure of information ~~would~~ <i>might</i>		(41) Member States and the Commission ~~shall~~ <i>should</i> ensure the confidentiality of the information they provide or receive in application of this Regulation, in accordance with national and Union law. Information received as a result of the application of this Regulation shall be used only for the purpose for which it was requested, which includes the use of such information in the judicial review of screening decisions. Where the unauthorised disclosure of information ~~would~~ <i>might</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
		access to documents handled in application of this Regulation, Member States and the Commission shall coordinate and provide at least the level of protection of the protected interests available under Article 4 of Regulation (EC) 1049/2001 ¹ , with a view to protect the purpose of investigations. The Commission should take all necessary measures to ensure the protection of confidential information in compliance with, in particular, Commission Decision (EU, Euratom) 2015/443 ² and Commission Decision (EU, Euratom) 2015/444 ³ . Similarly, Member States and the Commission should take all necessary measures to ensure compliance with the Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the Union ⁴ . This includes, in particular, the obligation not to downgrade or declassify classified information		responding to requests of access to documents handled in application of this Regulation, Member States and the Commission ~~shall~~ should coordinate and provide at least the level of protection of the protected interests available under Article 4 of Regulation (EC) 1049/2001 ¹ , with a view to ~~protect the purposes~~ safeguard the integrity of investigations. The Commission should take all necessary measures to ensure the protection of confidential information in compliance with, in particular, Commission Decision (EU, Euratom) 2015/443 ² and Commission Decision (EU, Euratom) 2015/444 ³ . Similarly, Member States and the Commission should take all necessary measures to ensure compliance with the Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the Union ⁴ . This includes, in		prejudice to the interests of the ~~European~~ Union, or of one or more of the Member States, the originator of the information should classify the information in accordance with national and Union law. When responding to requests ~~effor~~ access to documents handled in application of this Regulation, Member States and the Commission shall coordinate and provide at least the level of protection of the protected interests available under Article 4 of Regulation (EC) ~~1049/2001~~ No 1049/2001 of the European Parliament and of the Council ¹ , with a view to protect the purpose of investigations. The Commission should take all necessary measures to ensure the protection of confidential information in compliance with, in particular, Commission ~~Decision~~ Decisions (EU, Euratom) 2015/443 ² and ~~Commission Decision~~ (EU, Euratom) 2015/444 ³ . ~~Similarly~~ Furthermore , Member States and the Commission should take all		cause ~~varying degrees of~~ prejudice to the interests of the ~~European~~ Union, or of one or more of the Member States, the originator of the information should classify the information in accordance with national and Union law. When responding to requests ~~effor~~ access to documents handled in application of this Regulation, Member States and the Commission shall coordinate and provide at least the level of protection of the protected interests available under Article 4 of Regulation (EC) ~~1049/2001~~ ¹ No 1049/2001 of the European Parliament and of the Council ¹ , with a view to protect the purpose of investigations. The Commission should take all necessary measures to ensure the protection of confidential information in compliance with, in particular, Commission ~~Decision~~ Decisions (EU, Euratom) 2015/443 ² ~~and Commission Decision~~ ² and (EU, Euratom) 2015/444 ³ . ~~Similarly~~ ³ . Furthermore , Member States and the		cause ~~varying degrees of~~ prejudice to the interests of the ~~European~~ Union, or of one or more of the Member States, the originator of the information should classify the information in accordance with national and Union law. When responding to requests ~~effor~~ access to documents handled in application of this Regulation, Member States and the Commission shall coordinate and provide at least the level of protection of the protected interests available under Article 4 of Regulation (EC) ~~1049/2001~~ ¹ No 1049/2001 of the European Parliament and of the Council ¹ , with a view to protect the purpose of investigations. The Commission should take all necessary measures to ensure the protection of confidential information in compliance with, in particular, Commission ~~Decision~~ Decisions (EU, Euratom) 2015/443 ² ~~and Commission Decision~~ ² and (EU, Euratom) 2015/444 ³ . ~~Similarly~~ ³ . Furthermore , Member States and the

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	without the prior written consent of the originator. Any non-classified sensitive information or information which is provided on a confidential basis should be handled as such by the authorities. 1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43–48, ELI: http://data.europa.eu/eli/reg/2001/1049/oj). 2. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41, ELI: http://data.europa.eu/eli/dec/2015/443/oj). 3. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53, ELI: http://data.europa.eu/eli/dec/2015/444/oj). 4. Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the European Union (OJ C 202, 8.7.2011, p. 13).	particular, the obligation <i>to maintain the confidentiality of classified information</i> and not to downgrade or declassify ~~classified~~<i>such</i> information without the prior written consent of the originator. Any non-classified sensitive information or information which is provided on a confidential basis should be handled as such by the authorities. 1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43–48, ELI: http://data.europa.eu/eli/reg/2001/1049/oj). 2. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41, ELI: http://data.europa.eu/eli/dec/2015/443/oj). 3. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53, ELI: http://data.europa.eu/eli/dec/2015/444/oj). 4. Agreement between the Member States of the European Union,	necessary measures to ensure compliance with the Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the Union⁴⁴. This includes, in particular, the obligation not to downgrade or declassify classified information without the prior written consent of the originator. Any non-classified sensitive information or information which is provided on a confidential basis should be handled as such by the authorities. 1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43–48, ELI: http://data.europa.eu/eli/reg/2001/1049/oj). 2. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41, ELI: http://data.europa.eu/eli/dec/2015/443/oj). 3. Commission Decision (EU,	Commission should take all necessary measures to ensure compliance with the Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the Union⁴⁴. This includes, in particular, the obligation not to downgrade or declassify classified information without the prior written consent of the originator. Any non-classified sensitive information or information which is provided on a confidential basis should be handled as such by the authorities. <i>The screening authority should give the entity providing the information the opportunity to indicate which information it considers to be confidential. This can for example be done by means of the form to be submitted to request a prior authorisation of the foreign investment.</i> ~~1. Regulation (EC) No 1049/2001~~	Commission should take all necessary measures to ensure compliance with the Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the Union⁴⁴. This includes, in particular, the obligation not to downgrade or declassify classified information without the prior written consent of the originator. Any non-classified sensitive information or information which is provided on a confidential basis should be handled as such by the authorities. <i>The screening authority should give the entity providing the information the opportunity to indicate which information it considers to be confidential. This can for example be done by means of the form to be submitted to request a prior authorisation of the foreign investment.</i> ~~1. Regulation (EC) No 1049/2001~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				meeting within the Council, regarding the protection of classified information exchanged in the interests of the European Union (OJ C 202, 8.7.2011, p. 13).		Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53, ELL: http://data.europa.eu/eli/dec/2015/444/oj).		~~of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43-48, ELL: http://data.europa.eu/eli/reg/2001/1049/oj).~~		~~of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43-48, ELL: http://data.europa.eu/eli/reg/2001/1049/oj).~~
						4. Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the European Union (OJ C 202, 8.7.2011, p. 13).		~~2. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41, ELL: http://data.europa.eu/eli/dec/2015/443/oj).~~		~~2. Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41, ELL: http://data.europa.eu/eli/dec/2015/443/oj).~~
								~~3. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU-classified information (OJ L 72, 17.3.2015, p. 53, ELL: http://data.europa.eu/eli/dec/2015/444/oj).~~		~~3. Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU-classified information (OJ L 72, 17.3.2015, p. 53, ELL: http://data.europa.eu/eli/dec/2015/444/oj).~~
								~~4. Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the European Union (OJ C 202, 8.7.2011, p. 13).~~		~~4. Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the European Union (OJ C 202, 8.7.2011, p. 13).~~
Recital 41a										
G	52a					<i>(41a) To ensure that the confidential information is exchanged efficiently, there should be a secure and encrypted system for the exchange of documents provided to or drawn up by screening authorities that are necessary for the assessment of the</i>				G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>investment through the cooperation mechanism. Such substantive communication between the Member States and the Commission should include in particular, notifications pursuant to Article 5, information about the intention to issue a comment or an opinion pursuant to Article 8(1), requests for information pursuant to Article 8(2) and Article 9(4) and answers to these requests, comments and opinions pursuant to Articles 8(3), 9(1) and 9 (2), and substantial new information pursuant to Article 8(4). This should not affect the overall communication between screening authorities and the Commission which should remain possible by all appropriate means.</i>				
Recital 42										
53		(42) Any processing of personal data pursuant to this Regulation should comply with the applicable rules on the protection of personal data. Processing of personal data by the contact		(42) Any processing of personal data pursuant to this Regulation should comply with the applicable rules on the protection of personal data. Processing of personal data by the contact		(42) Any processing of personal data pursuant to this Regulation should comply with the applicable rules on the protection of personal data. Processing of personal data by the contact		(42) Any processing of personal data pursuant to this Regulation should comply with the applicable rules on the protection of personal data. Processing of personal data by the contact		(42) Any processing of personal data pursuant to this Regulation should comply with the applicable rules on the protection of personal data. Processing of personal data by the contact

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	points and other entities within Member States should be carried out in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council¹. Processing of personal data by the Commission should be carried out in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council². 1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj). 2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).	points and other entities within Member States should be carried out in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council¹. Processing of personal data by the Commission should be carried out in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council². 1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj). 2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).	points and other entities within Member States should be carried out in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council¹. Processing of personal data by the Commission should be carried out in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council². <i>Personal data might be contained in documents and other sources of information which are processed for the purpose of investment screening. This data might include names of natural persons who are investors or target companies, names and contact data of natural persons who are involved in the management of the investor or target company, names and positions of persons involved in operating contact points. Each competent national authority of a Member State and the Commission should be individually responsible for the processing of personal data when using</i>	points and other entities within Member States should be carried out in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council¹. Processing of personal data by the Commission should be carried out in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council². <i>Personal data might be contained in documents and other sources of information which are processed for the purpose of investment screening. This data might include names of natural persons who are investors or target companies, names and contact data of natural persons who are involved in the management of the investor or target company, names and positions of persons involved in operating contact points. Each competent national authority of a Member State and the Commission should be individually responsible for the processing of personal data when using</i>	points and other entities within Member States should be carried out in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council¹. Processing of personal data by the Commission should be carried out in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council². <i>Personal data might be contained in documents and other sources of information which are processed for the purpose of investment screening. This data might include names of natural persons who are investors or target companies, names and contact data of natural persons who are involved in the management of the investor or target company, names and positions of persons involved in operating contact points. Each competent national authority of a Member State and the Commission should be individually responsible for the processing of personal data when using</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
					<i>the cooperation mechanism. The Commission and Member States should be considered joint controllers, within the meaning of Regulation (EU) 2018/1725 and Regulation (EU) 2016/679, for the processing of personal data.</i> 1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj). 2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).		<i>the cooperation mechanism.</i> 1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj). 2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj). Text Origin: Council Mandate		<i>the cooperation mechanism.</i> 1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj). 2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).	
Recital 42a										
G	53a				<i>(42a) A Joint Controllership Arrangement between the European Commission and</i>	<i>(42a) The European Data Protection Supervisor was consulted pursuant to</i>		<i>(42a) The European Data Protection Supervisor was consulted pursuant to</i>		<i>(42a) The European Data Protection Supervisor was consulted pursuant to</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>the Member States' representatives or authorities participating in the cooperation mechanism under Regulation (EU) 2019/452 signed on 28 April 2022, should continue to apply. Therefore, references in the Joint Controllershship Arrangement to provisions of Regulation (EU) 2019/452 should be read as references to the corresponding provisions of this Regulation. However, taking into account the opinion of the European Data Protection Supervisor, specific retention periods for personal data connected to the investments subject to screening should be determined starting from the date that the screening Member State(s), the other Member States or the Commission have closed the file relating to a foreign investment transaction because they do not need the personal data anymore. For other Member States and the Commission, except where issuing comments or an opinion to the screening Member State, the file</i>		<i>Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council and delivered an opinion on 15 March 2024. The Commission and Member States should be considered joint controllers, within the meaning of Regulation (EU) 2018/1725 and Regulation (EU) 2016/679, for the processing of personal data. On 28 April 2022, the Commission and the Member States' representatives or authorities participating in the cooperation mechanism under Regulation (EU) 2019/452 signed a Joint Controllershship Agreement, which is compatible with this Regulation. Therefore, the Commission and the Member States' representatives or authorities participating in the mechanism should maintain that Joint Controllershship Arrangement, which should continue to apply also in respect of this Regulation, and references in the Joint Controllershship Arrangement to provisions</i>		<i>Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council and delivered an opinion on 15 March 2024. The Commission and Member States should be considered joint controllers, within the meaning of Regulation (EU) 2018/1725 and Regulation (EU) 2016/679, for the processing of personal data. On 28 April 2022, the Commission and the Member States' representatives or authorities participating in the cooperation mechanism under Regulation (EU) 2019/452 signed a Joint Controllershship Agreement, which is compatible with this Regulation. Therefore, the Commission and the Member States' representatives or authorities participating in the mechanism should maintain that Joint Controllershship Arrangement, which should continue to apply also in respect of this Regulation, and references in the Joint Controllershship Arrangement to provisions</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
						<i>should be considered closed at the end of the period to reserve the right to issue such comment or opinion or, if they have exercised that right, upon expiry of the deadline to issue such comments or opinions. As regards the screening Member State, when a transaction is approved without mitigating measures and no further action is required by the screening authorities or by the parties to the transaction, such as the investor and possibly the target undertaking, the file should be closed at the end of the relevant approval process. When a transaction is approved with mitigating measures, the file should only be closed when the parties to the transaction no longer have to implement any of the mitigating measures imposed by the screening Member State. A retention period of 15 years should be applied for personal data related to individual personal transactions, while it is appropriate to set a</i>		<i>of Regulation (EU) 2019/452 should, for that purpose, be read as references to the corresponding provisions of this Regulation. While taking into account the Opinion 13/2024 of the European Data Protection Supervisor, it was considered that defining common retention periods would not be appropriate, since this Regulation is providing only for the minimum requirements of the screening mechanisms and since some of the Member States only started developing their screening mechanisms.</i>		<i>of Regulation (EU) 2019/452 should, for that purpose, be read as references to the corresponding provisions of this Regulation. While taking into account the Opinion 13/2024 of the European Data Protection Supervisor, it was considered that defining common retention periods would not be appropriate, since this Regulation is providing only for the minimum requirements of the screening mechanisms and since some of the Member States only started developing their screening mechanisms.</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>retention period of 50 years for the personal data contained in a screening decision. Such periods are appropriate based on the experience in the application of current rules on foreign investments, as they ensure that data remains available for the foreseeable duration of a screening process. Moreover, experience shows that investors frequently carry out multiple transactions over an extended period of time. Such retention periods would allow Member States and the Commission to access relevant personal data for the assessment of subsequent transactions.</i>				
Recital 43										
54		(43) The Commission should draw up an annual report on the implementation of this Regulation and submit it to the European Parliament and to the Council. For greater transparency, the report should be made public. The report should be based on, among other things, reports		(43) The Commission should draw up an annual report on the implementation of this Regulation and submit it to the European Parliament and to the Council. For greater transparency, the report should be made public. The report should be based on, among other things, reports		(43) The Commission should draw up an annual report on the implementation of this Regulation and submit it to the European Parliament and to the Council. ~~For greater~~ <i>In the interest of</i> transparency, ~~that~~ <i>the</i> report should also be made public. The report should be based on, among		(43) The Commission should draw up an annual report on the implementation of this Regulation and submit it to the European Parliament and to the Council. ~~For greater~~ <i>In the interest of</i> transparency, ~~that~~ <i>the</i> report should also be made public. The report should be based on, among		(43) The Commission should draw up an annual report on the implementation of this Regulation and submit it to the European Parliament and to the Council. ~~For greater~~ <i>In the interest of</i> transparency, ~~that~~ <i>the</i> report should also be made public. The report should be based on, among

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		submitted by all Member States to the Commission on a confidential basis with due respect to the need to ensure the protection of the confidentiality of certain information, in particular where the publication of data could affect the security or public order of the Union or jeopardise commercial confidentiality.		submitted by all Member States to the Commission on a confidential basis with due respect to the need to ensure the protection of the confidentiality of certain information, in particular where the publication of data could affect the security or public order of the Union or jeopardise commercial confidentiality. <i>The report should include information on emerging trends and risk factors as well as updates on relevant legislative developments in the Member States.</i>		other things, reports submitted by all Member States to the Commission on a confidential basis with due respect to the need to ensure the protection of the confidentiality of certain information, in particular where the publication of data could affect the security or public order of the Union or jeopardise ~~commercial confidentiality~~ <i>the anonymity of specific transactions.</i>		other things, reports submitted by all Member States to the Commission on a confidential basis with due respect to the need to ensure the protection of the confidentiality of certain information, in particular where the publication of data could affect the security or public order of the Union or jeopardise ~~commercial confidentiality~~ <i>the anonymity of specific transactions. The report should include information on trends and figures of foreign investment into the Union, updates on relevant legislative developments in the Member States, as well as information on international cooperation efforts.</i>		other things, reports submitted by all Member States to the Commission on a confidential basis with due respect to the need to ensure the protection of the confidentiality of certain information, in particular where the publication of data could affect the security or public order of the Union or jeopardise ~~commercial confidentiality~~ <i>the anonymity of specific transactions. The report should include information on trends and figures of foreign investment into the Union, updates on relevant legislative developments in the Member States, as well as information on international cooperation efforts.</i>
	Recital 43a									
54a						<i>(43a) To ensure the effectiveness of the cooperation mechanism, the Commission and the Member States should collaborate to develop a secure database with information on the foreign investments notified to the cooperation mechanism</i>				

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
						<i>since 12 October 2020.</i>				
Recital 44										
55		(44) The Commission should evaluate the functioning and effectiveness of this Regulation 5 years after the date of application of this Regulation and every 5 years after that and present a report to the European Parliament and to the Council. That report should include an assessment of whether or not this Regulation should be amended. Where the report proposes amending this Regulation, it may be accompanied by a legislative proposal.		(44) The Commission should evaluate the functioning and effectiveness of this Regulation ~~53~~ years after the date of application of this Regulation and every 5 years ~~after that~~ thereafter and present a report to the European Parliament and to the Council. That report should in particular include an assessment of the contribution of this Regulation to the economic security of the Union. It should include an assessment of whether or not this Regulation should be amended. Where the report proposes amending this Regulation, it may be accompanied by a legislative proposal.		(44) The Commission should evaluate the functioning and effectiveness of this Regulation ~~5 years after the date of application of this Regulation and every 5 years after that~~ and present a report thereon to the European Parliament and to the Council every five years . That report should include an assessment ~~of whether or not~~ this Regulation should be amended. Where the report ~~proposes amending~~ contains a proposal to amend this Regulation, ~~it may be accompanied by the~~ Commission should be allowed to append a legislative proposal thereto .		(44) The Commission should evaluate the functioning and effectiveness of this Regulation ~~53~~ years after the date of application of this Regulation and every 5 years ~~after that~~ thereafter and present a report to the European Parliament and to the Council. That report should analyse the evolution of foreign investments into the Union and assess the contribution of this Regulation to the economic security of the Union. It should also assess whether a modification of the common minimum scope of screening mechanisms is warranted, including as regards foreign investments into Union targets that manufacture or hold a marketing authorisation for critical medicines. In addition, that report should evaluate the risks linked to foreign investments in media services and how best to address them. It should also include an assessment		(44) The Commission should evaluate the functioning and effectiveness of this Regulation ~~53~~ years after the date of application of this Regulation and every 5 years ~~after that~~ thereafter and present a report to the European Parliament and to the Council. That report should analyse the evolution of foreign investments into the Union and assess the contribution of this Regulation to the economic security of the Union. It should also assess whether a modification of the common minimum scope of screening mechanisms is warranted, including as regards foreign investments into Union targets that manufacture or hold a marketing authorisation for critical medicines. In addition, that report should evaluate the risks linked to foreign investments in media services and how best to address them. It should also include an assessment

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
								of whether ~~or not~~ this Regulation should be amended. Where the report ~~proposes amending~~ contains a proposal to amend this Regulation, ~~it may be accompanied by the~~ Commission could decide to append a legislative proposal thereto .		of whether ~~or not~~ this Regulation should be amended. Where the report ~~proposes amending~~ contains a proposal to amend this Regulation, ~~it may be accompanied by the~~ Commission could decide to append a legislative proposal thereto .
Recital 45										
56		(45) The implementation of this Regulation by the Union and the Member States should comply with the relevant requirements for imposing restrictive measures on the grounds of security and public order laid down in the WTO agreements, including, in particular, Article XIV(a) and Article XIV bis of the General Agreement on Trade in Services ¹ (GATS). It should also comply with the Union Treaties and be consistent with commitments made under other trade and investment agreements to which the Union or Member States are parties and trade and investment arrangements to which the Union or Member		(45) The implementation of this Regulation by the Union and the Member States should comply with the relevant requirements for imposing restrictive measures on the grounds of security and public order laid down in the WTO agreements, including, in particular, Article XIV(a) and Article XIV bis of the General Agreement on Trade in Services ¹ (GATS). It should also comply with the Union Treaties and be consistent with commitments made under other trade and investment agreements to which the Union or Member		(45) The implementation of this Regulation by the Union and the Member States should comply with the relevant requirements for imposing restrictive measures on the grounds of security and public order laid down in the ~~WTO~~ Agreements of the World Trade Organisation , including, in particular, Article XIV(a) and Article XIV bis of the General Agreement on Trade in Services ¹ ~~(GATS)~~ . ~~It. This~~ Regulation should also comply with the ~~Union~~ Treaties and be consistent with commitments made under other trade and investment agreements to which the Union or Member States are parties ~~and as well~~		(45) The implementation of this Regulation by the Union and the Member States should comply with the relevant requirements for imposing restrictive measures on the grounds of security and public order laid down in the ~~WTO~~ Agreements of the World Trade Organisation , including, in particular, Article XIV(a) and Article XIV bis of the General Agreement on Trade in Services ¹ ~~(GATS)~~ . ~~It. This~~ Regulation should also comply with the ~~Union~~ Treaties and be consistent with commitments made under other trade and investment agreements to which the Union or Member States are parties ~~and as well~~		(45) The implementation of this Regulation by the Union and the Member States should comply with the relevant requirements for imposing restrictive measures on the grounds of security and public order laid down in the ~~WTO~~ Agreements of the World Trade Organisation , including, in particular, Article XIV(a) and Article XIV bis of the General Agreement on Trade in Services ¹ ~~(GATS)~~ . ~~It. This~~ Regulation should also comply with the ~~Union~~ Treaties and be consistent with commitments made under other trade and investment agreements to which the Union or Member States are parties ~~and as well~~

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	States are adherents. 1. Council Decision of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).	States are adherents. 1. Council Decision of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).	<i>as</i> trade and investment arrangements to which the Union or Member States are adherents. 1. Council Decision of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).	<i>as</i> trade and investment arrangements to which the Union or Member States are adherents. 1. Council Decision of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1). Text Origin: Council Mandate	<i>as</i> trade and investment arrangements to which the Union or Member States are adherents. 1. Council Decision of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).
Recital 46					
57	(46) When a foreign investment constitutes a concentration falling within the scope of Council Regulation (EC) No 139/2004 ¹ , the application of this Regulation should be without prejudice to the application of Article 21(4) of Regulation (EC) No 139/2004. This Regulation and Article 21(4) of Regulation (EC) No 139/2004 should be applied consistently. To the extent that the respective scope of application of those two Regulations overlap, the grounds for screening set out	(46) When a foreign investment constitutes a concentration falling within the scope of Council Regulation (EC) No 139/2004 ¹ , the application of this Regulation should be without prejudice to the application of Article 21(4) of Regulation (EC) No 139/2004. This Regulation and Article 21(4) of Regulation (EC) No 139/2004 should be applied consistently. To the extent that the respective scope of application of those two Regulations overlap, the grounds for screening set out	(46) ~~When~~ <i>Where</i> a foreign investment constitutes a concentration falling within the scope of Council Regulation (EC) No 139/2004 ¹ , the application of this Regulation should be without prejudice to the application of Article 21(4) of Regulation (EC) No 139/2004. This Regulation and Article 21(4) of Regulation (EC) No 139/2004 should be applied ~~consistently~~ <i>in a coherent manner</i> . To the extent that the respective scope of application of ~~those two~~ <i>both</i> Regulations overlap, the	(46) ~~When~~ <i>Where</i> a foreign investment constitutes a concentration falling within the scope of Council Regulation (EC) No 139/2004 ¹ , the application of this Regulation should be without prejudice to the application of Article 21(4) of Regulation (EC) No 139/2004. This Regulation and Article 21(4) of Regulation (EC) No 139/2004 should be applied ~~consistently~~ <i>in a coherent manner</i> . To the extent that the respective scope of application of ~~those two~~ <i>both</i> Regulations overlap, the	(46) ~~When~~ <i>Where</i> a foreign investment constitutes a concentration falling within the scope of Council Regulation (EC) No 139/2004 ¹ , the application of this Regulation should be without prejudice to the application of Article 21(4) of Regulation (EC) No 139/2004. This Regulation and Article 21(4) of Regulation (EC) No 139/2004 should be applied ~~consistently~~ <i>in a coherent manner</i> . To the extent that the respective scope of application of ~~those two~~ <i>both</i> Regulations overlap, the

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	in Article 12 of this Regulation and the notion of legitimate interests within the meaning of Article 21(4), third subparagraph, of Regulation (EC) No 139/2004 should be interpreted coherently, without prejudice to the assessment of the compatibility of the national measures aimed at protecting those interests with the general principles and other provisions of Union law. 1. Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (OJ L 24, 29.1.2004, p. 1, ELI: http://data.europa.eu/eli/reg/2004/139/oj).	in Article ~~12~~1 of this Regulation and the notion of legitimate interests within the meaning of Article 21(4), third subparagraph, of Regulation (EC) No 139/2004 should be interpreted coherently, without prejudice to the assessment of the compatibility of the national measures aimed at protecting those interests with the general principles and other provisions of Union law. 1. Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (OJ L 24, 29.1.2004, p. 1, ELI: http://data.europa.eu/eli/reg/2004/139/oj).	grounds for screening set out in Article 12 of this Regulation and the notion of legitimate interests within the meaning of Article 21(4), third subparagraph, of Regulation (EC) No 139/2004 should be interpreted coherently, without prejudice to the assessment of the compatibility of the national measures aimed at protecting those interests with the general principles and other provisions of Union law. 1. Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (OJ L 24, 29.1.2004, p. 1, ELI: http://data.europa.eu/eli/reg/2004/139/oj).	grounds for screening set out in Article 12 of this Regulation and the notion of legitimate interests within the meaning of Article 21(4), third subparagraph, of Regulation (EC) No 139/2004 should be interpreted coherently, without prejudice to the assessment of the compatibility of the national measures aimed at protecting those interests with the general principles and other provisions of Union law. 1. Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (OJ L 24, 29.1.2004, p. 1, ELI: http://data.europa.eu/eli/reg/2004/139/oj). Text Origin: Council Mandate	grounds for screening set out in Article 12 of this Regulation and the notion of legitimate interests within the meaning of Article 21(4), third subparagraph, of Regulation (EC) No 139/2004 should be interpreted coherently, without prejudice to the assessment of the compatibility of the national measures aimed at protecting those interests with the general principles and other provisions of Union law. 1. Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (OJ L 24, 29.1.2004, p. 1, ELI: http://data.europa.eu/eli/reg/2004/139/oj).
Recital 47					
58	(47) This Regulation should not affect Union rules on the prudential assessment of acquisitions of qualifying holdings in the financial sector, laid down by Directives 2009/138/EC¹, 2013/36/EU² and 2014/65/EU³ of the	(47) This Regulation should not affect Union rules on the prudential assessment of acquisitions of qualifying holdings in the financial sector, laid down by Directives 2009/138/EC¹, 2013/36/EU² and 2014/65/EU³ of the	(47) This Regulation should not affect Union rules on the prudential assessment of acquisitions of qualifying holdings in the financial sector, laid down by Directives 2009/138/EC¹, 2013/36/EU² and 2014/65/EU³ of the	(47) This Regulation should not affect Union rules on the prudential assessment of acquisitions of qualifying holdings in the financial sector, laid down by Directives 2009/138/EC¹, 2013/36/EU² and 2014/65/EU³ of the	(47) This Regulation should not affect Union rules on the prudential assessment of acquisitions of qualifying holdings in the financial sector, laid down by Directives 2009/138/EC¹, 2013/36/EU² and 2014/65/EU³ of the

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	European Parliament and of the Council, which is a distinct procedure with a specific objective. 1. Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 335, 17.12.2009, p. 1, ELI: http://data.europa.eu/eli/dir/2009/138/oj). 2. Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338, ELI: http://data.europa.eu/eli/dir/2013/36/oj). 3. Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349, ELI: http://data.europa.eu/eli/dir/2014/65/oj).	European Parliament and of the Council, which is a distinct procedure with a specific objective. 1. Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 335, 17.12.2009, p. 1, ELI: http://data.europa.eu/eli/dir/2009/138/oj). 2. Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338, ELI: http://data.europa.eu/eli/dir/2013/36/oj). 3. Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349, ELI: http://data.europa.eu/eli/dir/2014/65/oj).	European Parliament and of the Council, which is a distinct procedure with a specific objective. 1. Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 335, 17.12.2009, p. 1, ELI: http://data.europa.eu/eli/dir/2009/138/oj). 2. Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338, ELI: http://data.europa.eu/eli/dir/2013/36/oj). 3. Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349, ELI: http://data.europa.eu/eli/dir/2014/65/oj).	European Parliament and of the Council, which is a distinct procedure with a specific objective. 1. Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 335, 17.12.2009, p. 1, ELI: http://data.europa.eu/eli/dir/2009/138/oj). 2. Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338, ELI: http://data.europa.eu/eli/dir/2013/36/oj). 3. Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349, ELI: http://data.europa.eu/eli/dir/2014/65/oj). Text Origin: Commission Proposal	European Parliament and of the Council, which is a distinct procedure with a specific objective. 1. Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 335, 17.12.2009, p. 1, ELI: http://data.europa.eu/eli/dir/2009/138/oj). 2. Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338, ELI: http://data.europa.eu/eli/dir/2013/36/oj). 3. Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349, ELI: http://data.europa.eu/eli/dir/2014/65/oj).
Recital 48					
6 59	(48) The application of this	(48) The application of this	(48) The application of this	(48) The application of this	(48) The application of this 6

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	Regulation should be consistent with and without prejudice to other notification and authorisation procedures set out in Union law. The Commission should be allowed to use the information notified by the Member States to the cooperation mechanism to exercise its role of overseeing the application of Union law in accordance with Article 17 TEU.	Regulation should be consistent with and without prejudice to other notification and authorisation procedures set out in Union law. The Commission should be allowed to use the information notified by the Member States to the cooperation mechanism to exercise its role of overseeing the application of Union law in accordance with Article 17 TEU.	Regulation should be consistent with, and without prejudice to, other notification and authorisation procedures set out in Union law. The Commission should be allowed to use the information notified by the Member States ~~to~~ within the framework of the cooperation mechanism to exercise its role of overseeing the application of Union law in accordance with Article 17 TEU.	Regulation should be consistent with, and without prejudice to, other notification and authorisation procedures set out in Union law. The Commission should be allowed to use the information notified by the Member States ~~to~~ within the framework of the cooperation mechanism to exercise its role of overseeing the application of Union law in accordance with Article 17 TEU. Text Origin: Council Mandate	Regulation should be consistent with, and without prejudice to, other notification and authorisation procedures set out in Union law. The Commission should be allowed to use the information notified by the Member States ~~to~~ within the framework of the cooperation mechanism to exercise its role of overseeing the application of Union law in accordance with Article 17 TEU.
Recital 49					
60	(49) In order to take into account developments relating to projects or programmes of Union interest and to adapt the list of technologies, assets, facilities, equipment, networks, systems, services and economic activities of particular importance for the security or public order interests of the Union, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect	(49) In order to take into account developments relating to projects or programmes of Union interest and to adapt the list of technologies, materials , assets, facilities, equipment, networks, systems, services and economic activities of particular importance for the security or public order interests of the Union, particularly in light of the risk assessments to be carried out under the Union's Economic Security	(49) In order to take into account ~~developments relating to~~ the adoption or amendment of Union legal acts establishing projects or programmes ~~of Union interest~~ , and to adapt the list of technologies, ~~assets, facilities, equipment, networks, systems, services and economic activities~~ of particular importance for the security or public order interests of the Union, the power to adopt acts in accordance with Article 290	(49) In order to take into account ~~developments relating to~~ the adoption or amendment of Union legal acts establishing projects or programmes ~~of Union interest and~~ , to adapt the list of technologies, ~~assets, facilities, equipment, networks, systems, services and economic activities~~ of particular importance for the security or public order interests of the Union and to take into account the adoption of legal acts	(49) In order to take into account ~~developments relating to~~ the adoption or amendment of Union legal acts establishing projects or programmes ~~of Union interest and~~ , to adapt the list of technologies, ~~assets, facilities, equipment, networks, systems, services and economic activities~~ of particular importance for the security or public order interests of the Union and to take into account the adoption of legal acts

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	of amendments to the Annexes to this Regulation. The list of projects and programmes of Union interest set out in Annex I should cover projects or programmes covered by EU law which provide for the development, maintenance or acquisition of critical infrastructure, critical technologies or critical inputs which are essential for security or public order. The list of technologies, assets, facilities, equipment, networks, systems, services and economic activities of particular importance for the security or public order interests of the Union set out in Annex II should include areas where a foreign investment may affect security or public order in more than one Member State or in the Union as a whole through an Union target, which does not participate in or receive funds from a project or programme of Union interest. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work,	Strategy, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amendments to the Annexes to this Regulation. The list of projects and programmes of Union interest set out in Annex I should cover projects or programmes covered by EU law which provide for the development, maintenance or acquisition of critical infrastructure, critical technologies or critical inputs which are essential for security or public order. The list of technologies, materials, assets, facilities, equipment, networks, systems, services and economic activities of particular importance for the security or public order interests of the Union set out in Annex II should include areas where a foreign investment may affect security or public order in more than one Member State or in the Union as a whole through ~~ana~~ Union target, which does not participate in or receive funds from a project or programme of	TFEU should be delegated to the Commission in respect of amendments to the Annexes to this Regulation. The list of projects and programmes of Union interest set out in the respective Annex-I should cover projects or programmes ~~covered by EU law which~~ established by Union law that provide for the development, maintenance or acquisition of critical infrastructure, critical technologies or critical inputs which are ~~essential of particular importance~~ for security or public order. The list of technologies, ~~assets, facilities, equipment, networks, systems, services and economic activities of~~ particular importance for ~~the security or public order interests of the Union~~ set out in the respective Annex-II should include areas where a foreign investment may affect security or public order in more than one Member State ~~or in the Union as a whole~~ through an Union target, which does not participate in or receive	providing for the establishment of the Union List of Critical Medicinal Products, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amendments to the ~~Annexes to relevant provision of~~ this Regulation and the Annexes thereto. The list of projects and programmes of Union interest set out in the respective Annex-I should cover projects or programmes ~~covered by EU law which~~ established by Union law that provide for the development, maintenance or acquisition of critical infrastructure, critical technologies or critical inputs which are ~~essential of particular importance~~ for security or public order. The list of technologies, ~~assets, facilities, equipment, networks, systems, services and economic activities of~~ particular importance for ~~the security or public order interests of the Union~~ set out in the respective Annex-II should include areas where a	providing for the establishment of the Union List of Critical Medicinal Products, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amendments to the ~~Annexes to relevant provision of~~ this Regulation and the Annexes thereto. The list of projects and programmes of Union interest set out in the respective Annex-I should cover projects or programmes ~~covered by EU law which~~ established by Union law that provide for the development, maintenance or acquisition of critical infrastructure, critical technologies or critical inputs which are ~~essential of particular importance~~ for security or public order. The list of technologies, ~~assets, facilities, equipment, networks, systems, services and economic activities of~~ particular importance for ~~the security or public order interests of the Union~~ set out in the respective Annex-II should include areas where a

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. ¹. OJ L 123, 12.5.2016, p. 1.	Union interest. <i>The Commission should in particular update Annex I in the event of new projects or programmes of Union interest being established in the context of future Multiannual Financial Frameworks.</i> It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. ¹. OJ L 123, 12.5.2016, p. 1.	funds from a project or programme of Union interest. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level; <i>(i.a. the consultation of experts from academia and the Members States)</i> and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. ¹. <i>16</i> OJ L 123, 12.5.2016, p. 1.	foreign investment may affect security or public order in more than one Member State ~~or in the Union as a whole~~ through ~~the~~ a Union target, which does not participate in or receive funds from a project or programme of Union interest. <i>As regards critical medicines, it is important that, when the Commission has established the Union List of Critical Medicinal Products by means of an implementing act adopted pursuant to the Regulation laying down Union procedures for the authorisation and supervision of medicinal products for human use and establishing rules governing the European Medicines Agency, amending Regulation (EC) No 1394/2007 and Regulation (EU) No 536/2014 and repealing Regulation (EC) No 726/2004, Regulation (EC) No 141/2000 and Regulation (EC) No 1901/2006, the reference to the critical medicines to be taken</i>	foreign investment may affect security or public order in more than one Member State ~~or in the Union as a whole~~ through ~~the~~ a Union target, which does not participate in or receive funds from a project or programme of Union interest. <i>As regards critical medicines, it is important that, when the Commission has established the Union List of Critical Medicinal Products by means of an implementing act adopted pursuant to the Regulation laying down Union procedures for the authorisation and supervision of medicinal products for human use and establishing rules governing the European Medicines Agency, amending Regulation (EC) No 1394/2007 and Regulation (EU) No 536/2014 and repealing Regulation (EC) No 726/2004, Regulation (EC) No 141/2000 and Regulation (EC) No 1901/2006, the reference to the critical medicines to be taken</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>into account by Member States and the Commission when determining whether a foreign investment is likely to negatively affect security or public order should be updated and replaced with a reference to the Union List of Critical Medicinal Products and subsequent amendments thereto and that the relevant annex be deleted.</i> It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups		<i>into account by Member States and the Commission when determining whether a foreign investment is likely to negatively affect security or public order should be updated and replaced with a reference to the Union List of Critical Medicinal Products and subsequent amendments thereto and that the relevant annex be deleted.</i> It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
								dealing with the preparation of delegated acts. 1. OJ L 123, 12.5.2016, p. 1, ELI: http://data.europa.eu/eli/agree_int_erinst/2016/512/oj .		dealing with the preparation of delegated acts. 1. OJ L 123, 12.5.2016, p. 1, ELI: http://data.europa.eu/eli/agree_int_erinst/2016/512/oj .
Recital 50										
61		(50) In order to ensure uniform conditions for the implementation of this Regulation, in particular as regards the form to be used to provide minimum information about foreign investments, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹. 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).		(50) In order to ensure uniform conditions for the implementation of this Regulation, in particular as regards the ~~form~~forms to be used to provide minimum information about foreign investments and to file requests for authorisation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹. 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).		(50) In order to ensure uniform conditions for the implementation of this Regulation, in particular as regards the form to be used to provide ~~minimum~~ information about foreign investments, and the provision of the technical guidance to Member States concerning the database on the outcome of assessments under national screening mechanism implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹. 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of		(50) In order to ensure uniform conditions for the implementation of this Regulation, in particular as regards the form to be used to provide ~~minimum~~ information about foreign investments, the arrangements for the functioning of the online EU portal and the secure and encrypted system, the provision of the technical guidance to Member States concerning the database on the outcome of assessments under national screening mechanisms, and the form to be used by Member States for their annual reporting to the Commission, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the- Council¹.		(50) In order to ensure uniform conditions for the implementation of this Regulation, in particular as regards the form to be used to provide ~~minimum~~ information about foreign investments, the arrangements for the functioning of the online EU portal and the secure and encrypted system, the provision of the technical guidance to Member States concerning the database on the outcome of assessments under national screening mechanisms, and the form to be used by Member States for their annual reporting to the Commission, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the- Council¹.

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).		1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).		1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).
								Text Origin: Commission Proposal		
	Recital 50a									
61a						<i>(50a) On 15 March 2024, the European Data Protection Supervisor delivered an Opinion having been consulted pursuant to Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹.</i> <i>1. European Data Protection Supervisor, Opinion 13/2024 on the Proposal for a Regulation on the screening of foreign investments in the Union and repealing Regulation (EU) 2019/452, 15 March 2024.</i>				
	Recital 51									
62		(51) Regulation (EU) 2019/452 should be repealed. In order to allow sufficient time for Member		(51) Regulation (EU) 2019/452 should be repealed. In order to allow sufficient time for Member		(51) Regulation (EU) 2019/452 should be repealed. In order to allow <i>for</i> sufficient time for		(51) Regulation (EU) 2019/452 should be repealed. In order to allow <i>for</i> sufficient time for		(51) Regulation (EU) 2019/452 should be repealed. In order to allow <i>for</i> sufficient time for

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
		States and entities to prepare for the implementation, this Regulation should apply as of [add date: 15 months after entry into force]. In the transitional period between the entry into force and the application of this Regulation, Regulation (EU) 2019/452 should continue to apply,		States and entities to prepare for the implementation, this Regulation should apply as of [add date: ~~15~~ 12 months after entry into force]. <i>It should be applicable regardless of the establishment of the single portal for filing requests for authorisation.</i> In the transitional period between the entry into force and the application of this Regulation, Regulation (EU) 2019/452 should continue to apply,		Member States and entities to prepare for ~~the~~ its implementation, this Regulation should ~~apply as of [add date: 15 months start applying two years after its entry into force].~~ <i>In the. During that transitional period-between the entry into force-and the application of this Regulation,</i> Regulation (EU) 2019/452 should continue to apply.;		Member States and entities to prepare for ~~the~~ its implementation, this Regulation should ~~apply as of [add date: 15 start applying eighteen months after its entry into force].~~ <i>In the transitional period. To ensure legal certainty and a smooth cooperation between the entry into forceMember States and the application of this RegulationCommission in the screening of foreign investments, and taking into account the legitimate expectations of foreign investors, it is appropriate that</i> Regulation (EU) 2019/452 should continue to apply <i>to foreign direct investments which are undergoing screening on, or are completed by, the date of application of this Regulation. This includes the possibility for Member States and the Commission to provide comments or an opinion pursuant to Article 7(8) of Regulation (EU) 2019/452. This Regulation should not apply to foreign direct investments to which Regulation (EU) 2019/452</i>		Member States and entities to prepare for ~~the~~ its implementation, this Regulation should ~~apply as of [add date: 15 start applying eighteen months after its entry into force].~~ <i>In the transitional period. To ensure legal certainty and a smooth cooperation between the entry into forceMember States and the application of this RegulationCommission in the screening of foreign investments, and taking into account the legitimate expectations of foreign investors, it is appropriate that</i> Regulation (EU) 2019/452 should continue to apply <i>to foreign direct investments which are undergoing screening on, or are completed by, the date of application of this Regulation. This includes the possibility for Member States and the Commission to provide comments or an opinion pursuant to Article 7(8) of Regulation (EU) 2019/452. This Regulation should not apply to foreign direct investments to which Regulation (EU) 2019/452</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>continues to apply. It should also not apply to other foreign investments which are undergoing screening on the date of application of this Regulation, such as intra-Union investments which may already be subject to screening pursuant to national law. It is equally appropriate to clarify that this Regulation does not apply to those foreign investments completed by the date of application of this Regulation,</i> Text Origin: Council Mandate		<i>continues to apply. It should also not apply to other foreign investments which are undergoing screening on the date of application of this Regulation, such as intra-Union investments which may already be subject to screening pursuant to national law. It is equally appropriate to clarify that this Regulation does not apply to those foreign investments completed by the date of application of this Regulation,</i>
Recital 51a										
62a								<i>(51a) To ensure legal certainty and a smooth cooperation between Member States and the Commission in the screening of foreign investments, and taking into account the legitimate expectations of foreign investors, it is appropriate that Regulation (EU) 2019/452 should continue to apply to foreign direct investments which are undergoing screening on,</i>		<i>(51a) To ensure legal certainty and a smooth cooperation between Member States and the Commission in the screening of foreign investments, and taking into account the legitimate expectations of foreign investors, it is appropriate that Regulation (EU) 2019/452 should continue to apply to foreign direct investments which are undergoing screening on,</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>or are completed by, the date of application of this Regulation. This includes the possibility for Member States and the Commission to provide comments or an opinion pursuant to Article 7(8) of Regulation (EU) 2019/452. This Regulation should not apply to foreign direct investments to which Regulation (EU) 2019/452 continues to apply. It should also not apply to other foreign investments which are undergoing screening on the date of application of this Regulation, such as intra-Union investments which may already be subject to screening pursuant to national law. It is equally appropriate to clarify that this Regulation does not apply to those foreign investments completed by the date of application of this Regulation.</i>		<i>or are completed by, the date of application of this Regulation. This includes the possibility for Member States and the Commission to provide comments or an opinion pursuant to Article 7(8) of Regulation (EU) 2019/452. This Regulation should not apply to foreign direct investments to which Regulation (EU) 2019/452 continues to apply. It should also not apply to other foreign investments which are undergoing screening on the date of application of this Regulation, such as intra-Union investments which may already be subject to screening pursuant to national law. It is equally appropriate to clarify that this Regulation does not apply to those foreign investments completed by the date of application of this Regulation.</i>
Formula										
63		HAVE ADOPTED THIS REGULATION:		HAVE ADOPTED THIS REGULATION:		HAVE ADOPTED THIS REGULATION:		Text Origin: Commission Proposal		HAVE ADOPTED THIS REGULATION:
CHAPTER 1										

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
64	CHAPTER 1 GENERAL PROVISIONS	CHAPTER 1 GENERAL PROVISIONS	CHAPTER 1 GENERAL PROVISIONS	CHAPTER 1 GENERAL PROVISIONS Text Origin: Commission Proposal	CHAPTER 1 GENERAL PROVISIONS
Article 1					
65	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope Text Origin: Commission Proposal	Article 1 Subject matter and scope
Article 1(1)					
66	1.This Regulation establishes a Union framework for the screening, by Member States, of foreign investments in their territory, on the grounds of security or public order.	1.This Regulation establishes a Union framework for the screening, by Member States, of foreign investments in their territory, on the grounds of security or public order, including economic security .	1.This Regulation establishes a Union framework for the screening, by Member States, of foreign investments in their territory, on the grounds of security or public order.	1.This Regulation establishes a Union framework for the screening, by Member States, of foreign investments in their territory, on the grounds of security or public order. Text Origin: Commission Proposal	1.This Regulation establishes a Union framework for the screening, by Member States, of foreign investments in their territory, on the grounds of security or public order.
Article 1(2)					
67	2.This Regulation establishes a cooperation mechanism to enable Member States and the Commission to exchange information on foreign investments, assess their potential impact on security or public order, and identify potential concerns that shall be addressed by the Member State that is screening the	2.This Regulation establishes a cooperation mechanism to enable Member States and the Commission to exchange relevant information on foreign investments, assess their potential impact on security or public order, and identify and address potential concerns ~~that shall be addressed by the Member~~	2.This Regulation establishes a cooperation mechanism to enable Member States and the Commission to exchange information on foreign investments, assess their potential impact on security or public order, and identify potential concerns ~~that~~ which due consideration shall be ~~addressed~~ given by	2.This Regulation establishes a cooperation mechanism to enable Member States and the Commission to exchange relevant information on foreign investments, assess their potential impact on security or public order, and identify potential concerns ~~that~~ to which due consideration shall be	2.This Regulation establishes a cooperation mechanism to enable Member States and the Commission to exchange relevant information on foreign investments, assess their potential impact on security or public order, and identify potential concerns ~~that~~ to which due consideration shall be

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	foreign investment.	<i>State that is screening the foreign investment.</i>	the host Member State <i>that is screening the foreign investment.</i>	~~addressed~~ given by the host Member State <i>that is screening the foreign investment.</i> Text Origin: Council Mandate	~~addressed~~ given by the host Member State <i>that is screening the foreign investment.</i>
Article 1(3)					
68	3.Member States may adopt or maintain in force national provisions in fields not coordinated by this Regulation.	3.Member States may adopt or maintain in force national provisions in fields not ~~coordinated~~ covered by this Regulation, provided that such provisions do not undermine and are consistent with the objectives of this Regulation.	~~3.Member States may adopt or maintain in force national provisions in fields not coordinated by this Regulation.~~		
Article 1(4)					
69	4.This Regulation is without prejudice to each Member State having sole responsibility for its national security, as provided for in Article 4(2) TEU, and to the right of each Member State to protect its essential security interests in accordance with Article 346 TFEU.	4.This Regulation is without prejudice to each Member State having sole responsibility for its national security, as provided for in Article 4(2) TEU, and to the right of each Member State to protect its essential security interests in accordance with Article 346 TFEU.	4.This Regulation is without prejudice to each Member State having sole responsibility for its national security, as provided for in Article 4(2) TEU, and to the right of each Member State to protect its essential security interests ~~in accordance with~~ pursuant to Article 346 TFEU.	4.This Regulation is without prejudice to each Member State having sole responsibility for its national security, as provided for in Article 4(2) TEU, and to the right of each Member State to protect its essential security interests ~~in accordance with~~ pursuant to Article 346 TFEU. Text Origin: Council Mandate	4.This Regulation is without prejudice to each Member State having sole responsibility for its national security, as provided for in Article 4(2) TEU, and to the right of each Member State to protect its essential security interests ~~in accordance with~~ pursuant to Article 346 TFEU.
Article 1(5)					

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
70		5.This Regulation is without prejudice to Member States' obligations under the Treaties, in particular Articles 49 and 63 TFEU. Member States shall ensure that any measure taken in the framework of this Regulation complies with those obligations. This Regulation is without prejudice to the powers of the Commission under Article 258 TFEU to ensure compliance with Union law.		5.This Regulation is without prejudice to Member States' obligations under the Treaties, in particular Articles 49 and 63 TFEU , and to their right to take measures which are justified on the ground of public policy or public security under Article 65 TFEU. Member States shall ensure that any measure taken in the framework of this Regulation complies with those obligations. This Regulation is without prejudice to the powers of the Commission under Article 258 TFEU to ensure compliance with Union law.		~~5.This Regulation is without prejudice to Member States' obligations under the Treaties, in particular Articles 49 and 63 TFEU. Member States shall ensure that any measure taken in the framework of this Regulation complies with those obligations. This Regulation is without prejudice to the powers of the Commission under Article 258 TFEU to ensure compliance with Union law.~~		~~5.This Regulation is without prejudice to Member States' obligations under the Treaties, in particular Articles 49 and 63 TFEU. Member States shall ensure that any measure taken in the framework of this Regulation complies with those obligations. This Regulation is without prejudice to the powers of the Commission under Article 258 TFEU to ensure compliance with Union law.~~ Text Origin: Commission Proposal		~~5.This Regulation is without prejudice to Member States' obligations under the Treaties, in particular Articles 49 and 63 TFEU. Member States shall ensure that any measure taken in the framework of this Regulation complies with those obligations. This Regulation is without prejudice to the powers of the Commission under Article 258 TFEU to ensure compliance with Union law.~~
Article 1(5a)										
70a						5a. This Regulation does not apply to investments made in the application of a resolution tool or of write-down and conversion powers and to internal restructurings.		5a. This Regulation does not apply to:		5a. This Regulation does not apply to (i) Foreign investments made in the application of a resolution tool or of write-down and conversion powers within the meaning of Article 2(66) of Directive 2014/59/EU or Article 2(56) of Directive (EU) 2025/1 or Article 3 (44) of Regulation (EU) 806/2014;
Article 1(5b)										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
70b								<i>(i) Foreign investments made in the application of a resolution tool or of write-down and conversion powers within the meaning of Article 2(66) of Directive 2014/59/EU or Article 2(56) of Directive (EU) 2025/1 or Article 3 (44) of Regulation (EU) 806/2014;</i>		
Article 1(5c)										
70c				<i>5a. Investments by virtue of a resolution tool and internal restructurings do not fall within the scope of this Regulation.</i>				<i>(ii) internal restructurings, unless a new legal entity established in a third country not already present in the upstream ownership chain of the Union target is introduced in that chain.</i>		<i>5b. (ii) internal restructurings, unless a new legal entity established in a third country not already present in the upstream ownership chain of the Union target is introduced in that chain.</i>
Article 2										
71		Article 2 Definitions		Article 2 Definitions		Article 2 Definitions		Article 2 Definitions Text Origin: Commission Proposal		Article 2 Definitions
Article 2, first paragraph										
72		For the purposes of this Regulation, the following definitions apply:		For the purposes of this Regulation, the following definitions apply:		For the purposes of this Regulation, the following definitions apply:		For the purposes of this Regulation, the following definitions apply: Text Origin: Commission Proposal		For the purposes of this Regulation, the following definitions apply:
Article 2, first paragraph, point (1)										
73		(1) ‘foreign investment’		(1) ‘foreign investment’		(1) ‘foreign investment’		(1) ‘foreign investment’		(1) ‘foreign investment’

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		means a foreign direct investment or an investment within the Union with foreign control, which enables effective participation in the management or control of a Union target;		means ~~a foreign direct investment or~~ an investment ~~within~~ of any kind, carried out either by a foreign investor itself or through a foreign investor's subsidiary in the Union, aiming to establish or to maintain lasting and direct links between the ~~with~~ foreign ~~control~~ investor and a Union target, to which ~~enables~~ the foreign investor makes capital available in order to carry out an economic activity in a Member State, enabling effective participation in the management or control of ~~that~~ Union target;		means ~~a foreign direct investment or~~ an investment ~~within~~ of any kind carried out either by a foreign investor itself or through a foreign investor's subsidiary in the Union, aiming to establish or to maintain lasting and direct links between the ~~with~~ foreign ~~control~~ investor and an existing or to be established Union target, to which ~~enables~~ the foreign investor makes capital available in order to carry out an economic activity in a Member State, enabling effective participation in the management or control of ~~that~~ Union target;		means ~~a foreign direct investment or~~ an investment ~~within~~ of any kind, carried out either by a foreign investor itself or through a foreign investor's subsidiary in the Union, aiming to establish or to maintain lasting and direct links between the ~~with~~ foreign ~~control~~ investor and a Union target, to which ~~enables~~ the foreign investor makes capital available in order to carry out an economic activity in a Member State, enabling effective participation in the management or control of ~~that~~ Union target;		means ~~a foreign direct investment or~~ an investment ~~within~~ of any kind, carried out either by a foreign investor itself or through a foreign investor's subsidiary in the Union, aiming to establish or to maintain lasting and direct links between the ~~with~~ foreign ~~control~~ investor and a Union target, to which ~~enables~~ the foreign investor makes capital available in order to carry out an economic activity in a Member State, enabling effective participation in the management or control of ~~that~~ Union target;
	Article 2, first paragraph, point (1a)									
	73a			(1a) 'greenfield investment' means a foreign investment carried out through the establishment of new facilities or of a new undertaking for the performance of a new economic activity in the Union;						
	Article 2, first paragraph, point (1b)									
	73b			(1b) 'resolution tool' means any resolution tool						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>in accordance with Directive 2014/59/EU, Regulation (EU) No 806/2014, Regulation (EU) 2021/23, Regulation (EU) No 1093/2010 or Regulation (EU) No 648/2012;</i>						
Article 2, first paragraph, point (1c)										
73c				<i>(1c) ‘internal restructuring’ means changes in the effective participation in the management or control of a Union target that occur within a chain of ownership ultimately resulting in no change of ownership or control of the target;</i>						
Article 2, first paragraph, point (2)										
74		(2) ‘foreign direct investment’ means an investment of any kind by a foreign investor aiming to establish or to maintain lasting and direct links between the foreign investor and an existing or to be established Union target, and to which target the foreign investor makes capital available in order to carry out an economic activity in a Member State;		<i>deleted</i>		(2) <i>‘foreign direct investment’ means an investment of any kind by a foreign investor aiming to establish or to maintain lasting and direct links between the foreign investor and an existing or to be established Union target, and to which target the foreign investor makes capital available in order to carry out an economic activity in a Member State;</i>				
Article 2, first paragraph, point (3)										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
G	75	(3) ‘investment within the Union with foreign control’ means an investment of any kind carried out by a foreign investor through the foreign investor’s subsidiary in the Union, that aims to establish or to maintain lasting and direct links between the foreign investor and a Union target that exists or is to be established, and to which target the foreign investor makes capital available in order to carry out an economic activity in a Member State;		<i>deleted</i>		~~(3) ‘investment within the Union with foreign control’ means an investment of any kind carried out by a foreign investor through the foreign investor’s subsidiary in the Union, that aims to establish or to maintain lasting and direct links between the foreign investor and a Union target that exists or is to be established, and to which target the foreign investor makes capital available in order to carry out an economic activity in a Member State;~~				G
Article 2, first paragraph, point (3a)										
G	75a					(3a) ‘greenfield investment’ means a foreign investment carried out through the establishment of new facilities or of a undertaking for the performance of an economic activity in the Union;		(3a) ‘greenfield investment’ means a foreign investment carried out through the establishment of new facilities or of a undertaking for the performance of an economic activity in the Union; Text Origin: Council Mandate		(3a) ‘greenfield investment’ means a foreign investment carried out through the establishment of new facilities or of a undertaking for the performance of an economic activity in the Union;
Article 2, first paragraph, point (3b)										
G	75b					(3b) ‘resolution tool’ means a resolution tool within the meaning of Article 2(19) and Article 37		(3b) ‘resolution tool’ means a resolution tool within the meaning of Article 2(19) and Article 37		(3b) ‘resolution tool’ means a resolution tool within the meaning of Article 2(19) and Article 37

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
						<i>(9) of Directive 2014/59/EU of the European Parliament and of the Council¹, Article 3(9) of Regulation (EU) 806/2014 of the European Parliament and of the Council², Article 2(4) of Regulation (EU) 2021/23 of the European Parliament and of the Council³, or Article 2(14) and Article 26 (7) of Directive (EU) 2025/1 of the European Parliament and of the Council⁴;</i> <i>1. Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190, ELI: http://data.europa.eu/eli/dir/2014/59/oj).</i> <i>2. Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in</i>		<i>(9) of Directive 2014/59/EU of the European Parliament and of the Council¹, Article 3(9) of Regulation (EU) 806/2014 of the European Parliament and of the Council², Article 2(4) of Regulation (EU) 2021/23 of the European Parliament and of the Council³, or Article 2(14) and Article 26 (7) of Directive (EU) 2025/1 of the European Parliament and of the Council⁴;</i> <i>1. Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190, ELI: http://data.europa.eu/eli/dir/2014/59/oj).</i> <i>2. Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in</i>		<i>(9) of Directive 2014/59/EU of the European Parliament and of the Council¹, Article 3(9) of Regulation (EU) 806/2014 of the European Parliament and of the Council², Article 2(4) of Regulation (EU) 2021/23 of the European Parliament and of the Council³, or Article 2(14) and Article 26 (7) of Directive (EU) 2025/1 of the European Parliament and of the Council⁴;</i> <i>1. Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190, ELI: http://data.europa.eu/eli/dir/2014/59/oj).</i> <i>2. Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
						<i>the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ L 225, 30.7.2014, p. 1, ELI: http://data.europa.eu/eli/reg/2014/806/oj).</i> <i>3. Regulation (EU) 2021/23 of the European Parliament and of the Council of 16 December 2020 on a framework for the recovery and resolution of central counterparties and amending Regulations (EU) No 1095/2010, (EU) No 648/2012, (EU) No 600/2014, (EU) No 806/2014 and (EU) 2015/2365 and Directives 2002/47/EC, 2004/25/EC, 2007/36/EC, 2014/59/EU and (EU) 2017/1132 (OJ L 22, 22.1.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/23/oj).</i> <i>4. Directive (EU) 2025/1 of the European Parliament and of the Council of 27 November 2024 establishing a framework for the recovery and resolution of insurance and reinsurance undertakings and amending Directives 2002/47/EC, 2004/25/EC, 2007/36/EC, 2014/59/EU and (EU) 2017/1132 and Regulations (EU) No 1094/2010, (EU) No 648/2012, (EU) No 806/2014 and (EU) 2017/1129 (OJ L, 2025/1, 8.1.2025, ELI: http://data.europa.eu/eli/dir/2025/1/oj).</i>		<i>the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ L 225, 30.7.2014, p. 1, ELI: http://data.europa.eu/eli/reg/2014/806/oj).</i> <i>3. Regulation (EU) 2021/23 of the European Parliament and of the Council of 16 December 2020 on a framework for the recovery and resolution of central counterparties and amending Regulations (EU) No 1095/2010, (EU) No 648/2012, (EU) No 600/2014, (EU) No 806/2014 and (EU) 2015/2365 and Directives 2002/47/EC, 2004/25/EC, 2007/36/EC, 2014/59/EU and (EU) 2017/1132 (OJ L 22, 22.1.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/23/oj).</i> <i>4. Directive (EU) 2025/1 of the European Parliament and of the Council of 27 November 2024 establishing a framework for the recovery and resolution of insurance and reinsurance undertakings and amending Directives 2002/47/EC, 2004/25/EC, 2007/36/EC, 2014/59/EU and (EU) 2017/1132 and Regulations (EU) No 1094/2010, (EU) No 648/2012, (EU) No 806/2014 and (EU) 2017/1129 (OJ L, 2025/1, 8.1.2025, ELI: http://data.europa.eu/eli/dir/2025/1/oj).</i> Text Origin: Council Mandate		<i>the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ L 225, 30.7.2014, p. 1, ELI: http://data.europa.eu/eli/reg/2014/806/oj).</i> <i>3. Regulation (EU) 2021/23 of the European Parliament and of the Council of 16 December 2020 on a framework for the recovery and resolution of central counterparties and amending Regulations (EU) No 1095/2010, (EU) No 648/2012, (EU) No 600/2014, (EU) No 806/2014 and (EU) 2015/2365 and Directives 2002/47/EC, 2004/25/EC, 2007/36/EC, 2014/59/EU and (EU) 2017/1132 (OJ L 22, 22.1.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/23/oj).</i> <i>4. Directive (EU) 2025/1 of the European Parliament and of the Council of 27 November 2024 establishing a framework for the recovery and resolution of insurance and reinsurance undertakings and amending Directives 2002/47/EC, 2004/25/EC, 2007/36/EC, 2014/59/EU and (EU) 2017/1132 and Regulations (EU) No 1094/2010, (EU) No 648/2012, (EU) No 806/2014 and (EU) 2017/1129 (OJ L, 2025/1, 8.1.2025, ELI: http://data.europa.eu/eli/dir/2025/1/oj).</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
Article 2, first paragraph, point (3c)										
G	75c					(3c) <i>‘write-down and conversion powers’ means write-down and conversion powers within the meaning of Article 2(66) of Directive 2014/59/EU or Article 2(56) of Directive (EU) 2025/1 or Article 3 (44) of Regulation (EU) 806/2014;</i>				G
Article 2, first paragraph, point (3c)										
G	75d					(3d) <i>‘internal restructuring’ means a reorganisation of a Union target or of a corporate group to which Union target belongs to, which does not result in any changes in the beneficial ownership of the Union target.</i>		(3c) <i>‘internal restructuring’ means a reorganisation of a corporate group to which a Union target belongs , which does not result in a change of the beneficial owner of the Union target.</i>	(3c) <i>‘internal restructuring’ means a reorganisation of a corporate group to which a Union target belongs , which does not result in a change of the beneficial owner of the Union target.</i>	G
Article 2, first paragraph, point (4)										
G	76	(4) ‘request for authorisation’ means the filing, under a screening mechanism established pursuant to Article 3, of a request to authorise foreign investment subject to an authorisation requirement;	(4) ‘request for authorisation’ means the filing, under a screening mechanism established pursuant to Article 3, of a request to authorise foreign investment subject to an authorisation requirement;	(4) ‘request for authorisation’ means ~~thea~~ filing, under a screening mechanism ~~established pursuant to Article 3~~ , of a request to authorise ~~a~~ foreign investment subject to ~~ana prior~~ authorisation requirement;		(4) ‘request for authorisation’ means ~~thea~~ filing, under a screening mechanism ~~established pursuant to Article 3~~ , of a request to authorise ~~a~~ foreign investment subject to ~~ana prior~~ authorisation requirement;		(4) ‘request for authorisation’ means ~~thea~~ filing, under a screening mechanism ~~established pursuant to Article 3~~ , of a request to authorise ~~a~~ foreign investment subject to ~~ana prior~~ authorisation requirement;	(4) ‘request for authorisation’ means ~~thea~~ filing, under a screening mechanism ~~established pursuant to Article 3~~ , of a request to authorise ~~a~~ foreign investment subject to ~~ana prior~~ authorisation requirement;	G
Article 2, first paragraph, point (4a)										
Text Origin: Council Mandate										

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
76a										
Article 2, first paragraph, point (5)										
77		(5) ‘notifiable investment’ means a foreign investment meeting at least one of the conditions set out in Article 5;		(5) ‘notifiable investment’ means a foreign investment meeting at least one of the conditions set out in Article 5;		(5) <i>‘notifiable investment’ means a foreign investment meeting at least one of the conditions set out in Article 5;</i>				
Article 2, first paragraph, point (4b)										
77a										
Article 2, first paragraph, point (6)										
78		(6) ‘foreign investor’ means:		(6) ‘foreign investor’ means:		(6) ‘foreign investor’ means:		(6) ‘foreign investor’ means: Text Origin: Commission Proposal		~~(6)(a)~~ ‘foreign investor’ means:
Article 2, first paragraph, point (6)(a)										
79		(a) a natural person of a third country; or		(a) a natural person of a third country; or		(a) a natural person <i>who does not hold the nationality of a Member State of a third country</i> ; or		(a) a natural person <i>who does not hold the nationality of a Member State of a third country</i> ; or Text Origin: Council Mandate		~~(a)(i)~~ a natural person <i>who does not hold the nationality of a Member State of a third country</i> ; or
Article 2, first paragraph, point (6)(b)										
80		(b) an undertaking or entity established or otherwise organised under the laws of a third country;		(b) an undertaking or entity established or otherwise organised under the laws of a third country;		(b) an undertaking or entity established or otherwise organised under the laws of a third country;		(b) an undertaking or entity established or otherwise organised under the laws of a third country; Text Origin: Commission Proposal		~~(b)~~ -an undertaking or entity established or otherwise organised under the laws of a third country;
Article 2, first paragraph, point (6a)										
80a						(6a) ‘beneficial owner’		(6a) ‘beneficial owner’		(4c) ‘beneficial owner’

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>means a natural person or, where no natural person is identified, a legal person or trust or similar legal arrangement, who ultimately controls, directly or indirectly, a foreign investor or on whose behalf an investment is made or the control is exercised.</i>		<i>means: i) one or more natural persons, - who, directly or indirectly, own or control a foreign investor or Union target, - who ultimately benefit from the foreign investment, or - on whose behalf the foreign investment is made or on whose behalf the control over that foreign investment is exercised; ii) where no natural persons are identified, a legal person, entity or trust which, - directly or indirectly owns or controls a foreign investor or Union target, or - ultimately benefits from the foreign investment;</i>		<i>means: i) one or more natural persons, - who, directly or indirectly, own or control a foreign investor or Union target, - who ultimately benefit from the foreign investment, or - on whose behalf the foreign investment is made or on whose behalf the control over that foreign investment is exercised; ii) where no natural persons are identified, a legal person, entity or trust which, - directly or indirectly owns or controls a foreign investor or Union target, or - ultimately benefits from the foreign investment;</i>
Article 2, first paragraph, point (6b)										
G	80b					<i>(6b) 'foreign investor's subsidiary in the Union' is an undertaking established under the laws of a Member State, which is directly or indirectly controlled by a foreign investor;</i>				
Article 2, first paragraph, point (7)										
G	81	(7) 'foreign investor's	(7) 'foreign investor's	(7) 'foreign investor's	(7) 'foreign investor's	(7) 'foreign investor's	(7) 'foreign investor's	(7) 'foreign investor's	(7) 'foreign investor's	G

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
		subsidiary in the Union’ means an economically active undertaking established under the laws of a Member State meeting the conditions set out in Article 22(1) of Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013¹, and directly or indirectly controlled by a foreign investor; 1. Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19–76, ELI: http://data.europa.eu/eli/dir/2013/34/oj).		subsidiary in the Union’ means an ~~economically active~~-undertaking established under the laws of a Member State, meeting the conditions set out in Article 22(1) of Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013¹, and directly or indirectly controlled by a foreign investor; 1. Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19–76, ELI: http://data.europa.eu/eli/dir/2013/34/oj).		~~subsidiary in the Union’ means an economically active undertaking established under the laws of a Member State meeting the conditions set out in Article 22(1) of Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013¹; and directly or indirectly controlled by a foreign investor;~~ ~~1. Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19–76, ELI: http://data.europa.eu/eli/dir/2013/34/oj).~~		subsidiary in the Union’ means an ~~economically active~~-undertaking established under the laws of a Member State ~~meeting the conditions set out in Article 22(1) of Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013¹; and, which is~~ directly or indirectly controlled by a foreign investor; ~~1. Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19–76, ELI: http://data.europa.eu/eli/dir/2013/34/oj).~~		subsidiary in the Union’ means an ~~economically active~~-undertaking established under the laws of a Member State ~~meeting the conditions set out in Article 22(1) of Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013¹; and, which is~~ directly or indirectly controlled by a foreign investor; ~~1. Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19–76, ELI: http://data.europa.eu/eli/dir/2013/34/oj).~~
Article 2, first paragraph, point (7a)										
G	81a			(7a) ‘beneficial owner’ means any natural person who ultimately owns or controls a legal entity or similar legal arrangement;						G
Article 2, first paragraph, point (7a)										
G	81b			(7b) ‘opaque ownership				(7a) ‘opaque ownership	(7a) ‘opaque ownership	G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>structure’ means an arrangement in which the ownership or control of an entity is unclear, concealed or difficult to ascertain due to, inter alia, the use of complex legal structures, multiple layers of ownership, nominee shareholders, trusts, or other mechanisms that obscure the identity of the beneficial owner;</i>				<i>structure’ means an arrangement in which the ownership or control of an entity is unclear, concealed or difficult to ascertain due to, inter alia, the use of complex legal structures, multiple layers of ownership, nominee shareholders, or other mechanisms that obscure the identity of the beneficial owner;</i> Text Origin: EP Mandate		<i>structure’ means an arrangement in which the ownership or control of an entity is unclear, concealed or difficult to ascertain due to, inter alia, the use of complex legal structures, multiple layers of ownership, nominee shareholders, or other mechanisms that obscure the identity of the beneficial owner;</i>
Article 2, first paragraph, point (8)										
82		(8) ‘Union target’ means an undertaking established under the laws of a Member State;		(8) ‘Union target’ means an undertaking established <i>or to be established</i> under the laws of a Member State;		(8) ‘Union target’ means an undertaking established <i>or to be established</i> under the laws of a Member State;		(8) ‘Union target’ means an undertaking established <i>or to be established</i> under the laws of a Member State; Text Origin: EP Mandate		(8) ‘Union target’ means an undertaking established <i>or to be established</i> under the laws of a Member State;
Article 2, first paragraph, point (9)										
83		(9) ‘Union target economically active in one of the areas listed in Annex II’ means an Union target active or intending to be active in technologies, assets, facilities, equipment, networks, systems, services and economic activities of particular importance for the security or public order interests of the Union, listed		(9) ‘Union target economically active in one of the areas listed in Annex II’ means an Union target active or intending to be active in <i>the design, development, extraction, processing, production, recycling or supply of the technologies, materials,</i> assets, facilities, equipment, networks, systems, services		(9) <i>‘Union target economically active in one of the areas listed in Annex II’ means an Union target active or intending to be active in technologies, assets, facilities, equipment, networks, systems, services and economic activities of particular importance for the security or public order interests of the Union, listed</i>				

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		in Annex II, including through ownership, use, production or supply thereof;		and economic activities ~~of particular importance for the security or public order interests of the Union,~~ listed in Annex II, ~~including through ownership, use, production or supply thereof,~~		~~in Annex II, including through ownership, use, production or supply thereof;~~				
Article 2, first paragraph, point (9a)										
83a						(9a) 'filing' means the complete request, application, or other form of communication made in writing in accordance with the applicable requirements of the screening mechanism;		(9a) 'filing' means the initial submission to the screening authority of all information or documentation required under the applicable screening mechanism, including, where applicable, a complete request for authorisation of a foreign investment.		(9a) 'filing' means the initial submission to the screening authority of all information or documentation required under the applicable screening mechanism, including, where applicable, a complete request for authorisation of a foreign investment.
Article 2, first paragraph, point (10)										
84		(10) 'applicant requesting an authorisation' means the party or parties to a foreign investment transaction who applies for authorisation with the relevant screening authority;		(10) 'applicant requesting an authorisation' means the party or parties to a foreign investment transaction who applies for authorisation with the relevant screening authority;		~~(10) 'applicant requesting an authorisation' means the party or parties to a foreign investment transaction who applies for authorisation with the relevant screening authority;~~				
Article 2, first paragraph, point (11)										
85		(11) 'third country' means a jurisdiction, which is not a member of the Union;		(11) 'third country' means a jurisdiction, which is not a member of the Union;		(11) 'third country' means a jurisdiction, which is not a member of the Union;		(11) 'third country' means a jurisdiction, which is not a member of the Union;		(11) 'third country' means a jurisdiction, which is not a member of the Union;
								Text Origin: Commission		

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
							Proposal			
Article 2, first paragraph, point (11a)										
85a						<i>(11a) ‘host Member State’ means the Member State in which a foreign investment is planned or completed.</i>	<i>(11a) ‘host Member State’ means the Member State in which a foreign investment is planned or completed.</i> Text Origin: Council Mandate			<i>(11a) ‘host Member State’ means the Member State in which a foreign investment is planned or completed.</i>
Article 2, first paragraph, point (12)										
86		(12) ‘screening’ means a procedure that allows a Member State to assess, investigate, authorise, authorise subject to mitigating measures, prohibit or unwind foreign investments on the grounds of security or public order;		(12) ‘screening’ means a procedure that allows a Member State to assess, investigate, authorise, authorise subject to mitigating measures, prohibit or unwind foreign investments on the grounds of security or public order;		(12) –screening’ means a procedure that allows a Member State to assess, investigate, authorise, authorise subject to mitigating measures, prohibit or unwind foreign investments on the grounds of security or public order;	(12) ‘screening’ means a procedure that allows a Member State to assess, investigate, authorise, authorise subject to mitigating measures, prohibit or unwind foreign investments on the grounds of security or public order; Text Origin: Commission Proposal			(12) ‘screening’ means a procedure that allows a Member State to assess, investigate, authorise, authorise subject to mitigating measures, prohibit or unwind foreign investments on the grounds of security or public order;
Article 2, first paragraph, point (13)										
87		(13) ‘screening mechanism’ means an instrument of general application, such as a law or regulation, and accompanying administrative requirements, implementing rules or guidelines, that set out the terms, conditions and procedures for the screening of foreign investments on the grounds of security or		(13) ‘screening mechanism’ means an instrument of general application, such as a law or regulation, and accompanying administrative requirements, implementing rules or guidelines, that set out the terms, conditions and procedures for the screening of foreign investments on the grounds of security or		(13) ‘screening mechanism’ means an instrument of general application, such as a law or regulation, and accompanying administrative requirements, implementing rules or guidelines, that set out the terms, conditions and procedures for the screening of foreign investments on the grounds of security or	(13) ‘screening mechanism’ means an instrument of general application, such as a law or regulation, and accompanying administrative requirements, implementing rules or guidelines, that set out the terms, conditions and procedures for the screening of foreign investments on the grounds of security or			(13) ‘screening mechanism’ means an instrument of general application, such as a law or regulation, and accompanying administrative requirements, implementing rules or guidelines, that set out the terms, conditions and procedures for the screening of foreign investments on the grounds of security or

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	public order;	public order;	public order;	public order; Text Origin: Commission Proposal	public order;
Article 2, first paragraph, point (14)					
88	(14) ‘screening decision’ means a measure adopted by a screening authority in application of a screening mechanism resulting in the authorisation, authorisation subject to mitigating measures, prohibition or unwind of a foreign investment;	(14) ‘screening decision’ means a measure adopted by a screening authority in application of a screening mechanism resulting in the authorisation, authorisation subject to mitigating measures, prohibition or unwind of a foreign investment;	(14) ‘screening decision’ means a measure adopted by a screening authority in application of a screening mechanism resulting in the authorisation, authorisation subject to mitigating measures, prohibition or unwind of a foreign investment;	(14) ‘screening decision’ means a measure adopted by a screening authority in application of a screening mechanism resulting in the authorisation, authorisation subject to mitigating measures, prohibition or unwind of a foreign investment; Text Origin: Commission Proposal	(14) ‘screening decision’ means a measure adopted by a screening authority in application of a screening mechanism resulting in the authorisation, authorisation subject to mitigating measures, prohibition or unwind of a foreign investment;
Article 2, first paragraph, point (15)					
89	(15) ‘screening authority’ or ‘screening authorities’ means the authority or authorities designated by a Member State to screen foreign investments;	(15) ‘screening authority’ or ‘screening authorities’ means the authority or authorities designated by a Member State to screen foreign investments;	(15) ‘screening authority’ or ‘screening authorities’ means the authority or authorities designated by a Member State to screen foreign investments;	(15) ‘screening authority’ or ‘screening authorities’ means the authority or authorities designated by a Member State to screen foreign investments; Text Origin: Commission Proposal	(15) ‘screening authority’ or ‘screening authorities’ means the authority or authorities designated by a Member State to screen foreign investments;
Article 2, first paragraph, point (16)					
90	(16) ‘completion’ means the point in time when the last condition precedent has been met in relation to an investment decision by the parties to a foreign	(16) ‘completion’ means the point in time when the last condition precedent has been met in relation to an investment decision by the parties to a foreign	(16) ‘completion’ means the point in time when the last condition precedent has been met in relation to an investment decision by the parties to a foreign	(16) ‘completion’ means the point in time when the last condition precedent has been met in relation to an investment decision by the parties to a foreign	(16) ‘completion’ means the point in time when the last condition precedent has been met in relation to an investment decision by the parties to a foreign

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	investment transaction;	investment transaction;	investment transaction;	investment transaction; Text Origin: Commission Proposal	investment transaction;
Article 2, first paragraph, point (17)					
91	(17) ‘cooperation mechanism’ means the cooperation between Member States and the Commission on foreign investments pursuant to this Regulation;	(17) ‘cooperation mechanism’ means the cooperation between Member States and the Commission on foreign investments pursuant to this Regulation;	(17) ‘cooperation mechanism’ means the cooperation between Member States and the Commission on foreign investments pursuant to this Regulation;	(17) ‘cooperation mechanism’ means the cooperation between Member States and the Commission on foreign investments pursuant to this Regulation; Text Origin: Commission Proposal	(17) ‘cooperation mechanism’ means the cooperation between Member States and the Commission on foreign investments pursuant to this Regulation;
Article 2, first paragraph, point (18)					
92	(18) ‘projects or programmes of Union interest’ means projects or programmes covered by Union law that provide for the development, maintenance or acquisition of critical infrastructure, critical technologies or critical inputs which are essential for security or public order and are listed in Annex I;	(18) ‘projects or programmes of Union interest’ means projects or programmes covered by Union law that provide for the development, maintenance or acquisition of critical infrastructure, critical technologies, critical and essential services or critical inputs which are essential for security or public order and are listed in Annex I;	(18) ~~‘projects or programmes of Union interest’ means projects or programmes covered by Union law that provide for the development, maintenance or acquisition of critical infrastructure, critical technologies or critical inputs which are essential for security or public order and are listed in Annex I;~~		
Article 2, first paragraph, point (18a)					
92a		(18a) ‘host Member State’ means the Member State in which a foreign investment			

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>is planned or completed;</i>						
Article 2, first paragraph, point (19)										
93		(19) ‘notifying Member State’ means a Member State that has notified a notifiable investment to the cooperation mechanism pursuant to Article 5;		(19) ‘notifying Member State’ means a Member State that has notified a notifiable investment to the cooperation mechanism pursuant to Article 5;		(19) ‘notifying Member State’ means a Member State that has notified a ~~notifiable~~ foreign investment to the cooperation mechanism pursuant to Article 5;		(19) ‘notifying Member State’ means a Member State that has notified a ~~notifiable~~ foreign investment to the cooperation mechanism pursuant to Article 5;		(19) ‘notifying Member State’ means a Member State that has notified a ~~notifiable~~ foreign investment to the cooperation mechanism pursuant to Article 5;
								Text Origin: Council Mandate		
Article 2, first paragraph, point (20)										
94		(20) ‘multi-country transaction’ means a foreign investment subject to screening mechanisms in several Member States;		(20) ‘multi-country transaction’ means a foreign investment subject to screening mechanisms in several Member States;		(20) ‘multi-country transaction’ means a foreign investment subject to screening mechanisms in several Member States;		(20) ‘multi-country transaction’ means a foreign investment subject to screening mechanisms in several Member States;		(20) ‘multi-country transaction’ means a foreign investment subject to screening mechanisms in several Member States;
								Text Origin: Commission Proposal		
Article 2, first paragraph, point (21)										
95		(21) ‘multi-country notification’ means a notifiable investment that several Member States are required to notify to the cooperation mechanism;		(21) ‘multi-country notification’ means a notifiable investment that several Member States are required to notify to the cooperation mechanism;		(21) ‘multi-country notification’ means a ~~notifiable investment that several Member States are required to notify~~ notification sent to the cooperation mechanism by the Member States concerned with regards to a multi-country transaction;		(21) ‘multi-country notification’ means a ~~notifiable investment that several Member States are required to notify~~ notification sent to the cooperation mechanism by the Member States concerned with regards to a multi-country transaction;		(21) ‘multi-country notification’ means a ~~notifiable investment that several Member States are required to notify~~ notification sent to the cooperation mechanism by the Member States concerned with regards to a multi-country transaction;
								Text Origin: Council Mandate		

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
Article 2, first paragraph, point (22)										
96		(22) ‘mitigating measure’ means any condition to resolve the likely negative effect to security or public order arising from the foreign investment.		(22) ‘mitigating measure’ means any condition to resolve the likely negative effect to security or public order arising from the foreign investment.		(22) ‘mitigating measure’ means any condition to resolve the likely negative effect ~~to~~ on security or public order arising from the foreign investment; ;		(22) ‘mitigating measure’ means any condition to resolve the likely negative effect ~~to~~ on security or public order arising from the foreign investment; ; Text Origin: Council Mandate		(22) ‘mitigating measure’ means any condition to resolve the likely negative effect ~~to~~ on security or public order arising from the foreign investment; ;
Article 2, first paragraph, point (23)										
97		(23) ‘contact point’ means the person or entity designated by a Member State to notify notifiable investments to the cooperation mechanism, and to receive and send all communication related to foreign investments covered by this Regulation to the cooperation mechanism, on behalf of the screening authority.		(23) ‘contact point’ means the person or entity designated by a Member State to notify notifiable investments to the cooperation mechanism, and to receive and send all communication related to foreign investments covered by this Regulation to the cooperation mechanism, on behalf of the screening authority.		(23) ‘contact point’ means the person or entity designated by a Member State to notify ~~notifiable~~ foreign investments to the cooperation mechanism, and to receive and send all communication – including notifications through the cooperation mechanism – related to foreign investments covered by this Regulation to the cooperation mechanism, on behalf of the screening authority.		(23) ‘Contact point’ means the person or entity designated by a Member State to ~~notify notifiable investments to~~ send and receive all communication through the cooperation mechanism, ~~and to receive and send all communication~~ including notifications and exchanges of information related to foreign investments covered by this Regulation ~~to the cooperation mechanism, on behalf of the screening authority.~~		(23) ‘Contact point’ means the person or entity designated by a Member State to ~~notify notifiable investments to~~ send and receive all communication through the cooperation mechanism, ~~and to receive and send all communication~~ including notifications and exchanges of information related to foreign investments covered by this Regulation ~~to the cooperation mechanism, on behalf of the screening authority.~~
Article 2, first paragraph, point (23a)										
97a				(23a) ‘critical infrastructure’ means an asset, a facility, equipment, a network or a system, or a part of an asset, a facility, equipment, a network or a						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>system, which is necessary for the provision of an essential service;</i>						
Article 2, first paragraph, point (23a)										
G	97b							<i>(23a) ‘stockpiling’ means storing a quantity of a particular raw material for future use, including in anticipation of possible shortages.</i>		<i>(23a) ‘stockpiling’ means storing a quantity of a particular raw material for future use, including in anticipation of possible shortages.</i>
CHAPTER 2										
G	98	CHAPTER 2 NATIONAL SCREENING MECHANISMS		CHAPTER 2 NATIONAL SCREENING MECHANISMS		CHAPTER 2 NATIONAL SCREENING MECHANISMS		CHAPTER 2 NATIONAL SCREENING MECHANISMS Text Origin: Commission Proposal		CHAPTER 2 NATIONAL SCREENING MECHANISMS
Article 3										
G	99	Article 3 Establishment of screening mechanisms		Article 3 Establishment of screening mechanisms		Article 3 Establishment of screening mechanisms		Article 3 Establishment of screening mechanisms Text Origin: Commission Proposal		Article 3 Establishment of screening mechanisms
Article 3(1)										
G	100	1.Member States shall establish a screening mechanism in accordance with this Regulation.		1.Member States shall establish a screening mechanism in accordance with this Regulation.		1.Member States shall establish a screening mechanism in accordance with this Regulation. <i>This is without prejudice to the right of Member States to adopt, amend or maintain national provisions that are complementary to or are</i>		1.Member States shall establish a screening mechanism in accordance with this Regulation. <i>Member States may, for that purpose, adopt national provisions that are complementary to or are more specific than the</i>		1.Member States shall establish a screening mechanism in accordance with this Regulation. <i>Member States may, for that purpose, adopt national provisions that are complementary to or are more specific than the</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
					<i>more specific than the provisions of this Regulation.</i>		<i>provisions of this Regulation, provided that such provisions do not undermine and are consistent with the objectives of this Regulation.</i>		<i>provisions of this Regulation, provided that such provisions do not undermine and are consistent with the objectives of this Regulation.</i>	
Article 3(2)										
G	101	2.Member States shall ensure that the screening mechanism referred to in paragraph 1 applies at least to investments subject to an authorisation requirement pursuant to Article 4(4).		2.Member States shall ensure that the screening mechanism referred to in paragraph 1 applies at least to investments subject to an authorisation requirement pursuant to Article 4(4) and (4a) .		2.Member States shall ensure that the screening mechanism ~~referred to in paragraph 1~~ applies at least to foreign investments ~~subject to an authorisation requirement pursuant to~~ ~~covered by~~ Article 4(4).		2.Member States shall ensure that the screening mechanism ~~referred to in paragraph 1~~ applies at least to foreign investments ~~subject to an authorisation requirement pursuant to~~ ~~covered by~~ Article 4(4). Text Origin: Council Mandate		2.Member States shall ensure that the screening mechanism ~~referred to in paragraph 1~~ applies at least to foreign investments ~~subject to an authorisation requirement pursuant to~~ ~~covered by~~ Article 4(4).
Article 3(2a)										
G	101a							2a. Member States may decide that the screening mechanism applies also to foreign investments falling within the scope of this Regulation other than those referred to in Article 4(4). Where Member States decide to include such foreign investments in the scope of application of their screening mechanism, this Regulation shall apply to the screening of those foreign investments.		2a. Member States may decide that the screening mechanism applies also to foreign investments falling within the scope of this Regulation other than those referred to in Article 4(4). Where Member States decide to include such foreign investments in the scope of application of their screening mechanism, this Regulation shall apply to the screening of those foreign investments.

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
Article 3(3)										
102		3.Each Member State shall notify to the Commission the measures adopted pursuant to paragraph 1 no later than [date: 15 months after entry into force]. Member States shall thereafter notify the Commission of any amendment to their screening mechanism within 30 days of the adoption of the amendment.		3.Each Member State shall notify to the Commission the measures adopted pursuant to paragraph 1 no later than ~~[date: 15...~~ [12 months after from the date of entry into force of this Regulation] . Member States shall thereafter notify the Commission of any amendment to their screening mechanism within 30 days of the adoption of the amendment.		3.Each Member State shall notify to the Commission the measures adopted pursuant to paragraph 1 of this Article no later than ~~[date: 15 months after entry into force]~~ OJ: please insert the date 24 months after the date of entry into force of this Regulation] .- Member States shall thereafter notify the Commission of any amendment to their screening mechanism within 30 days of the adoption of ~~the~~ that amendment.		3.Each Member State shall notify to the Commission the measures adopted pursuant to paragraph 1 of this Article no later than ~~[date: 15 months after entry into force]~~ 18 months after the date of entry into force of this Regulation] .- Member States shall thereafter notify the Commission of any amendment to their screening mechanism within 30 days of the adoption of ~~the~~ that amendment. Text Origin: Council Mandate		3.Each Member State shall notify to the Commission the measures adopted pursuant to paragraph 1 of this Article no later than ~~[date: 15 months after entry into force]~~ 18 months after the date of entry into force of this Regulation] .- Member States shall thereafter notify the Commission of any amendment to their screening mechanism within 30 days of the adoption of ~~the~~ that amendment.
Article 3(4)										
103		4.The Commission shall make publicly available a list of Member States' screening mechanisms no later than 3 months after having received all the notifications referred to in paragraph 3 or by [date: 21 months after entry into force], whichever occurs first. The Commission shall keep that list up to date.		4.The Commission shall make publicly available a list of Member States' screening mechanisms no later than 3 months after having received all the notifications referred to in paragraph 3 or by ~~[date: 21...~~ [15 months after from the date of entry into force of this Regulation] , whichever occurs first. The Commission shall keep that list up to date.		4.The Commission shall make publicly available a list of Member States' screening mechanisms no later than ~~3~~ three months after having received all the notifications referred to in paragraph 3 ~~or by [date: 21 months after entry into force], whichever occurs first~~ three of this Article . The Commission shall keep that list up to date.		Text Origin: Council Mandate		
Article 4										

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
104	Article 4 Minimum requirements	Article 4 Minimum requirements	Article 4 Minimum requirements	Article 4 Minimum requirements Text Origin: Commission Proposal	Article 4 Minimum requirements
Article 4(1)					
105	1.Rules and procedures related to screening mechanisms, and measures taken pursuant to such rules and procedures, shall comply with Union law, be transparent and shall not discriminate between third countries or between the Member States in which the foreign investor's subsidiary in the Union is established.	1.Rules and procedures related to screening mechanisms, and measures taken pursuant to such rules and procedures, shall comply with Union law, be transparent and shall not discriminate between third countries or between the Member States in which the foreign investor's subsidiary in the Union is established.	1.Rules and procedures related to screening mechanisms, and measures taken pursuant to such rules and procedures, shall comply with Union law, be transparent and shall not discriminate between third countries or between the Member States in which the foreign investor's subsidiary in the Union is established.	1.Rules and procedures related to screening mechanisms, and measures taken pursuant to such rules and procedures, shall comply with Union law, be transparent and shall not discriminate between third countries or between the Member States in which the foreign investor's subsidiary in the Union is established. Text Origin: Commission Proposal	1.Rules and procedures related to screening mechanisms, and measures taken pursuant to such rules and procedures, shall comply with Union law, be transparent and shall not discriminate between third countries or between the Member States in which the foreign investor's subsidiary in the Union is established.
Article 4(2)					
106	2.Member States shall ensure that their screening mechanisms comply with the following requirements:	2.Member States shall ensure that their screening mechanisms comply with the following requirements:	2.Member States shall ensure that their screening mechanisms comply with the following requirements:	2.Member States shall ensure that their screening mechanisms comply with the following requirements: Text Origin: Commission Proposal	2.Member States shall ensure that their screening mechanisms comply with the following requirements:
Article 4(2), point (a)					
107	(a) adequate procedures shall be provided for the screening authority to determine whether it has jurisdiction over a foreign	(a) adequate procedures and resources shall be provided for the screening authority to determine whether it has jurisdiction over a foreign	(a) for foreign investments that fall within the scope of their screening mechanism and that are subject to a filing requirement , adequate	(a) for foreign investments that fall within the scope of their screening mechanism and that are subject to a filing requirement , adequate	(a) for foreign investments that fall within the scope of their screening mechanism and that are subject to a filing requirement , adequate

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		investment filed for authorisation and to carry out an initial review followed by, where necessary, an in-depth investigation to determine whether that foreign investment is likely to negatively affect security or public order. The purpose of the in-depth investigation shall be, in particular, to determine whether a screening decision as referred to in Article 14(1) is appropriate and to determine its content.		investment filed for authorisation ~~and to carry out~~ . The screening shall comprise an initial review of no more than 35 calendar days following the receipt of the complete request for authorisation , followed by, where necessary, an in-depth investigation to determine whether that foreign investment is likely to negatively affect security or public order, taking into account at least the criteria laid down in Article 13 . The purpose of the in-depth investigation shall be, in particular, to determine whether a screening decision as referred to in Article 14(1) is appropriate and to determine its content-;		procedures shall be provided for the screening authority to ~~determine whether it has jurisdiction over a foreign investment filed for authorisation and to carry out an initial review followed by, where necessary, an in-depth investigation to determine whether that foreign investment is likely to negatively affect security or public order. The purpose of the in-depth investigation shall be, in particular, to determine whether a screening decision as referred to in Article 14(1) is appropriate and to determine its content.~~		procedures and resources shall be provided for the screening authority to ~~determine whether it has jurisdiction over a foreign investment filed for authorisation and to carry out an initial review followed by, where necessary, an in-depth investigation to determine whether that foreign investment is likely to negatively affect security or public order. The purpose of the in-depth investigation shall be, in particular, to determine whether a screening decision as referred to in Article 14(1) is appropriate and to determine its content.:~~		procedures and resources shall be provided for the screening authority to ~~determine whether it has jurisdiction over a foreign investment filed for authorisation and to carry out an initial review followed by, where necessary, an in-depth investigation to determine whether that foreign investment is likely to negatively affect security or public order. The purpose of the in-depth investigation shall be, in particular, to determine whether a screening decision as referred to in Article 14(1) is appropriate and to determine its content.:~~
Article 4(2), point (a)(i)										
107a						(i) carry out an initial review of the investment within 45 calendar days from the date on which the filing is deemed complete by the screening authority, to determine whether an in-depth and comprehensive investigation is necessary to decide if the foreign		(i) carry out an initial review of the investment within 45 calendar days following the filing to decide whether an in-depth investigation is necessary to determine if the foreign investment is likely to negatively affect security or public order; and		(i) carry out an initial review of the investment within 45 calendar days following the filing to decide whether an in-depth investigation is necessary to determine if the foreign investment is likely to negatively affect security or public order; and

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>investment is likely to negatively affect security or public order;</i>				
Article 4(2), point (a)(ii)										
G	107b					<i>(ii) based on the results of its initial review, where necessary, carry out an in-depth and comprehensive investigation to determine whether that foreign investment is likely to negatively affect security or public order</i>		<i>(ii) based on the results of its initial review, where necessary, carry out an in-depth investigation to determine whether that foreign investment is likely to negatively affect security or public order</i>		<i>(ii) based on the results of its initial review, where necessary, carry out an in-depth investigation to determine whether that foreign investment is likely to negatively affect security or public order</i>
Article 4(2), point (aa)										
G	107c					<i>(aa) the screening authority shall be empowered to screen greenfield investments;</i>				
Article 4(2), point (b)										
G	108	(b) the screening authority shall monitor and ensure compliance with the screening mechanism and screening decisions. In particular, it shall put in place adequate procedures to identify and prevent circumvention of the screening mechanism and screening decisions;	(b) the screening authority shall monitor and ensure compliance with the screening mechanism and screening decisions. In particular, it shall put in place adequate procedures and resources to identify, address and prevent circumvention of the screening mechanism and screening decisions;	(b) the screening authority shall monitor and ensure compliance with the screening mechanism and screening decisions, in particular, ~~it shall put in place adequate procedures to identify and prevent by identifying and preventing their~~ circumvention ~~of the screening mechanism and screening decisions;~~	(b) the screening authority shall monitor and ensure compliance with the screening mechanism and screening decisions, in particular, ~~it shall put in place adequate procedures to identify and prevent by identifying, preventing and addressing their~~ circumvention ~~of the screening mechanism and screening decisions;. It shall be provided with~~	(b) the screening authority shall monitor and ensure compliance with the screening mechanism and screening decisions, in particular, ~~it shall put in place adequate procedures to identify and prevent by identifying, preventing and addressing their~~ circumvention ~~of the screening mechanism and screening decisions;. It shall be provided with~~				

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
								<i>sufficient resources to carry out these tasks.</i>		<i>sufficient resources to carry out these tasks.</i>
Article 4(2), point (c)										
109		(c) the screening authority shall be empowered to start screening foreign investments by its own initiative for at least 15 months after the completion of a foreign investment that is not subject to an authorisation requirement where the screening authority has grounds to consider that the foreign investment may affect security or public order;		(c) the screening authority shall be empowered to start screening foreign investments by its own initiative ~~for at least~~ within 15 months ~~after~~ of the completion of a foreign investment that is not subject to an authorisation requirement where the screening authority has grounds to consider that the foreign investment may affect security or public order;		(c) the screening authority shall be empowered to ~~start screenings~~ screen foreign investments ~~by falling within~~ the scope of the respective Member State's screening mechanism on its own initiative for at least 15 months ~~after~~ following the completion of a foreign investment that is ~~either~~ not subject to ~~ana prior~~ authorisation requirement or has not been filed to the screening authority despite the obligation to file where the screening authority has grounds to consider that ~~thesuch~~ foreign investment may affect security or public order;		(c) the screening authority shall be empowered to ~~start screen~~ and adopt a screening decision on foreign investments ~~by falling within the scope of the respective Member State's screening mechanism on~~ its own initiative for at least 15 months ~~after~~ and up to a maximum of 5 years, following the completion of a foreign investment that is not subject to ~~ana prior~~ authorisation requirement where the screening authority has grounds to consider that ~~thesuch~~ foreign investment may affect security or public order;		(c) the screening authority shall be empowered to ~~start screen~~ and adopt a screening decision on foreign investments ~~by falling within the scope of the respective Member State's screening mechanism on~~ its own initiative for at least 15 months ~~after~~ and up to a maximum of 5 years, following the completion of a foreign investment that is not subject to ~~ana prior~~ authorisation requirement where the screening authority has grounds to consider that ~~thesuch~~ foreign investment may affect security or public order;
Article 4(2), point (a)										
109a										
Article 4(2), point (d)										
110		(d) confidential information, including commercially sensitive information, made available to the Member		(d) confidential information, ~~including commercially sensitive information,~~ made available to the Member		(d) confidential information, including commercially sensitive information, made available to the Member		(d) confidential information, ~~including commercially sensitive information,~~ made available to the Member		(d) confidential information, ~~including commercially sensitive information,~~ made available to the Member

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	State carrying out the screening shall be protected;	State carrying out the screening, including commercially sensitive information and information designated as confidential by the undertakings concerned , shall be protected;	State carrying out the screening shall be protected;	State carrying out the screening- shall be protected; The screening authority shall give the entity providing the information the opportunity to indicate which information it considers to be confidential. Text Origin: EP Mandate	State carrying out the screening- shall be protected; The screening authority shall give the entity providing the information the opportunity to indicate which information it considers to be confidential.
Article 4(2), point (e)					
111	(e) foreign investors, foreign investors' subsidiaries in the Union through which the foreign investment is carried out and undertakings concerned by a screening decision shall have the possibility to seek judicial recourse against that screening decision;	(e) foreign investors, foreign investors' subsidiaries in the Union through which the foreign investment is carried out and undertakings concerned by a screening decision shall have the possibility to seek judicial recourse against that screening decision in a timely and effective manner ;	(e) ~~foreign investors, foreign investors' subsidiaries in the Union through which the foreign investment is carried out and undertakings concerned by~~ the parties ~~subject to the~~ screening decision shall have the ~~possibility~~ right to seek judicial recourse against that screening decision;	(e) ~~foreign investors, foreign investors' subsidiaries in the Union through which the foreign investment is carried out and undertakings concerned by~~ the parties ~~subject to the~~ screening decision shall have the ~~possibility~~ right to seek effective judicial recourse against that screening decision; Text Origin: Council Mandate	(e) ~~foreign investors, foreign investors' subsidiaries in the Union through which the foreign investment is carried out and undertakings concerned by~~ the parties ~~subject to the~~ screening decision shall have the ~~possibility~~ right to seek effective judicial recourse against that screening decision;
Article 4(2), point (f)					
112	(f) an annual report shall be made public, and shall include information on relevant legislative developments in the Member State and aggregate and anonymised data on the	(f) an annual report shall be made public, and shall include information on relevant legislative developments in the Member State and aggregate and anonymised data on the	(f) an annual report shall be drawn up and made public, ~~and~~ which shall include information on the relevant legislative developments in the Member State and aggregate and anonymised	(f) an annual report shall be made public, and shall include information on relevant legislative developments in the Member State and aggregate and anonymised data on the	(f) an annual report shall be made public, and shall include information on relevant legislative developments in the Member State and aggregate and anonymised data on the

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
		investments screened, including the outcome of screening decisions, nationalities, or country of establishment as the case may be, of parties to the investments notified to the screening authority, and the economic sectors in which those transactions took place;		investments screened, including the outcome of screening decisions, nationalities, or country of establishment as the case may be, of parties to the investments notified to the screening authority, and the economic sectors in which those transactions took place, as well as the projects or programmes of Union interest concerned, where applicable;		data on the investments screened, ~~including the outcome of screening decisions, nationalities, or country of establishment as the case may be, of parties to the investments notified to the screening authority, and the economic sectors in which those transactions took place~~ with the exception of data for which complete anonymisation is not possible;		investments screened, including the outcome of screening decisions, nationalities, or country of establishment as the case may be, of parties to the investments notified to the screening authority, and the economic sectors in which those transactions took place, with the exception of data for which complete anonymisation is not possible;		investments screened, including the outcome of screening decisions, nationalities, or country of establishment as the case may be, of parties to the investments notified to the screening authority, and the economic sectors in which those transactions took place, with the exception of data for which complete anonymisation is not possible;
							Text Origin: Commission Proposal			
Article 4(2), point (g)										
6	113	(g) foreign investments subject to an authorisation requirement as referred to in paragraph 4 shall be filed by the applicant requesting authorisation with the screening authority and shall be screened before the foreign investment is completed;		(g) foreign investments subject to an authorisation requirement as referred to in ~~paragraph 4~~ paragraphs 4 and 4a shall be filed by the applicant requesting authorisation with the screening authority and shall be screened before the foreign investment is completed;		(g) foreign investments subject to ~~ana prior~~ authorisation requirement as referred to in paragraph 4 shall be filed by the applicant requesting an authorisation with the screening authority and shall be screened before the foreign investment is completed;		(g) foreign investments subject to ~~ana prior~~ authorisation requirement as referred to in paragraph 4 shall be filed by the applicant requesting an authorisation with the screening authority and shall be screened before the foreign investment is completed;		(g) foreign investments subject to ~~ana prior~~ authorisation requirement as referred to in paragraph 4 shall be filed by the applicant requesting an authorisation with the screening authority and shall be screened before the foreign investment is completed;
							Text Origin: Council Mandate			
Article 4(2), point (ga)										
6	113a			(ga) Member States shall implement standardised				(ga) The screening authority shall, where		(ga) The screening authority shall, where

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
				<i>procedural milestones and structured communication points with applicants throughout the process, including formal acknowledgment of complete filing within 5 working days and informing the undertakings concerned where the screening authority decides to open an in-depth investigation;</i>				<i>applicable and without undue delay, inform the person who made the filing of the completeness of that filing;</i>		<i>applicable and without undue delay, inform the person who made the filing of the completeness of that filing;</i>
Article 4(2), point (h)										
114		(h) the screening authority shall be empowered to impose mitigating measures, prohibit, or unwind foreign investments subject to an authorisation requirement as referred to in paragraph 4 that were not filed or that were filed after completion and, where applicable, address effectively the consequences of non-compliance with the mitigating measures;		(h) the screening authority shall be empowered to impose mitigating measures, prohibit, or unwind foreign investments subject to an authorisation requirement as referred to in ~~paragraph 4~~ <i>paragraphs 4 or 4a</i> that were not filed or that were filed after completion and, where applicable, address effectively the consequences of non-compliance with the mitigating measures;		(h) the screening authority shall be empowered to ~~impose mitigating measures, prohibit, or unwind~~ <i>adopt a screening decision on</i> foreign investments subject to ~~an~~ <i>a prior</i> authorisation requirement as referred to in paragraph 4 that were not filed or that were filed after completion ~~and, where applicable, address effectively the consequences of non-compliance with the mitigating measures;~~		(h) the screening authority shall be empowered ~~to impose mitigating measures, prohibit, or unwind, for at least 24 months following the completion of a~~ foreign investment, <i>to screen and adopt a screening decision on that investment provided that it</i> is subject to an authorisation requirement ~~as referred to in paragraph 4 that were~~ <i>and</i> ~~was not filed or that were~~ <i>was</i> filed after ~~its completion and, where applicable, address effectively the consequences of non-compliance with the mitigating measures;~~		(h) the screening authority shall be empowered ~~to impose mitigating measures, prohibit, or unwind, for at least 24 months following the completion of a~~ foreign investment, <i>to screen and adopt a screening decision on that investment provided that it</i> is subject to an authorisation requirement ~~as referred to in paragraph 4 that were~~ <i>and</i> ~~was not filed or that were~~ <i>was</i> filed after ~~its completion and, where applicable, address effectively the consequences of non-compliance with the mitigating measures;~~
								Text Origin: Council Mandate		

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
Article 4(2), point (ha)										
G	114a					<i>(ha) the screening authority shall be empowered to effectively address the consequences of non-compliance with mitigating measures;</i>				G
Article 4(2), point (hb)										
G	114b			<i>(ha) screening authorities shall be empowered to impose effective, proportionate and dissuasive penalties on foreign investors who fail to request an authorisation where required to do so, fail to comply with mitigating measures, or attempt to otherwise circumvent the screening mechanism or screening decisions. Penalties shall reflect the scale and nature of the violation;</i>			<i>(ha) the screening authority shall be empowered to impose effective, proportionate and dissuasive penalties on foreign investors that fail to comply with the requirements of the screening mechanism, including failure to file the investment where required or failure to comply with mitigating measures.</i>		<i>(ha) the screening authority shall be empowered to impose effective, proportionate and dissuasive penalties on foreign investors that fail to comply with the requirements of the screening mechanism, including failure to file the investment where required or failure to comply with mitigating measures.</i>	G
Article 4(2), point (hc)										
G	114c			<i>(hb) the screening authority shall put in place adequate procedures and secure channels to receive information on foreign investments from civil society organisations, economic operators, and social partners;</i>			<i>(hb) the screening authority and the Commission shall make publicly available the contact details through which stakeholders may submit information concerning foreign investments in a</i>		<i>(hb) the screening authority and the Commission shall make publicly available the contact details through which stakeholders may submit information concerning foreign investments in a</i>	G

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
								<i>confidential manner.</i>		<i>confidential manner.</i>
Article 4(2), point (i)										
115		(i) adequate procedures shall be provided for the notification of notifiable investments to the cooperation mechanism pursuant to Article 5.		(i) adequate procedures shall be provided for the notification of notifiable investments to the cooperation mechanism pursuant to Article 5.		(i) adequate procedures shall be provided for the notification of ~~notifiable~~ foreign investments to the cooperation mechanism pursuant to Article 5.		(i) adequate procedures shall be provided for the notification of ~~notifiable~~ foreign investments to the cooperation mechanism pursuant to Article 5. Text Origin: Council Mandate		(i) adequate procedures shall be provided for the notification of ~~notifiable~~ foreign investments to the cooperation mechanism pursuant to Article 5.
Article 4(3)										
116		3.Before taking a decision to authorise a foreign investment subject to mitigating measures or to prohibit a foreign investment, Member States shall inform the applicant requesting an authorisation and state the reasons on which they intend to take their decision, subject to the protection of information the disclosure of which would be contrary to the security or public order interests of the EU or one or more of the Member States and without prejudice to Union and national law concerning the protection of confidential information. Member States shall give the foreign		3.Before taking a decision to authorise a foreign investment subject to mitigating measures or to prohibit a foreign investment, Member States shall inform the applicant requesting an authorisation and state the reasons on which they intend to take their decision, subject to the protection of information the disclosure of which would be contrary to the security or public order interests of the EU or one or more of the Member States and without prejudice to Union and national law concerning the protection of confidential		3.Before ~~taking~~ adopting a decision to authorise a foreign investment subject to mitigating measures or to prohibit ~~or to unwind~~ a foreign investment, ~~Member States~~ the screening authority shall ~~inform the applicant requesting an authorisation and state the reasons on which they intend to take their decision,~~ give the parties subject to the ~~protection of information the disclosure of which would be contrary to the security or public order interests of the EU or one or more of the Member States and without prejudice to Union and national law concerning the protection of confidential~~		3.Before ~~taking~~ adopting a decision to authorise a foreign investment subject to mitigating measures or to prohibit ~~or to unwind~~ a foreign investment, ~~Member States~~ the screening authority shall ~~inform the applicant requesting an authorisation and state the reasons on which they intend to take their decision,~~ give the parties subject to the ~~protection of information the disclosure of which would be contrary to the security or public order interests of the EU or one or more of the Member States and without prejudice to Union and national law concerning the protection of confidential~~		3.Before ~~taking~~ adopting a decision to authorise a foreign investment subject to mitigating measures or to prohibit ~~or to unwind~~ a foreign investment, ~~Member States~~ the screening authority shall ~~inform the applicant requesting an authorisation and state the reasons on which they intend to take their decision,~~ give the parties subject to the ~~protection of information the disclosure of which would be contrary to the security or public order interests of the EU or one or more of the Member States and without prejudice to Union and national law concerning the protection of confidential~~

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
		investor the opportunity to make their views known before taking such decision.		investor the opportunity to make their views known and shall take that input into account before ~~taking such~~ transmitting their draft decision pursuant to Article 7(8).		~~information. Member States shall give the foreign investor intended screening decision~~ the opportunity to make their views known ~~before taking such decision effectively.~~		~~information. Member States shall give the foreign investor intended screening decision~~ the opportunity to make their views known ~~before taking such decision effectively.~~ Text Origin: Council Mandate		~~information. Member States shall give the foreign investor intended screening decision~~ the opportunity to make their views known ~~before taking such decision effectively.~~
Article 4(4)										
117		4.Member States shall ensure that their screening mechanisms impose an authorisation requirement for foreign investments where the Union target established in their territory:		4.Member States shall ensure that their screening mechanisms impose an authorisation requirement for foreign investments where the Union target established in their territory:		4.Member States shall ensure that their screening mechanisms impose ~~an~~ prior authorisation requirement for foreign investments where the Union target established in their territory develops, produces or commercialises:		4.Member States shall ensure that their screening mechanisms impose ~~an~~ prior authorisation requirement for foreign investments where the Union target established in their territory: Text Origin: Council Mandate		4.Member States shall ensure that their screening mechanisms impose ~~an~~ prior authorisation requirement for foreign investments where the Union target established in their territory:
Article 4(4), point (a)										
118		(a) is part of or participates in one of the projects or programmes of Union interest listed in Annex I, including as a recipient of funds as defined in Article 2 paragraph 53 of Regulation 2018/1046 of the European Parliament and of the Council ¹ , or ¹ . Regulation (EU, Euratom) 2018/1046 of the European		(a) is part of or participates in one of the projects or programmes of Union interest listed in Annex I, including as a recipient of funds as defined in Article 2 ~~paragraph 53 of Regulation 2018/1046, point (59), of Regulation (EU) 2024/2509~~ of the European Parliament and of the Council ¹ , or ¹ . Regulation (EU, Euratom)		(a) ~~is part of or participates in one of the projects or programmes of Union interest~~ Items listed in Annex I, ~~including as a recipient of funds as defined in Article 2 paragraph 53 of Regulation 2018/1046 of the European Parliament and of the Council~~ ¹ to Regulation (EU) 2021/821 , or ¹ . ~~Regulation (EU, Euratom)~~		(a) ~~is part of or participates in one of the projects or programmes of Union interest~~ develops, produces or commercialises items listed in Annex I, ~~including as a recipient of funds as defined in Article 2 paragraph 53 of Regulation 2018/1046 to Regulation (EU) 2021/821~~ of the European Parliament and ~~of~~		(a) ~~is part of or participates in one of the projects or programmes of Union interest~~ develops, produces or commercialises items listed in Annex I, ~~including as a recipient of funds as defined in Article 2 paragraph 53 of Regulation 2018/1046 to Regulation (EU) 2021/821~~ of the European Parliament and ~~of~~

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
		Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1–222, ELI: http://data.europa.eu/eli/reg/2018/1046/oj).		~~2018/1046~~ 2024/2509 of the European Parliament and of the Council of ~~18 July 2018~~ 23 September 2024 on the financial rules applicable to the general budget of the Union, ~~amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1–222, ELI: http://data.europa.eu/eli/reg/2018/1046/oj).~~		~~2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1–222, ELI: http://data.europa.eu/eli/reg/2018/1046/oj).~~		the Council ¹ , ~~or~~ (common list of dual-use items subject to export controls); ~~1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1–222, ELI: http://data.europa.eu/eli/reg/2018/1046/oj).~~		the Council ¹ , ~~or~~ (common list of dual-use items subject to export controls); ~~1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1–222, ELI: http://data.europa.eu/eli/reg/2018/1046/oj).~~
Article 4(4), point (b)										
G	119	(b) is economically active in one of the areas listed in Annex II.		(b) is economically active in one of the areas listed in Annex II.		(b) ~~is economically active in one of the areas~~ Goods and technology listed in ~~Annex H~~ the EU Common Military List .		(b) ~~is economically active in one of the areas~~ develops, produces or commercialises goods and technology listed in ~~the Annex H~~ to Directive 2009/43/EC of the European Parliament and the Council;		(b) ~~is economically active in one of the areas~~ develops, produces or commercialises goods and technology listed in ~~the Annex H~~ to Directive 2009/43/EC of the European Parliament and the Council;
Article 4(4), point (ba)										
G	119a							(ba) produces, conducts research in or develops semiconductors or quantum technologies, or conducts research in or develops		(ba) produces, conducts research in or develops semiconductors or quantum technologies, or conducts research in or develops

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>artificial intelligence technology described in Annex I;</i>		<i>artificial intelligence technology described in Annex I;</i>
		Article 4(4), point (bb)								
G		119b								G
		Article 4(4), point (bc)								
G		119c						<i>(bc) is active in the transport, energy or digital infrastructure sectors and is considered critical pursuant to a risk-based targeted assessment performed by the Member State where that Union target is established. This assessment shall take into account national security and vital societal functions in light of the essential services such Union target provides;</i>		<i>(bc) is active in the transport, energy or digital infrastructure sectors and is considered critical pursuant to a risk-based targeted assessment performed by the Member State where that Union target is established. This assessment shall take into account national security and vital societal functions in light of the essential services such Union target provides;</i>
		Article 4(4), point (bd)								
G		119d						<i>(bd) exercises, as regards any strategic raw materials listed in Section I of Annex I to Regulation (EU) 2024/1252 (Critical Raw Materials Act), activities of exploration, extraction, processing, recycling or recovery as defined in Article 2 of that Regulation, or of stockpiling.</i>		<i>(bd) exercises, as regards any strategic raw materials listed in Section I of Annex I to Regulation (EU) 2024/1252 (Critical Raw Materials Act), activities of exploration, extraction, processing, recycling or recovery as defined in Article 2 of that Regulation, or of stockpiling.</i>
		Article 4(4), point (be)								

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure	
G		119e						<i>(be) constitutes one of the following entities:</i>		<i>(be) constitutes one of the following entities:</i>	G
Article 4(4), point (be)(i)											
G		119f						<i>(i) central counterparties¹;</i> <i>1. Means central counterparties as defined in Article 2(1) of Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories.</i>		<i>(i) central counterparties¹;</i> <i>1. Means central counterparties as defined in Article 2(1) of Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories.</i>	G
Article 4(4), point (be)(ii)											
G		119g						<i>(ii) central securities depositories¹;</i> <i>1. Means central securities depositories as defined in Article 2(1)(1) of Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012.</i>		<i>(ii) central securities depositories¹;</i> <i>1. Means central securities depositories as defined in Article 2(1)(1) of Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012.</i>	G
Article 4(4), point (be)(iii)											
G		119h						<i>(iii) operators of regulated markets¹;</i> <i>1. Means market operators of regulated markets as defined in Article 4(1)(18) and Article 4(1)(21) of Directive 2014/65/EU of the European Parliament and</i>		<i>(iii) operators of regulated markets¹;</i> <i>1. Means market operators of regulated markets as defined in Article 4(1)(18) and Article 4(1)(21) of Directive 2014/65/EU of the European Parliament and</i>	G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU.</i>		<i>of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU.</i>
Article 4(4), point (be)(iv)										
119i								(iv) operators of payment systems, excluding central banks¹; <i>1. Means operators of payment systems as defined in Article 4(7) of Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, with the exclusion of payment systems operated by central banks.</i>		(iv) operators of payment systems, excluding central banks¹; <i>1. Means operators of payment systems as defined in Article 4(7) of Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, with the exclusion of payment systems operated by central banks.</i>
Article 4(4), point (be)(v)										
119j								(v) other systemically important institutions¹; <i>1. Means other systemically important institutions as defined in Article 131(3) of Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC Text with EEA</i>		(v) other systemically important institutions¹; <i>1. Means other systemically important institutions as defined in Article 131(3) of Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC Text with EEA</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>relevance.</i>		<i>relevance.</i>
Article 4(4), point (be)(vi)										
G	119k							<i>(vi) global providers of specialised financial messaging services;</i>		<i>(vi) global providers of specialised financial messaging services;</i>
Article 4(4), point (bf)										
G	119l							<i>(bf) owns, develops or operates voter registration databases, voting systems and other information systems specifically designed to manage electoral operations such as the counting, auditing, and displaying of election results, and post-election reporting to certify and validate results.</i>		<i>(bf) owns, develops or operates voter registration databases, voting systems and other information systems specifically designed to manage electoral operations such as the counting, auditing, and displaying of election results, and post-election reporting to certify and validate results.</i>
Article 4(4a)										
G	119m					<i>5.Paragraph 4 shall not apply to greenfield investments.</i>		<i>5.Paragraph 4 shall not apply to greenfield investments.</i> Text Origin: Council Mandate		<i>5.Paragraph 4 shall not apply to greenfield investments.</i>
Article 4(4a)										
G	119n			<i>4a. Member States shall also ensure that their screening mechanisms impose an authorisation requirement for greenfield foreign investments where:</i>						
Article 4(4a), point (a)										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure	
G	119o			<i>(a) the conditions set out in point (a) or point (b) of paragraph 4 of this Article are met;</i>							G
	Article 4(4a), point (b)										
G	119p			<i>(b) the investor meets one or more of the conditions set out in Article 5(1), point (b), points (i) to (iii); and</i>							G
	Article 4(4a), point (c)										
G	119q			<i>(c) the value of the transaction is at least EUR 250 million.</i>							G
	CHAPTER 3										
G	120	CHAPTER 3 THE UNION COOPERATION MECHANISM ON FOREIGN INVESTMENTS LIKELY TO NEGATIVELY AFFECT SECURITY OR PUBLIC ORDER		CHAPTER 3 THE UNION COOPERATION MECHANISM ON FOREIGN INVESTMENTS LIKELY TO NEGATIVELY AFFECT SECURITY OR PUBLIC ORDER		CHAPTER 3 THE UNION COOPERATION MECHANISM ON FOREIGN INVESTMENTS LIKELY TO NEGATIVELY AFFECT SECURITY OR PUBLIC ORDER		CHAPTER 3 THE UNION COOPERATION MECHANISM ON FOREIGN INVESTMENTS LIKELY TO NEGATIVELY AFFECT SECURITY OR PUBLIC ORDER Text Origin: Commission Proposal		CHAPTER 3 THE UNION COOPERATION MECHANISM ON FOREIGN INVESTMENTS LIKELY TO NEGATIVELY AFFECT SECURITY OR PUBLIC ORDER	G
	Section 1										
	120a							Section 1 NOTIFICATION OF FOREIGN INVESTMENTS			
	Article 5										
G	121	Article 5		Article 5		Article 5		Article 5		Article 5	G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		Notification of foreign investments		Notification of foreign investments		Notification of foreign investments		Notification of foreign investments Text Origin: Commission Proposal		Notification of foreign investments
Article 5(1)										
122		1.Member States shall notify the Commission and the other Member States through the cooperation mechanism of any foreign investment in a Union target established in their territory that:		1.Member States shall notify the Commission and the other Member States through the cooperation mechanism of any foreign investment in a Union target ~~established~~ in their territory that:		1.Member States shall notify the Commission and the other Member States through the cooperation mechanism of any foreign investment in a Union target established in their territory that meets the conditions set out in Article 4(4) as well as any of the following conditions:		1.Member States shall notify the Commission and the other Member States through the cooperation mechanism of any foreign investment in a Union target established in their territory that meets the conditions set out in Article 4(4) as well as any of the following conditions: Text Origin: Council Mandate		1.Member States shall notify the Commission and the other Member States through the cooperation mechanism of any foreign investment in a Union target established in their territory that meets the conditions set out in Article 4(4) as well as any of the following conditions:
Article 5(1), point (a)										
123		(a) meets the conditions set out in Article 4(4) point (a); or		(a) meets the conditions set out in Article 4(4) point (a) or Article 4(4a) ; or		(a) ~~meets the conditions set out in Article 4(4) point (a); or~~				<i>deleted</i>
Article 5(1), point (aa)										
123a		(i) the foreign investor or the foreign investor's subsidiary in the Union is directly or indirectly controlled by the government, including state bodies, regional or local authorities or armed forces, of a third country, including through ownership structure,								

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
		significant funding, special rights or state-appointed directors or managers; Moved reference text								
Article 5(1), point (b)										
G	124	(b) meets the conditions set out in Article 4(4) point (b) and any of the following conditions:		(b) meets the conditions set out in Article 4(4) point (b) and any of the following conditions:		~~(b) meets the conditions set out in Article 4(4) point (b) and any of the following conditions:~~				<i>deleted</i>
Article 5(1), point (ba)										
G	124a	(ii) the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of, such a foreign investor is subject to Union restrictive measures pursuant to Article 215 TFEU; or Moved reference text								
Article 5(1), point (b)(i)										
G	125	(i) the foreign investor or the foreign investor's subsidiary in the Union is directly or indirectly controlled by the		(i) the foreign investor or the foreign investor's subsidiary in the Union is directly or indirectly controlled, by the		(i) the foreign investor or the foreign investor's subsidiary in the Union is directly or indirectly controlled by the		(i) the foreign investor or the foreign investor's subsidiary in the Union is directly or indirectly controlled by the		<i>deleted</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
		government, including state bodies, regional or local authorities or armed forces, of a third country, including through ownership structure, significant funding, special rights or state-appointed directors or managers;		government, including state bodies, regional or local authorities or armed forces, of a third country, including through ownership structure, significant funding, special rights or state-appointed directors or managers, or other features aimed at influencing management decisions ;		government, including state bodies, regional or local authorities or armed forces, of a third country, including ~~through~~ in the form of ownership structure, significant funding, special rights or state-appointed directors or managers;		government, including state bodies, regional or local authorities or armed forces, of a third country, including ~~through~~ in the form of ownership structure, significant funding, special rights or state-appointed directors or managers;		
								Text Origin: Council Mandate		
Article 5(1), point (b)(ii)										
126		(ii) the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of, such a foreign investor is subject to Union restrictive measures pursuant to Article 215 TFEU; or		(ii) the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of, such a foreign investor is subject to Union restrictive measures pursuant to Article 215 TFEU; ~~or~~		~~(ii)~~ the foreign investor, a natural person or an entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of, such a foreign investor is subject to Union restrictive measures pursuant to Article 29 TEU and Article 215 TFEU; ~~or~~		(ii) the foreign investor, a natural person or an entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of, such a foreign investor is subject to Union restrictive measures pursuant to Article 29 TEU and Article 215 TFEU; ~~or~~		<i>deleted</i>
								Text Origin: Council Mandate		
Article 5(1), point (b)(iii)										
127		(iii) the foreign investor or any of its subsidiaries was involved in a foreign		(iii) the foreign investor or any of its subsidiaries was involved in a foreign		(iii) the foreign investor, a natural person or an entity controlling the foreign		(iii) the foreign investor, a natural person or an entity controlling the foreign		(iii) the foreign investor, a natural person or an entity controlling the foreign

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		investment previously screened by a Member State and was not authorised or only authorised with conditions; to determine this, the notifying Member State shall rely on information available to them, including the information contained in the secure database set up pursuant to Article 7(10) and information provided by the foreign investor on this matter.		investment previously screened by a Member State ~~and that~~ was not authorised or only authorised with conditions; to determine this, the notifying Member State shall rely on information available to them, including the information contained in the secure database set up pursuant to Article 7(10) and information provided by the foreign investor on this matter.; or		<i>investor, the beneficial owner of the foreign investor</i> , or any of ~~its~~ the foreign investor's subsidiaries was involved in a foreign investment <i>which was</i> previously screened by a Member State and was not authorised or ~~only was~~ authorised <i>subject to mitigating measures, which were not complied</i> with ~~conditions~~ ; to determine this, the notifying Member State shall rely on information available to them, including the information contained in the secure database ~~set up pursuant to~~ referred to in Article ~~7(10)~~ 16a and information provided by the foreign investor on ~~this~~ that matter.		<i>investor, the beneficial owner of the foreign investor</i> , or any of ~~its~~ the foreign investor's subsidiaries was involved in a foreign investment <i>which was</i> previously screened by a Member State and was not authorised or ~~only was~~ authorised <i>subject to mitigating measures, which were significantly or repeatedly not complied</i> with ~~conditions~~ ; to determine this, the notifying Member State shall rely on information available to ~~them~~ it , including the information contained in the secure database ~~set up pursuant to~~ referred to in Article ~~7(10)~~ 18 and information provided by the foreign investor on ~~this~~ that matter. Text Origin: Council Mandate		<i>investor, the beneficial owner of the foreign investor</i> , or any of ~~its~~ the foreign investor's subsidiaries was involved in a foreign investment <i>which was</i> previously screened by a Member State and was not authorised or ~~only was~~ authorised <i>subject to mitigating measures, which were significantly or repeatedly not complied</i> with ~~conditions~~ ; to determine this, the notifying Member State shall rely on information available to ~~them~~ it , including the information contained in the secure database ~~set up pursuant to~~ referred to in Article ~~7(10)~~ 16a and information provided by the foreign investor on ~~this~~ that matter.
Article 5(1), point (b)(iia)										
G	127a			<i>(iia) the ownership structure of the investor is opaque.</i>						G
Article 5(2)										
G	128	2.Member States shall notify the Commission and the		2.Member States shall notify the Commission and the		2.Member States shall notify the Commission and the		2.Member States shall notify the Commission and the		2.Member States shall notify the Commission and the

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		other Member States of any foreign investment in a Union target established in their territory where they initiate an in-depth investigation under their screening procedures. Furthermore, Member States shall notify the Commission and the other Member States of any foreign investment in a Union target established in their territory, in exceptional cases, where they intend to impose a mitigating measure or to prohibit the transaction without an in-depth investigation.		other Member States of any foreign investment in ~~a Union target established in~~ their territory that has not been notified pursuant to paragraph 1 , where they initiate an in-depth investigation under their screening procedures. ~~Furthermore, Member States shall notify the Commission and the other Member States of any foreign investment in a Union target established in their territory, in exceptional cases, where they intend to impose a mitigating measure or to prohibit the transaction without an in-depth investigation.~~		other Member States of any foreign investment in a Union target established or to be established in their territory where they initiate an in-depth and comprehensive investigation ~~underin the framework of~~ their screening procedures. ~~Furthermore, Member States shall notify the Commission and the other Member States of any foreign investment in a Union target established in their territory, or~~ in exceptional cases, where they intend to impose a mitigating measure or to prohibit the transaction without an in-depth and comprehensive investigation-, where one of the following conditions is met:		other Member States of any foreign investment in a Union target ~~established~~ in their territory where they initiate an in-depth investigation ~~underin the framework of~~ their screening procedures. ~~Furthermore, Member States shall notify the Commission and the other Member States of any foreign investment in a Union target established in their territory, in exceptional cases, where they intend to impose a mitigating measure or to prohibit the transaction without an in-depth investigation.~~ one of the following conditions is met: Text Origin: Council Mandate		other Member States of any foreign investment in a Union target ~~established~~ in their territory where they initiate an in-depth investigation ~~underin the framework of~~ their screening procedures. ~~Furthermore, Member States shall notify the Commission and the other Member States of any foreign investment in a Union target established in their territory, in exceptional cases, where they intend to impose a mitigating measure or to prohibit the transaction without an in-depth investigation.~~ one of the following conditions is met:
Article 5(3), first subparagraph -a										
G	128a					a) the Union target is active in a project or programme of Union interest listed in Annex I;		a) the Union target is active in a project or programme of Union interest listed in Annex I; Text Origin: Council Mandate		a) the Union target is active in a project or programme of Union interest listed in Annex I;
Article 5(3), first subparagraph -b										
G	128b					b) the Union target has one or more subsidiaries in		b) the Union target has one or more subsidiaries in		b) the Union target has one or more subsidiaries in

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>other Member States, or is part of a group that has one or more subsidiaries in at least on other Member State.</i>		<i>other Member States, or is part of a group that has one or more subsidiaries in at least one other Member State.</i> Text Origin: Council Mandate		<i>other Member States, or is part of a group that has one or more subsidiaries in at least one other Member State.</i>
Article 5(3), first subparagraph -c										
G	128c					<i>3c. Foreign investments notified pursuant to paragraph 1 shall not be notified pursuant to this paragraph.</i>		Text Origin: Council Mandate		
Article 5(3), first subparagraph -d										
G	128d			<i>3a. Member States shall notify, at the earliest possible time, the Commission and the other Member States of any foreign investment in their territory where, in exceptional cases, they intend to impose a mitigating measure or to prohibit the transaction without an in-depth investigation.</i>			<i>2a. Member States shall notify the Commission and the other Member States of any foreign investment in their territory where, in exceptional cases, they intend to impose a mitigating measure or to prohibit the transaction without an in-depth investigation. The conditions set out in paragraph 2, points (a) and (b), shall also apply to this paragraph.</i> Text Origin: EP Mandate		<i>2a. Member States shall notify the Commission and the other Member States of any foreign investment in their territory where, in exceptional cases, they intend to impose a mitigating measure or to prohibit the transaction without an in-depth investigation. The conditions set out in paragraph 2, points (a) and (b), shall also apply to this paragraph.</i>	
Article 5(3), first subparagraph -e										
G	128e						<i>2b. Foreign investments</i>		<i>2b. Foreign investments</i>	G

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
								<i>notified pursuant to paragraph 1 shall not be notified pursuant to paragraphs 2 and 2a.</i>		<i>notified pursuant to paragraph 1 shall not be notified pursuant to paragraphs 2 and 2a.</i>
Article 5(3), first subparagraph										
129		3. Member States may notify any foreign investment that do not meet the conditions set out in paragraphs 1 and 2 if the Member State where the Union target is established considers that a foreign investment could be of interest to the other Member States and the Commission from a security or public order perspective, including where the Union target has significant operations in other Member States, or belongs to a corporate group that has several companies in different Member States which are economically active in one of the areas listed in Annex II.		3. Member States ~~may~~ shall notify any foreign investment that ~~do~~ does not meet the conditions set out in paragraphs 1 and 2 if the host Member State ~~where the Union target is established~~ considers that a foreign investment could be of interest to the other Member States and the Commission from a security or public order perspective, including where the Union target has significant operations in other Member States, or belongs to a corporate group that has several companies in different Member States which are economically active in one of the areas listed in Annex II.		3. Member States may notify any foreign investment that ~~do not meet the conditions set out in paragraphs 1 and 2~~ does not fall under paragraph 1 or 2 if the host Member State ~~where the Union target is established~~ considers that a foreign investment could ~~be of interest to the other Member States and the Commission~~ negatively affect security or public order perspective, including in one or more Member States, especially where the Union target has significant operations in other Member States, or belongs to a corporate group that ~~has~~ consists of several ~~companies~~ entities in different Member States which are ~~economically active in one of the areas listed in Annex II~~ subject to a prior authorisation requirement pursuant to Article 4(4). Any such		3. A host Member State shall notify the Commission and the other Member States ~~may notify~~ of any foreign investment that ~~do not meet the conditions set out in paragraphs 1 and 2~~ if the Member State where the Union target is established ~~falls within the scope of its screening mechanism but does not fall under paragraph 1, 2 or 2a,~~ if it considers that ~~at the~~ foreign investment could ~~be of interest to the other Member States and the Commission~~ negatively affect security or public order ~~perspective, including in at least one other Member State, especially~~ where the Union target has significant operations in other Member States, or belongs to a corporate group that ~~has~~ consists of several ~~companies~~ entities in different Member States		3. A host Member State shall notify the Commission and the other Member States ~~may notify~~ of any foreign investment that ~~do not meet the conditions set out in paragraphs 1 and 2~~ if the Member State where the Union target is established ~~falls within the scope of its screening mechanism but does not fall under paragraph 1, 2 or 2a,~~ if it considers that ~~at the~~ foreign investment could ~~be of interest to the other Member States and the Commission~~ negatively affect security or public order ~~perspective, including in at least one other Member State, especially~~ where the Union target has significant operations in other Member States, or belongs to a corporate group that ~~has~~ consists of several ~~companies~~ entities in different Member States

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						notification shall be duly justified. If that foreign investment is part of a multi-country transaction, the relevant Member States, in cooperation with the Commission, shall endeavour to coordinate their assessment under this paragraph.		which ~~are economically active in one of the areas listed in Annex II~~ fall under Article 4(4), points (a) to (h). Any such notification shall be duly justified. Text Origin: Council Mandate		which ~~are economically active in one of the areas listed in Annex II~~ fall under Article 4(4), points (a) to (h). Any such notification shall be duly justified.
Article 5(3), second subparagraph										
130		Where a Member State intends to notify a foreign investment in its territory that forms part of a multi-country transaction pursuant to Article 6(2), it shall coordinate with the other Member States who received the request for authorisation. The respective Member States shall notify the multi-country transaction and they shall endeavour to send their notifications to the cooperation mechanism on the same day.		<i>deleted</i>		~~Where a Member State intends to notify a foreign investment in its territory that forms part of a multi-country transaction pursuant to Article 6(2), it shall coordinate with the other Member States who received the request for authorisation. The respective Member States shall notify the multi-country transaction and they shall endeavour to send their notifications to the cooperation mechanism on the same day.~~ <i>deleted</i>				<i>deleted</i>
Article 6										
131		Article 6 Content and procedures for notification of foreign investments		Article 6 Content and procedures for notification of foreign investments		Article 6 Content and procedures for notification of foreign investments		Article 6 Content and procedures for notification of foreign investments Text Origin: Commission		Article 6 Content and procedures for notification of foreign investments

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
							Proposal			
Article 6(1)										
132		1.Member States shall ensure that a notification pursuant to Article 5 contains the information referred to in Article 10(1) and is sent to the Commission and other Member States via the secure and encrypted system referred to in Article 12(4):		1.Member States shall ensure that a notification pursuant to Article 5 contains the information referred to in Article 10(1) and is sent to the Commission and other Member States ~~via the secure and encrypted system referred to in Article 12(4):~~		1.Member States shall ensure that a notification pursuant to Article 5 contains the information ~~referred to set out~~ in Article 10(1) and is sent to the Commission and other Member States ~~via the secure and encrypted system referred to in Article 12(4):~~		1.Member States shall ensure that a notification pursuant to Article 5 contains the information ~~referred to set out~~ in Article ~~10(1)~~ 15(1) and is sent to the Commission and other Member States ~~via the secure and encrypted system referred to in Article 12(4):~~		1.Member States shall ensure that a notification pursuant to Article 5 contains the information ~~referred to set out~~ in Article 10(1) and is sent to the Commission and other Member States ~~via the secure and encrypted system referred to in Article 12(4):~~
							Text Origin: Council Mandate			
Article 6(1), point (a)										
133		(a) within 15 calendar days of receiving the respective request for authorisation for foreign investments meeting any of the conditions set out in Article 5(1) or (3);		(a) within 15 calendar days of receiving the ~~respective complete~~ request for authorisation for foreign investments meeting any of the conditions set out in Article 5(1), (2a) or (3);		(a) within 15 calendar days ~~of receiving the respective request for authorisation~~ from the date on which a filing is deemed complete under the Member State's screening mechanism and that refers to a foreign investments meeting any of investment that meets the conditions set out in Article 5(1) ~~or (3);~~		(a) within 15 calendar days of ~~receiving the respective request for authorisation~~ the filing for foreign investments meeting ~~any of~~ the conditions set out in Article 5(1) ~~or (3);~~		(a) within 15 calendar days of ~~receiving the respective request for authorisation~~ the filing for foreign investments meeting ~~any of~~ the conditions set out in Article 5(1) ~~or (3);~~
Article 6(1), point (b)										
134		(b) within 60 calendar days of receiving the request for authorisation for foreign investments meeting the conditions set out in Article		(b) within ~~60~~ 5 calendar days of ~~receiving the request for authorisation~~ initiating an in-depth investigation for foreign investments meeting		(b) within ~~60~~ 45 calendar days ~~of receiving the request for authorisation~~ from the date on which a filing is deemed complete under the		(b) within ~~60~~ 45 calendar days of ~~receiving the request for authorisation~~ the filing for foreign investments meeting the conditions set		(b) within ~~60~~ 45 calendar days of ~~receiving the request for authorisation~~ the filing for foreign investments meeting the conditions set

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		5(2).		the conditions set out in Article 5(2).		Member State's screening mechanism and that refers to a foreign investments meeting the conditions set out in investment notified pursuant to Article 5(2);		out in Article 5(2); Text Origin: Council Mandate		out in Article 5(2);
Article 6(1), point (c)										
G		134a				(c) without undue delay after making the decision to notify a case in accordance with Article 5 (3).		(c) without undue delay after making the decision to notify a case in accordance with Article 5 (3): Text Origin: Council Mandate		(c) without undue delay after making the decision to notify a case in accordance with Article 5 (3):
Article 6(1), point (bb)										
G		134b						(d) without undue delay where Article 5(2a) applies.		(d) without undue delay where Article 5(2a) applies.
Article 6(2)										
G		135		2.The following procedures shall apply to multi-country transactions:		<i>deleted</i>		2. Without prejudice to paragraph 1, the following procedures shall apply to multi-country transactions:		
Article 6(2), point (a)										
G		136		(a) applicants requesting an authorisation shall file their requests for authorisation in all relevant Member States on the same day, and each request for authorisation shall make reference to the other requests;		<i>deleted</i>		(a) applicants ~~requesting an authorisation~~ shall ~~file~~ endeavour to make their ~~requests for authorisation~~ filings in all ~~relevant~~ Member States concerned on the same day, and each ~~request for authorisation~~ filing shall make reference to the other		

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						~~requests~~ filings ;				
Article 6(2), point (b)										
137		(b) where a Member State receives a request for authorisation that meets the conditions set out in point (a), it shall coordinate with the other Member States concerned, inter alia, to determine whether point (c) or (d) of this paragraph is applicable; the Commission may participate in such coordination upon request from one or more Member States;		~~deleted~~		(b) where a Member State receives a ~~request for authorisation~~ filing that meets the conditions set out in point (a), it shall endeavour to coordinate with the other Member States concerned, inter alia, to determine whether point (c) ~~or (d) of this paragraph~~ is applicable; at the request of a Member State , the Commission may participate in such coordination ~~upon request from one or more Member States~~ ;				
Article 6(2), point (c)										
138		(c) if the requests for authorisation concern a foreign investment meeting any of the conditions set out in Article 5(1), the respective Member States shall send their notifications to the cooperation mechanism on the same day and within the deadline laid down in point (a) of paragraph 1 of this Article;		~~deleted~~		(c) if the ~~requests for authorisation concern~~ filing concerns a foreign investment ~~meeting any of that meets~~ the conditions set out in Article 5(1) or (2) , the respective Member States shall endeavour to send their notifications to the cooperation mechanism on the same day ~~and within the deadline laid down in point (a) of paragraph 1 of this Article~~ .				
Article 6(2), point (d)										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
G	139	(d) if the requests for authorisation concern a foreign investment meeting the conditions set out in Article 5(2), the respective Member States shall endeavour to send their notifications to the cooperation mechanism on the same day.		<i>deleted</i>		~~(d) if the requests for authorisation concern a foreign investment meeting the conditions set out in Article 5(2), the respective Member States shall endeavour to send their notifications to the cooperation mechanism on the same day.~~				<i>deleted</i>
	Article 6a									
G	139a			Article 6a Specific rules applicable to multi-country transactions				Article 7 Specific rules applicable to multi-country transactions Text Origin: EP Mandate		Article 6a Specific rules applicable to multi-country transactions
	Article 6a									
G	139b							Without prejudice to Article 6, the following procedures shall apply to multi-country transactions:		Without prejudice to Article 6, the following procedures shall apply to multi-country transactions:
	Article 6a, point (a)									
G	139c			(a) Applicants requesting an authorisation for an investment in several Member States shall file their requests for authorisation in all relevant Member States within 3 calendar days of the first request for authorisation, and each request for authorisation shall make reference to the other				(a) The person making the filing shall endeavour to do so in all Member States concerned on the same day, and each filing shall make reference to the other filings.		(a) The person making the filing shall endeavour to do so in all Member States concerned on the same day, and each filing shall make reference to the other filings.

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
			<i>requests.</i>							
Article 6a, point (b)										
G	139d		<i>(b) Where a Member State receives a request for authorisation as referred to in paragraph 1, it shall coordinate with the other Member States concerned and the Commission, inter alia to determine whether the investment is notifiable.</i>				<i>(b) Where a Member State receives a filing that meets the conditions set out in point a, it shall discuss with the other Member States concerned, inter alia, whether the conditions of Article 5 are met. At the request of a Member State, the Commission may participate in such coordination.</i>		<i>(b) Where a Member State receives a filing that meets the conditions set out in point a, it shall discuss with the other Member States concerned, inter alia, whether the conditions of Article 5 are met. At the request of a Member State, the Commission may participate in such coordination.</i>	
Article 6a, point (c)										
G	139e		<i>(c) If the requests for authorisation concern a foreign investment meeting any of the conditions set out in Article 5(1), the Member States concerned shall send their notifications to the cooperation mechanism within 3 calendar days of the first request for authorisation and within the deadline laid down in Article 6, point (a).</i>				<i>(c) If the filing concerns a foreign investment that meets the conditions set out in Article 5 (1), (2) or (3), the respective Member States shall endeavour to send their notifications to the cooperation mechanism on the same day.</i>		<i>(c) If the filing concerns a foreign investment that meets the conditions set out in Article 5 (1), (2) or (3), the respective Member States shall endeavour to send their notifications to the cooperation mechanism on the same day.</i>	
Article 6a(1), point (d)										
G	139f		<i>(d) If the requests for authorisation concern a foreign investment meeting the conditions set out in</i>							

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>Article 5(2), the Member States concerned shall endeavour to send their notifications to the cooperation mechanism within a limited timeframe and within the deadline laid down in Article 6(1), point (b).</i>						
Article 6a, point (d)										
139g				<i>(e) The Member States concerned shall coordinate closely throughout the procedure. In particular, they shall endeavour to align the timelines of their respective screening procedures and to ensure that their respective screening decisions are compatible with each other. Where applicable, they shall endeavour to take their final screening decision on the same day.</i>				<i>(d) The Member States concerned shall coordinate closely throughout the procedure. In particular, they shall endeavour to align the timing of their respective screening procedures, including as regards the adoption of their respective screening decisions, and, where appropriate, shall discuss whether their respective screening decisions are compatible with each other and adequately address the identified risks to security or public order.</i>		<i>(d) The Member States concerned shall coordinate closely throughout the procedure. In particular, they shall endeavour to align the timing of their respective screening procedures, including as regards the adoption of their respective screening decisions, and, where appropriate, shall discuss whether their respective screening decisions are compatible with each other and adequately address the identified risks to security or public order.</i>
Section 2										
139h								Section II COMMENTS BY MEMBER STATES AND OPINIONS BY THE COMMISSION		
Article 7										

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
140		Article 7 Comments by Member States and opinions by the Commission on notified foreign investments		Article 7 Comments by Member States and opinions <i>and decisions</i> by the Commission on notified foreign investments		Article 7 ~~Comments by Member States and opinions by the Commission~~ Cooperation mechanism on notified foreign investments		Article ~~7~~ 8 ~~Comments by Member States and opinions by the Commission~~ on notified foreign investments Text Origin: Commission Proposal		Article 7 ~~Comments by Member States and opinions by the Commission~~ on notified foreign investments
Article 7(1), first subparagraph										
141		1. Any Member State may issue duly motivated comments to the notifying Member State via the secure and encrypted system referred to in Article 12(4). A Member State may issue such comments if it:		1. Any Member State may issue duly motivated comments to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4).~~ A Member State may issue such comments if it:		1. Any Member State may issue duly ~~motivated~~ justified comments to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4).~~ A Member State may issue such comments if it:		1. Any Member State may issue duly ~~motivated~~ justified comments to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4).~~ A Member State may issue such comments if it:		1. Any Member State may issue duly ~~motivated~~ justified comments to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4).~~ A Member State may issue such comments if it:
Article 7(1), first subparagraph, point (a)										
142		(a) considers that a foreign investment is likely to negatively affect its security or public order; or		(a) considers that a foreign investment is likely to negatively affect its security or public order; or		(a) considers that ~~at the~~ notified foreign investment is likely to negatively affect its security or public order; or		(a) considers that ~~at the~~ notified foreign investment is likely to negatively affect its security or public order; or		(a) considers that ~~at the~~ notified foreign investment is likely to negatively affect its security or public order; or
Article 7(1), first subparagraph, point (b)										
143		(b) has information relevant for the screening of that foreign investment.		(b) has information relevant for the screening of that foreign investment.		(b) has information relevant for the screening of that foreign investment.		(b) has information relevant for the screening of that foreign investment.		(b) has information relevant for the screening of that foreign investment.
Article 7(1), second subparagraph										
144		The Member State issuing comments shall simultaneously send its comments to the Commission and inform		The Member State issuing comments shall simultaneously send its comments to the Commission and inform		The Member State issuing comments shall simultaneously send ~~it~~ those comments to the Commission and inform all		~~The Member State issuing comments shall simultaneously send its comments to the Commission and inform~~		The Member State issuing comments shall simultaneously send ~~it~~ those comments to the Commission and inform

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	through the cooperation mechanism all other Member States that comments have been provided.	through the cooperation mechanism all other Member States that comments have been provided.	<i>other Member States</i> through the cooperation mechanism ~~all other Member States~~ that comments have been ~~provided~~ issued.	~~cooperation mechanism all other Member States that comments have been provided~~ Moved to Article 11(1)	~~through the cooperation mechanism~~ all other Member States that comments have been ~~provided~~ issued.
Article 7(2), first subparagraph					
145	2.The Commission may issue a duly motivated opinion addressed to the notifying Member State via the secure and encrypted system referred to in Article 12(4). The Commission may issue such an opinion if:	2.The Commission may issue a duly motivated opinion addressed to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ . The Commission ~~may~~ shall issue such an opinion if:	2.The Commission may issue a duly ~~motivated~~ justified opinion addressed to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ . ~~The Commission may issue such an opinion if it:~~	2.The Commission ~~may~~ shall, where appropriate, issue a duly ~~motivated~~ justified opinion addressed to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ . ~~The Commission may issue such an opinion if it:~~ Text Origin: Council Mandate	2.The Commission ~~may~~ shall, where appropriate, issue a duly ~~motivated~~ justified opinion addressed to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ . ~~The Commission may issue such an opinion if it:~~
Article 7(2), first subparagraph, point (a)					
146	(a) it considers that such a foreign investment is likely to negatively affect the security or public order of more than one Member State;	(a) it considers that such a foreign investment is likely to negatively affect the security or public order of more than one Member State;	(a) ~~it~~ -considers that ~~such~~ ~~the notified~~ foreign investment is likely to negatively affect the security or public order of more than one Member State;	(a) ~~it~~ -considers that ~~such~~ ~~the notified~~ foreign investment is likely to negatively affect the security or public order of more than one Member State; Text Origin: Council Mandate	(a) ~~it~~ -considers that ~~such~~ ~~the notified~~ foreign investment is likely to negatively affect the security or public order of more than one Member State;
Article 7(2), first subparagraph, point (b), first subparagraph					
147	(b) it considers that such a foreign investment is likely to negatively affect projects	(b) it considers that such a foreign investment is likely to negatively affect projects	(b) ~~it~~ -considers that ~~such~~ ~~the notified~~ foreign investment is likely to	(b) ~~it~~ -considers that ~~such~~ ~~the notified~~ foreign investment is likely to	(b) ~~it~~ -considers that ~~such~~ ~~the notified~~ foreign investment is likely to

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		or programmes of Union interest on grounds of security or public order;		or programmes of Union interest on grounds of security or public order;		negatively affect ~~projects or programmes~~ a project or programme of Union interest <i>as listed in Annex I</i> on grounds of security or public order; or		negatively affect ~~projects or programmes~~ a project or programme of Union interest <i>as listed in Annex I</i> on grounds of security or public order; or Text Origin: Council Mandate		negatively affect ~~projects or programmes~~ a project or programme of Union interest <i>as listed in Annex I</i> on grounds of security or public order; or
Article 7(2), first subparagraph, point (b), second subparagraph										
G	148	or		or		~~or~~				<i>deleted</i>
Article 7(2), first subparagraph, point (c)										
G	149	(c) it has relevant information related to that foreign investment.		(c) it has relevant information related to that foreign investment.		(c) ~~it~~ has relevant additional information ~~related to~~ for that foreign investment.		(c) ~~it has relevant~~ has additional information ~~related to~~ for that foreign investment. Text Origin: Council Mandate		(c) ~~it has relevant~~ has additional information ~~related to~~ for that foreign investment.
Article 7(2), second subparagraph										
G	150	The Commission may issue an opinion regardless of whether Member States have issued comments.		The Commission may issue an opinion regardless of whether Member States have issued comments.		The Commission may issue an opinion regardless of whether Member States have ~~issued~~ made comments.		The Commission may issue an opinion regardless of whether Member States have issued comments. Text Origin: Commission Proposal		The Commission may issue an opinion regardless of whether Member States have issued comments.
Article 7(2a)										
G	150a					2a. Where the notifying Member State duly considers that the notified foreign investment is likely		2a. Where the notifying Member State duly considers that the notified foreign investment is likely		2a. Where the notifying Member State duly considers that the notified foreign investment is likely

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
						<i>to affect its security or public order, it may request the Commission to issue an opinion or other Member States to provide comments.</i>		<i>to affect its security or public order, it may request the Commission to issue an opinion or other Member States to provide comments.</i> Text Origin: Council Mandate		<i>to affect its security or public order, it may request the Commission to issue an opinion or other Member States to provide comments.</i>
Article 7(2b)										
150b				<i>Where appropriate, the opinion of the Commission may propose measures aimed at mitigating the likely negative effect of the investment on security and public order.</i>				<i>2b. Where appropriate, the opinion of the Commission may propose mitigating measures.</i> Text Origin: EP Mandate		<i>2b. Where appropriate, the opinion of the Commission may propose mitigating measures.</i>
Article 7(3)										
151		3.The Commission may issue a duly motivated opinion addressed to all Member States if it considers that several foreign investments or other similar investments if they were to be made, taken together, and having regard to their characteristics could affect the security or public order of the Union. After a Commission opinion is issued, the Commission may, as appropriate, discuss with Member States how to address the identified risks.		3.The Commission ~~may~~ shall issue a duly motivated opinion addressed to all Member States if it considers that several foreign investments or other similar investments if they were to be made, taken together, and having regard to their characteristics could affect the security or public order of the Union. After a Commission opinion is issued, the Commission ~~may~~ shall , as appropriate, discuss with Member States ~~how~~ the measures to address the identified risks.		3.The Commission may issue a duly ~~motivated~~ justified opinion addressed to all Member States if it considers that several foreign investments ~~or other similar investments if they were to be made,~~ taken together, and having regard to their characteristics could ~~negatively~~ affect ~~the~~ security or public order ~~of the Union~~ . After ~~at~~ the Commission ~~opinion is~~ has issued its opinion , the Commission may, ~~as~~ where appropriate, discuss with Member States how to		3.The Commission ~~may~~ shall, where appropriate, issue a duly ~~motivated~~ justified opinion addressed to all Member States if it considers that several foreign investments or other similar foreign investments if they were to be made, taken together, and having regard to their characteristics could ~~negatively~~ affect ~~the~~ security or public order ~~of the Union~~ . After ~~at~~ the Commission ~~opinion is~~ has issued its opinion , the Commission ~~may, as~~ shall, where		3.The Commission ~~may~~ shall, where appropriate, issue a duly ~~motivated~~ justified opinion addressed to all Member States if it considers that several foreign investments or other similar foreign investments if they were to be made, taken together, and having regard to their characteristics could ~~negatively~~ affect ~~the~~ security or public order ~~of the Union~~ . After ~~at~~ the Commission ~~opinion is~~ has issued its opinion , the Commission ~~may, as~~ shall, where

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						address the identified risks.		appropriate, discuss with Member States how to address the identified risks. Text Origin: Council Mandate		appropriate, discuss with Member States how to address the identified risks.
Article 7(4)										
152		4.The Commission shall:		4.The Commission shall:		4.The Commission shall:		Moved to row 208b [152 - 208b]		4.The Commission shall:
Article 7(4), point (a)										
153		(a) send opinions meeting the conditions set out in points (a) and (c) of paragraph 2 to all Member States that provided comments and notify the other Member States that an opinion was issued via the secure and encrypted system referred to in Article 12(4);		(a) send opinions meeting the conditions set out in points (a) and (c) of paragraph 2 to all Member States that provided comments and notify the other Member States that an opinion was issued ~~via the secure and encrypted system referred to in Article 12(4);~~		(a) send the opinions ~~meeting the conditions set out in~~ referred to in paragraph 2 , points (a) and (c) ~~of paragraph 2~~ , to all Member States that ~~provided~~ issued comments and notify the other Member States that an opinion was issued ~~via the secure and encrypted system referred to in Article 12(4);~~		Moved to row 208c [153 - 208c]		(a) send the opinions ~~meeting the conditions set out in~~ referred to in paragraph 2, first subparagraph , points (a) and (c) ~~of paragraph 2~~ , to all Member States that ~~provided~~ issued comments and notify the other Member States that an opinion was issued ~~via the secure and encrypted system referred to in Article 12(4);~~
Article 7(4), point (b)										
154		(b) send opinions meeting the conditions set out in point (b) of paragraph 2 and opinions meeting the conditions in paragraph 3 to all Member States via the secure and encrypted system referred to in Article 12(4).		(b) send opinions meeting the conditions set out in point (b) of paragraph 2 and opinions meeting the conditions in paragraph 3 to all Member States ~~via the secure and encrypted system referred to in Article 12(4).~~		(b) send the opinions ~~meeting the conditions set out in point (b) of~~ referred to in paragraph 2, point (b) , and ~~opinions meeting the conditions in~~ paragraph 3 to all Member States ~~via the secure and encrypted system referred to in Article 12(4).~~		Moved to row 208d [154 - 208d]		(b) send the opinions ~~meeting the conditions set out in point (b) of~~ referred to in paragraph 2, first subparagraph, point (b) , and ~~opinions meeting the conditions in~~ paragraph 3 to all Member States ~~via the secure and encrypted system~~

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
										<i>referred to in Article 12(4).</i>
Article 7(4a)										
154a				4a. The notifying Member State may invite the Commission to issue an opinion or other Member States to issue comments.						
Article 7(5)										
155		5. Where a Member State where the foreign investment is planned or completed receives a comment from another Member State pursuant to paragraph 1 or an opinion from the Commission pursuant to paragraph 2 or 3, it shall give utmost consideration to such a comment or opinion.		5. Where a host Member State ~~where the foreign investment is planned or completed~~ receives a comment from another Member State pursuant to paragraph 1 or an opinion from the Commission pursuant to paragraph 2 or 3, it shall give utmost consideration to such a comment or opinion.		5. Where a notifying Member State ~~where the foreign investment is planned or completed~~ receives a comment from another Member State pursuant to paragraph 1 or an opinion from the Commission pursuant to paragraph 2 or 3, it shall give ~~utmost~~ due consideration to such a comment or an opinion. The screening decision shall be taken by the Member State undertaking the screening.		Moved to row 182b [155 - 182b]		5. Where a notifying Member State ~~where the foreign investment is planned or completed~~ receives a comment from another Member State pursuant to paragraph 1 or an opinion from the Commission pursuant to paragraph 2 or 3, it shall give ~~utmost~~ due consideration to such a comment or an opinion.
Article 7(6)										
156		6. Following the receipt of a comment pursuant to paragraph 1, the Member State shall set up a meeting with the Member States who issued comments to discuss how to best address the risks identified. If the Member		6. Following the receipt of a comment pursuant to paragraph 1 or an opinion pursuant to paragraph 2, the host Member State shall consult the Member States that issued comments, where applicable, and the		6. Following the receipt of ~~a comment pursuant to paragraph 1, the~~ comments or an opinion, the notifying Member State ~~shall~~ may set up a meeting with the Member States who issued comments or with the		Moved to row 182c [156 - 182c]		6. Following the receipt of comments or an opinion, and at the request of a Member State having issued comments or of the Commission, where the latter issued an opinion, the notifying ~~a comment~~

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		State where the foreign investment is planned or completed disagrees with the risks identified or, if applicable, the measure proposed with the comment, the Member States shall aim to identify alternative solutions. Where the comment concerns a multi-country transaction, the other Member States who notified the foreign investment shall also be invited to discuss whether the intended outcomes are compatible with one another and, where applicable, the intended conditions are able to address identified cross-border risks adequately. The Commission shall be invited to any such meetings.		Commission. In the framework of that consultation, the host, the Member State shall set up a meeting with ~~the~~ those Member States ~~who issued comments, where~~ applicable, and the Commission to discuss how to best address the risks identified. If the host Member State ~~where the foreign investment is planned or completed~~ disagrees with the risks identified or, if applicable, the measure proposed with the comment or opinion , the Member States and the Commission shall aim to identify alternative solutions. Where the comment or opinion concerns a multi-country transaction, the other Member States ~~who that~~ notified the foreign investment shall also be invited to that meeting to discuss whether the intended outcomes are compatible with one another and, where applicable, whether the intended conditions are able to address identified cross-border risks adequately. ~~The Commission shall be invited~~		Commission to discuss how to best address the risks identified. ~~If the Member State~~ Where the ~~foreign investment is planned or completed~~ disagrees with the risks identified or, if applicable, the measure proposed with the comment, ~~the Member States shall aim to identify alternative solutions. Where the comment concerns~~ comments or an opinion concern a multi-country transaction, the notifying Member State shall invite the other Member States who notified the foreign investment ~~shall also be invited~~ to discuss whether the intended ~~outcomes~~ screening decisions are compatible with one another and, ~~where applicable, the intended conditions are able to~~ adequately address ~~the identified cross-border risks adequately~~ to security or public order . The Commission shall be invited to any such meetings in case an opinion was received pursuant to paragraph 2 or 3.				~~pursuant to paragraph 1, the Member State shall set up~~ organise a meeting ~~with the Member States who issued comments~~ to discuss how ~~to best~~ to address the risks identified. ~~If the Member State where the foreign investment is planned or completed~~ disagrees with the risks identified or, if applicable, the measure proposed with the comment, The meeting referred to in the first subparagraph shall be organised with: a) the Member States ~~shall aim to identify alternative solutions. that~~ issued comments and the Commission, or b) the Commission, where no comments were issued. Where the ~~comment concerns~~ comments or an opinion concern a multi-country transaction, the notifying Member State shall invite to the meeting referred to in the first subparagraph the other Member States who notified the foreign investment ~~shall~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>to any such meetings.</i>						<i>also be invited to discuss whether the intended outcomes are compatible with one another and, where applicable, the intended conditions are able to address identified cross-border risks adequately. The Commission shall be invited to any such meetings.</i>
Article 7(7)										
157		7.Following the receipt of an opinion pursuant to paragraph 2 or 3, the procedure set out in paragraph 6 shall apply mutatis mutandis.		<i>deleted</i>		<i>7.Following the receipt of an opinion pursuant to paragraph 2 or 3, the procedure set out in paragraph 6 shall apply mutatis mutandis.</i>		Moved to row 182d [157 - 182d]		<i>deleted</i>
Article 7(8)										
158		8.Following the receipt of an opinion pursuant to paragraph 2 or 3, the Member State where the foreign investment is planned or completed shall:		8.Following the receipt of an opinion pursuant to ~~meeting referred to in~~ paragraph 2 or 3, ~~the~~ 6, the host Member State ~~where the foreign investment is planned or completed shall~~ shall transmit to the respective Member States and the Commission its draft screening decision and provide a written explanation on:		8.Following the receipt of comments pursuant to paragraph 1 or an opinion pursuant to paragraph 2 or 3, the notifying Member State ~~where the foreign investment is planned or completed shall~~ shall notify to the Member States concerned and to the Commission no later than 7 calendar days after the screening decision enters into force the operative part of its screening decision as well as a summary of the main		Moved to row 182e [158 - 182e]		8.Following the receipt of comments pursuant to paragraph 1 or an opinion pursuant to paragraph 2 or 3, the notifying Member State shall notify to the Member States concerned and to the Commission no later than 7 calendar days after the screening decision enters into force the operative part of its screening decision as well as a summary of the main reasons thereof in view of the issued comments or opinion, including:

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>reasons thereof in view of the issued comments or opinion.</i>				<i>(a) the extent to which it gave the Member States' comments or the Commission opinion due consideration; and (b) where applicable, the reason for its disagreement with the Member States' comments or the Commission opinion.~~the foreign investment is planned or completed shall:~~</i>
Article 7(8), point (a)										
159		(a) notify its screening decision to the respective Member States and to the Commission via the secure and encrypted system referred to in Article 12(4) no later than 3 calendar days after it was sent to the respective parties to the foreign investment;		<i>deleted</i>		<i>(a) ~~notify its screening decision to the respective Member States and to the Commission via the secure and encrypted system referred to in Article 12(4) no later than 3 calendar days after it was sent to the respective parties to the foreign investment;~~</i>		Moved to row 182f [159 - 182f]		<i>deleted</i>
Article 7(8), point (aa)										
159a				<i>(aa) the extent to which it gave the Member States' comments or the Commission opinion utmost consideration; and</i>						
Article 7(8), point (ab)										
159b				<i>(ab) where applicable, the</i>						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>reason for its disagreement with the Member States' comments or the Commission opinion.</i>						
Article 7(8), point (b)										
160		(b) provide a written explanation to the respective Member States and the Commission via the secure and encrypted system referred to in Article 12(4) no later than 7 calendar days after the screening decision was notified pursuant to paragraph (a) on:		<i>deleted</i>		<i>(b) provide a written explanation to the respective Member States and the Commission via the secure and encrypted system referred to in Article 12(4) no later than 7 calendar days after the screening decision was notified pursuant to paragraph (a) on:</i>		Moved to row 182g [160 - 182g]		<i>deleted</i>
Article 7(8), point (b)(i)										
161		(i) the extent to which it gave the Member States' comments or the Commission opinion utmost consideration; or		<i>deleted</i>		<i>(i) the extent to which it gave the Member States' comments or the Commission opinion utmost consideration; or</i>		Moved to row 182h [161 - 182h]		<i>deleted</i>
Article 7(8), point (b)(ii)										
162		(ii) the reason for its disagreement with the Member States' comments or the Commission opinion.		<i>deleted</i>		<i>(ii) the reason for its disagreement with the Member States' comments or the Commission opinion.</i>		Moved to row 182i [162 - 182i]		<i>deleted</i>
Article 7(9)										
163		9. Where the Member States or the Commission indicate that the screening decision referred to in paragraph 8,		9. Where ~~the~~ Member States or the Commission ~~indicate~~ <i>that the considers that a draft</i> screening decision		9. ~~Where the Member States or the Commission indicate that the screening decision referred to in paragraph 8,~~				<i>deleted</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		subparagraph (a), of this Article does not give utmost consideration to their comments provided pursuant to pursuant to paragraph 1 or the opinion provided pursuant to paragraph 2 or 3, the Member State where the investment is planned or completed shall organise a meeting to explain the obstacles encountered or the reasons for disagreement and shall endeavour to identify solutions, should a similar situation arise in the future. Where the screening decision concerns a multi-country notification, the other Member States who notified the foreign investment to the cooperation mechanism shall also be invited. The Commission shall be invited to any meetings organised pursuant to this paragraph.		referred to in paragraph 8; ~~subparagraph (a), of this Article, authorising a foreign investment under Article 14(1), point (a), or Article 14(2)~~ does not give ~~utmost consideration to their comments provided pursuant to pursuant to paragraph 1 or the opinion provided pursuant to paragraph 2 or 3,~~ adequately address or mitigate the risks to security and public order, it may raise a duly justified objection. The objection shall be notified to the host Member State ~~where the investment is planned or completed shall organise a meeting to explain the obstacles encountered or the reasons for disagreement and shall endeavour to identify solutions~~ ~~and, should a similar situation arise in the future.~~ where the screening decision concerns a multi-country notification applicable , the other Member States ~~who notified the foreign investment to the cooperation mechanism~~ that issued comments and the Commission. The host		~~subparagraph (a), of this Article does not give utmost consideration to their comments provided pursuant to pursuant to paragraph 1 or the opinion provided pursuant to paragraph 2 or 3, the Member State where the investment is planned or completed shall organise a meeting to explain the obstacles encountered or the reasons for disagreement and shall endeavour to identify solutions, should a similar situation arise in the future. Where the screening decision concerns a multi-country notification, the other Member States who notified the foreign investment to the cooperation mechanism shall also be invited. The Commission shall be invited to any meetings organised pursuant to this paragraph.~~				

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>Member State shall ~~also be invited to suspend its screening procedure until~~ the Commission ~~shall be invited to any meetings organised~~ has adopted a decision pursuant to paragraphs 9b and 9c of this Article~~this paragraph~~. The host Member State shall inform the foreign investor of the suspension.</i>						
Article 7(9a)										
G	163a			<i>9a. Where a Member State or the Commission has raised an objection pursuant to paragraph 9 of this Article, and without prejudice to Article 346(1), point (a), TFEU, the host Member State shall transmit to the Commission all documents and information on which its draft decision is based. The Member State that raised an objection pursuant to paragraph 9 of this Article shall transmit all documents and information on which its objection is based.</i>						G
Article 7(9b)										
G	163b			<i>9b. Where, taking into account the criteria laid</i>						G

	CLEAN	Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
			<i>down in Article 13, the documents and information received pursuant to paragraph 9a of this Article, as well as, where applicable, the comments provided by Member States pursuant to Article 7(1) or Article 9(7), the Commission concludes that the draft screening decision, as modified by the host Member State where appropriate, effectively addresses the foreign investment's potential effect on security and public order, it shall decide not to object to the adoption of the draft screening decision by the Member State.</i>			
Article 7(9c), first subparagraph						
G	163c		<i>9c. Where the Commission finds that the host Member State's draft screening decision referred to in paragraph 8 does not adequately mitigate risks to security and public order, it shall adopt a decision to:</i>			G
Article 7(9c), first subparagraph, point (a)						
G	163d		<i>(a) authorise the foreign investment subject to mitigating measures; or</i>			G
Article 7(9c), first subparagraph, point (b)						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure	
G	163e			<i>(b) prohibit the foreign investment where it finds that the risks to security and public order of the Union cannot be adequately addressed through mitigating measures.</i>							G
Article 7(9c), second subparagraph											
G	163f			<i>The decision referred to in the first subparagraph shall comply with the principle of proportionality, shall be based on documented risks and shall take into consideration all circumstances of the foreign investment.</i>							G
Article 7(9d), first subparagraph											
G	163g			<i>9d. Decisions adopted pursuant to paragraph 9b shall be addressed to the host Member State. The Commission shall notify the host Member State and shall inform the Member States that provided comments pursuant to paragraph 1.</i>							G
Article 7(9d), second subparagraph											
G	163h			<i>Decisions adopted pursuant to paragraph 9c shall be addressed to the foreign investor. The Commission</i>							G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>shall notify the host Member State and the Member States that provided comments pursuant to paragraph 1 and shall inform the Union target.</i>						
Article 7(9e)										
163i				<i>9e. Where the Commission adopts a decision pursuant to paragraph 9c, the host Member State shall terminate its screening procedure and inform the foreign investor thereof.</i>						
Article 7(9f)										
163j				<i>9f. Before adopting a decision pursuant to paragraph 9c, the Commission shall give the foreign investor the opportunity to make its views known effectively.</i>						
Article 7(9g)										
163k				<i>9g. Where a comment pursuant to paragraph 1 or an opinion pursuant to paragraph 2 or 3 has been issued and the Commission has not issued a decision pursuant to paragraph 9c, the host Member State shall notify its screening decision</i>						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>to the Member States which provided comments, where applicable, and to the Commission, and send it to the respective parties to the foreign investment.</i>						
Article 7(10)										
164		10. The Commission shall set up a secure database made available to all Member States with information on the foreign investments assessed by the cooperation mechanism and the outcome of the assessments under the national screening mechanisms, including information about the relevant screening decisions. The Commission shall upload to that database the information it has at its disposal since 12 October 2020. By [date of application of this Regulation] Member States shall upload to that database the information at their disposal about the outcome of the relevant procedure under their own screening mechanisms. They may also provide additional explanations.		<i>deleted</i>		<i>10. The Commission shall set up a secure database made available to all Member States with information on the foreign investments assessed by the cooperation mechanism and the outcome of the assessments under the national screening mechanisms, including information about the relevant screening decisions. The Commission shall upload to that database the information it has at its disposal since 12 October 2020. By [date of application of this Regulation] Member States shall upload to that database the information at their disposal about the outcome of the relevant procedure under their own screening mechanisms. They may also provide additional explanations.</i>				

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
Article 7(11)										
165		11. When issuing comments or an opinion pursuant to this Article, the Member States, and the Commission, as the case may be, shall consider whether such comments or opinion should be classified information and what level of classification should apply thereto, in accordance with Union and the respective national law on classified information.		11. When issuing comments or an opinion pursuant to this Article, the Member States, and the Commission, as the case may be, shall consider whether such comments or opinion should be classified information and what level of classification should apply thereto, in accordance with Union and the respective national law on classified information.		11. When issuing comments or an opinion pursuant to this Article, the Member States, ~~and or~~ the Commission, as the case may be, shall consider whether such comments or opinion should be classified information and what level of classification should apply thereto, in accordance with Union <i>law</i> and the ~~respective~~ <i>applicable</i> national law on classified information.		Moved to row 181a [165 - 181a]		11. When issuing comments or an opinion pursuant to this Article, the Member States, ~~and or~~ the Commission, as the case may be, shall consider whether such comments or opinion should be classified information and what level of classification should apply thereto, in accordance with Union <i>law</i> and the ~~respective~~ <i>applicable</i> national law on classified information.
Article 8										
166		Article 8 Deadlines and procedures for providing comments and opinions on notified foreign investments		Article 8 Deadlines and procedures ~~for providing comments and opinions on notified foreign investments~~ <i>applicable to the Union cooperation mechanism and decisions</i>		Article 8 Deadlines and procedures for providing comments and opinions on notified foreign investments		~~Article 8~~ ~~Deadlines and procedures for providing comments and opinions on notified foreign investments~~ Text Origin: Council Mandate		Article 8 Deadlines and procedures for providing comments and opinions on notified foreign investments
Article 8a										
166a								Article 9 Intention to issue comments or an opinion		
Article 8a(1)										
167		1.Before a Member State issues a comment or the Commission issues an opinion pursuant to Article		1.Before a Member State issues a comment or the Commission issues an opinion pursuant to Article		1.Before a Member State issues ~~a comment~~ comments or the Commission issues an opinion ~~pursuant to Article~~		1.Before a Member State issues ~~a comment~~ comments or the Commission issues an opinion pursuant to Article		1.Before a Member State issues ~~a comment~~ comments or the Commission issues an opinion pursuant to Article

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	7, the following procedure shall apply:	7, the following procedure shall apply:	~~7~~ , the following procedure shall apply:	~~7~~ 8, the following procedure shall apply: Text Origin: Commission Proposal	7, the following procedure shall apply:
Article 8a(1), point (a)					
168	(a) Member States shall inform the notifying Member State via the secure and encrypted system referred to in Article 12(4) that they reserve their right to issue comments no later than 15 calendar days following the receipt of the notification pursuant to Article 5;	(a) Member States shall inform the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ that they reserve their right to issue comments no later than 15 calendar days following the receipt of the notification pursuant to Article 5;	(a) Member States shall inform the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ ~~that they reserve about~~ their ~~right~~ intention to issue comments no later than 15 calendar days following the receipt of ~~the~~ notification pursuant to Article 5;	(a) Member States shall inform the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ ~~that they reserve about~~ their ~~right~~ intention to issue comments no later than 15 calendar days following the receipt of ~~the~~ notification pursuant to Article 5; Text Origin: Council Mandate	(a) Member States shall inform the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ ~~that they reserve about~~ their ~~right~~ intention to issue comments no later than 15 calendar days following the receipt of ~~the~~ notification pursuant to Article 5;
Article 8a(1), point (b)					
169	(b) the Commission shall inform the notifying Member State via the secure and encrypted system referred to in Article 12(4) that it reserves its right to issue an opinion no later than 20 calendar days following the receipt of the notification pursuant to Article 5.	(b) the Commission shall inform the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ that it reserves its right to issue an opinion no later than 20 calendar days following the receipt of the notification pursuant to Article 5.	(b) the Commission shall inform the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ ~~that it reserves its right about~~ its intention to issue an opinion no later than 20 calendar days following the receipt of ~~the~~ notification pursuant to Article 5.	(b) the Commission shall inform the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ ~~that it reserves its right about~~ its intention to issue an opinion no later than 20 calendar days following the receipt of ~~the~~ notification pursuant to Article 5. Text Origin: Council Mandate	(b) the Commission shall inform the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ ~~that it reserves its right about~~ its intention to issue an opinion no later than 20 calendar days following the receipt of ~~the~~ notification pursuant to Article 5.
Article 8b					

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
169a								Article 10 Additional information		
Article 8b										
169a										
Article 8b, 1.										
170		2. When reserving their right to issue comments or an opinion, Member States and the Commission may request additional information from the notifying Member State. Any request for additional information shall be duly justified, limited to the information necessary for the Member States to provide comments or for the Commission to issue an opinion, proportionate to the purpose of the request and not unduly burdensome for the notifying Member State. Where a Member State requests additional information from the notifying Member State, it shall send such requests to the Commission simultaneously.		2. When reserving their right to issue comments or an opinion, Member States and the Commission may request additional information from the notifying Member State. Any request for additional information shall be duly justified, limited to the information necessary for the Member States to provide comments or for the Commission to issue an opinion, proportionate to the purpose of the request and not unduly burdensome for the notifying Member State. Where a Member State requests additional information from the notifying Member State, it shall send such requests to the Commission simultaneously.		~~2. When reserving their right to issue comments or an opinion,~~ Member States and the Commission may request ~~additional~~ information from the notifying Member State in addition to the information referred in Article 10(1) . Any request for additional information shall be ~~duly justified,~~ ~~limited to the information necessary for the Member States to provide comments or for the Commission to issue an opinion,~~ ~~proportionate to the purpose of the request and not unduly burdensome for the notifying Member State.~~ Where a Member State requests additional information from the notifying Member State, it shall send such requests to the Commission simultaneously.:		~~21. When reserving~~ informing about their ~~right~~ intention to issue comments or an opinion, Member States and the Commission may request ~~additional~~ information from the notifying Member State in addition to the information referred in Article 15(1) . Any request for additional information shall be ~~duly justified,~~ ~~limited to the information necessary for the Member States to provide comments or for the Commission to issue an opinion,~~ ~~proportionate to the purpose of the request and not unduly burdensome for the notifying Member State.~~ Where a Member State requests additional information from the notifying Member State, it shall send such requests to the Commission simultaneously.:		~~2. When reserving~~ informing about their ~~right~~ intention to issue comments or an opinion, Member States and the Commission may request ~~additional~~ information from the notifying Member State in addition to the information referred in Article 10(1) . Any request for additional information shall be ~~duly justified,~~ ~~limited to the information necessary for the Member States to provide comments or for the Commission to issue an opinion,~~ ~~proportionate to the purpose of the request and not unduly burdensome for the notifying Member State.~~ Where a Member State requests additional information from the notifying Member State, it shall send such requests to the Commission simultaneously.:
Text Origin: Council										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
							Mandate			
Article 8b, 1., point (a)										
G	170a					(a) duly justified;		(a) duly justified; Text Origin: Council Mandate		(a) duly justified;
Article 8b, 1., point (b)										
G	170b					(b) limited to the information necessary for the Member States to provide comments pursuant to Article 7 (1) or Article 7(2a) or for the Commission to issue an opinion pursuant to Article 7(2), Article 7(2a) or Article 7(3);		(b) limited to the information necessary for the Member States to provide comments pursuant to Article 8 (1) or Article 8(2a) or for the Commission to issue an opinion pursuant to Article 8(2), Article 8(2a) or Article 8(3); Text Origin: Council Mandate		(b) limited to the information necessary for the Member States to provide comments pursuant to Article 7 (1) or Article 7(2a) or for the Commission to issue an opinion pursuant to Article 7(2), Article 7(2a) or Article 7(3);
Article 8b, 1., point (c)										
G	170c					(c) proportionate to the purpose of the request; and		(c) proportionate to the purpose of the request; and Text Origin: Council Mandate		(c) proportionate to the purpose of the request; and
Article 8b, 1., point (d)										
G	170d					(d) not unduly burdensome for the notifying Member State.		(d) not unduly burdensome for the notifying Member State. Text Origin: Council Mandate		(d) not unduly burdensome for the notifying Member State.
Article 8b, 1., point (e)										
G	170e					Where a Member State		Where a Member State		Where a Member State

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
						<i>requests additional information from the notifying Member State, it shall send such requests to the Commission simultaneously.</i>		<i>requests additional information from the notifying Member State, it shall send such requests to the Commission simultaneously.</i> Text Origin: Council Mandate		<i>requests additional information from the notifying Member State, it shall send such requests to the Commission simultaneously.</i>
Article 8(2a)										
170f						<i>2a. Member States and the Commission may request for the additional information, where such information is necessary for them to reply for a request for an opinion or a comment made by the notifying Member State, pursuant to Article 7(2a).</i>		<i>2.Member States and the Commission may request additional information, where such information is necessary for responding to a request for an opinion or a comment made by the notifying Member State pursuant to Article 8(2a).</i>		<i>2a. Member States and the Commission may request additional information, where such information is necessary for responding to a request for an opinion or a comment made by the notifying Member State pursuant to Article 7(2a).</i>
Article 8b, 1., point (g)										
170g		5.The notifying Member State shall provide the complete additional information requested by the Commission or other Member States pursuant to paragraph 2 without undue delay via the secure and encrypted system referred to in Article 12(4). Where the notifying Member State provides additional information to a Member State, such additional						~~5.3~~ The notifying Member State shall provide the ~~complete~~ -additional information, requested by the Commission or other Member States pursuant to paragraph ~~21~~ without undue delay ~~via the secure and encrypted system referred to in Article 12(4).~~ Where the notifying Member State provides additional information to a Member State, ~~such~~ <i>that</i> additional		

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	information shall be sent to the Commission simultaneously. Moved reference text			information shall be sent to the Commission simultaneously. Moved from row 178 [178 - 170g] Text Origin: Council Mandate	
Article 8b, 1., point (h)					
170h	6. Where the notifying Member State receives several requests for additional information about the same notifiable investment, it shall provide all the additional information requested simultaneously. Moved reference text			~~6.4~~ Where the notifying Member State receives several requests for additional information about the same ~~notifiable~~notified investment, it shall endeavour to provide all the requested additional information ~~requested~~ simultaneously. Moved from row 179 [179 - 170h]	
Article 8b, 1., point (5)					
170i	7. Where several notifying Member States receive requests for additional information about a given multi-country notification, the deadlines set out in paragraph 3 shall commence on the date of receipt of the last complete additional information. The Commission shall			~~7.5~~ Where several notifying Member States receive requests for additional information about a ~~given~~ multi-country notification, ~~the deadlines set out in paragraph 3~~they shall ~~commence on the date of receipt of the last complete additional~~endeavour to provide all requested	

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		communicate this date and the deadline to the respective Member States. Moved reference text						information. ~~The Commission shall communicate this date and the deadline to the respective Member States simultaneously.~~ Moved from row 180 [180 - 170i]		
Article 1										
170j								Article 11 Issuance of comments and opinions		
Article 8d										
170l										
Article 8d(-1)										
170m								1.The Member State issuing comments shall simultaneously send those comments to the Commission and inform all other Member States that comments have been issued.		
Article 8d(-1a)										
170n								2.The Commission shall:		
Article 8d(-1b)										
170o								a.send the opinions referred to in Article 8(2) points (a) and (c), to all Member States that issued comments and notify the other		

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
								<i>Member States that an opinion was issued;</i>		
Article 8d(-1c)										
170p								<i>b.send the opinions referred to in Article 8(2) point (b), and in Article 8(3) to all Member States.</i>		
Article 8d(-1d)										
170q										
Article 8d(-1e), second subparagraph -a										
171	3.The following deadlines shall apply to the issuing of comments by Member States and opinions by the Commission referred to in Article 7:	3.The following deadlines shall apply to the issuing of comments by Member States and opinions by the Commission referred to in Article 7:	3.The following deadlines shall apply to the issuing of comments by Member States and opinions by the Commission referred to in Article 7:	3.The following deadlines shall apply to the issuing of comments by Member States and opinions by the Commission ~~referred to~~ in <i>pursuant to</i> Article 7:	3.The following deadlines shall apply to the issuing of comments by Member States and opinions by the Commission ~~referred to in~~ Article 7: Text Origin: Council Mandate	3.The following deadlines shall apply to the issuing of comments by Member States and opinions by the Commission ~~referred to~~ in <i>pursuant to</i> Article 7:				
Article 8d(-1e), second subparagraph -a, point (a)										
172	(a) where a Member State reserves its right to issue comments on a notified foreign investment without requesting additional information from the notifying Member State, the respective comments shall be addressed to the notifying Member State via the secure and encrypted system referred to in Article 12(4) no later than 35 calendar	(a) where a Member State reserves its right to issue comments on a notified foreign investment without requesting additional information from the notifying Member State, the respective comments shall be addressed to the notifying Member State ~~via the secure and encrypted system~~ referred to in Article 12(4) no later than 35 calendar	(a) where a Member State reserves its right to issue comments on a notified foreign investment without requesting additional information from the notifying Member State, the respective comments shall be addressed to the notifying Member State ~~via the secure and encrypted system~~ referred to in Article	(a) where a Member State ~~reserves its right~~ makes known its intention to issue comments on a notified foreign investment without requesting additional information from the notifying Member State, the respective comments shall be addressed to the notifying Member State ~~via the secure and encrypted system~~ referred to in Article	(a) where a Member State ~~reserves its right~~ makes known its intention to issue comments on a notified foreign investment without requesting additional information from the notifying Member State, the respective comments shall be addressed to the notifying Member State ~~via the secure and encrypted system~~ referred to in Article	(a) where a Member State ~~reserves its right~~ makes known its intention to issue comments on a notified foreign investment without requesting additional information from the notifying Member State, the respective comments shall be addressed to the notifying Member State ~~via the secure and encrypted system~~ referred to in Article				

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		days following receipt of the complete notification of the foreign investment;		days following receipt of the complete notification of the foreign investment;	~~12(4)~~ <i>within a reasonable period of time, and in any case</i> no later than ~~35~~ 20 calendar days following receipt of the ~~complete~~ notification of the foreign investment;		~~12(4)~~ <i>within a reasonable period of time, and in any case</i> no later than ~~35~~ 20 calendar days following receipt of the ~~complete~~ notification of the foreign investment;		~~12(4)~~ <i>within a reasonable period of time, and in any case</i> no later than ~~35~~ 20 calendar days following receipt of the ~~complete~~ notification of the foreign investment;	
							Text Origin: Council Mandate			
Article 8d(-1e), second subparagraph -a, point (b)										
173		(b) where the Commission reserves its right to issue an opinion on a notified foreign investment without requesting additional information from the notifying Member State, the respective opinion shall be addressed to the notifying Member State via the secure and encrypted system referred to in Article 12(4) no later than 45 calendar days following receipt of the complete notification of the foreign investment;		(b) where the Commission reserves its right to issue an opinion on a notified foreign investment without requesting additional information from the notifying Member State, the respective opinion shall be addressed to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~		(b) where the Commission ~~reserves its right~~ makes known its intention to issue an opinion on a notified foreign investment without requesting additional information from the notifying Member State, the respective opinion shall be addressed to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ <i>within a reasonable period of time, and in any case</i> no later than ~~45~~ 30 calendar days following receipt of the ~~complete~~ notification of the foreign investment;		(b) where the Commission ~~reserves its right~~ makes known its intention to issue an opinion on a notified foreign investment without requesting additional information from the notifying Member State, the respective opinion shall be addressed to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ <i>within a reasonable period of time, and in any case</i> no later than ~~45~~ 30 calendar days following receipt of the ~~complete~~ notification of the foreign investment;		(b) where the Commission ~~reserves its right~~ makes known its intention to issue an opinion on a notified foreign investment without requesting additional information from the notifying Member State, the respective opinion shall be addressed to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ <i>within a reasonable period of time, and in any case</i> no later than ~~45~~ 30 calendar days following receipt of the ~~complete~~ notification of the foreign investment;
							Text Origin: Council Mandate			
Article 8d(-1e), second subparagraph -a, point (c)										

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
174		(c) where a Member State reserves its right to issue comments on a notified foreign investment and requests additional information from the notifying Member State, the respective comments shall be addressed to the notifying Member State via the secure and encrypted system referred to in Article 12(4) no later than 20 calendar days following receipt of the complete additional information;		(c) where a Member State reserves its right to issue comments on a notified foreign investment and requests additional information from the notifying Member State, the respective comments shall be addressed to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ no later than 20 calendar days following receipt of the complete additional information;		(c) where a Member State ~~reserves its right~~ makes known its intention to issue comments on a notified foreign investment and requests additional information from the notifying Member State, the respective comments shall be addressed to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ within a reasonable period of time, and in any case no later than ~~2015~~ calendar days following receipt of the ~~complete~~ additional information;		(c) where a Member State ~~reserves its right~~ makes known its intention to issue comments on a notified foreign investment and requests additional information from the notifying Member State, the respective comments shall be addressed to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ within a reasonable period of time, and in any case no later than ~~2015~~ calendar days following receipt of the ~~complete~~ additional information;		
Article 8d(-1e), second subparagraph -a, point (d)										
175		(d) where the Commission reserves its right to issue an opinion and requests additional information from the notifying Member State, the respective opinion shall be issued to the notifying Member State via the secure and encrypted system referred to in Article 12(4) no later than 30 calendar days following receipt of the complete additional		(d) where the Commission reserves its right to issue an opinion and requests additional information from the notifying Member State, the respective opinion shall be issued to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ no later than 30 calendar days following receipt of the complete additional		(d) where the Commission ~~reserves its right~~ makes known its intention to issue an opinion and requests additional information from the notifying Member State, the respective opinion shall be issued to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ within a reasonable period of time, and in any		(d) where the Commission ~~reserves its right~~ makes known its intention to issue an opinion and requests additional information from the notifying Member State, the respective opinion shall be issued to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ within a reasonable period of time, and in any		(d) where the Commission ~~reserves its right~~ makes known its intention to issue an opinion and requests additional information from the notifying Member State, the respective opinion shall be issued to the notifying Member State ~~via the secure and encrypted system referred to in Article 12(4)~~ within a reasonable period of time, and in any

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	information.	information.	<i>case</i> no later than ~~3025~~ calendar days following receipt of the ~~complete~~ additional information.	<i>case</i> no later than ~~3025~~ calendar days following receipt of the ~~complete~~ additional information. Text Origin: Council Mandate	<i>case</i> no later than ~~3025~~ calendar days following receipt of the ~~complete~~ additional information.
Article 8d(-1e), second subparagraph					
176	The notifying Member State shall take their screening decision only after the deadlines referred to in points (a)-(d) have expired.	<i>deleted</i>	The notifying Member State shall take ~~their~~ its screening decision only after the ~~deadlines referred to~~ ~~in~~ respective deadline set out in the first subparagraph points (a)-(d) ~~have~~ has expired.	Moved to row 177a [176 - 177a]	The notifying Member State shall take ~~their~~ its screening decision only after the ~~deadlines referred to~~ ~~in~~ respective deadline set out in the first subparagraph points (a)-(d) ~~have~~ has expired.
Article 8d(4)					
177	4.The notifying Member State shall notify the Commission and the other Member States via the secure and encrypted system referred to in Article 12(4) any substantial new information or circumstances relevant for the assessment of a foreign investment already notified pursuant to Article 5. If this information is made available before the deadlines set out in paragraph 3 expire, the notifying Member State, the Commission and the other	4.The notifying Member State shall notify the Commission and the other Member States ~~via the secure and encrypted system referred to in Article 12(4)~~ any substantial new information or circumstances relevant for the assessment of a foreign investment already notified pursuant to Article 5. If this information is made available before the deadlines set out in paragraph 3 expire, the notifying Member State, the Commission and the other	4.The notifying Member State shall ~~notify~~ communicate to the Commission and the other Member States ~~via the secure and encrypted system referred to in Article 12(4)~~ any substantial new information or circumstances relevant for the assessment of a foreign investment already notified pursuant to Article 5. If ~~this~~ that information is made available before the ~~deadlines~~ respective deadline set out in paragraph 3 ~~expire~~ , the notifying Member State,	4.The notifying Member State shall ~~notify~~ communicate to the Commission and the other Member States ~~via the secure and encrypted system referred to in Article 12(4)~~ any substantial new information or circumstances relevant for the assessment of a foreign investment already notified pursuant to Article 5. If ~~this~~ that information is made available before the ~~deadlines~~ respective deadline set out in paragraph 3	4.The notifying Member State shall ~~notify~~ communicate to the Commission and the other Member States ~~via the secure and encrypted system referred to in Article 12(4)~~ any substantial new information or circumstances relevant for the assessment of a foreign investment already notified pursuant to Article 5. If ~~this~~ that information is made available before the ~~deadlines~~ respective deadline set out in paragraph 3

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	Member States shall endeavour to agree on a mutually acceptable extension of the deadline. If the deadlines for the assessment of the initial notification set out in paragraph 3 have passed, they shall resume according to the deadlines set out in point (c) and (d) of paragraph 3.	Member States shall ~~endeavour to~~ agree on a mutually acceptable extension of the deadline. If the deadlines for the assessment of the initial notification set out in paragraph 3 have passed, they shall resume according to the deadlines set out in point (c) and (d) of paragraph 3.	the Commission and the other Member States shall, where necessary , endeavour to agree on a mutually acceptable, reasonable extension of the ~~deadline. If the deadlines by up to 20 calendar days for issuing comments or an opinion for the assessment of the initial notification set out in paragraph 3 have passed, they shall resume according to~~ The deadlines set out in point (c) and (d) of paragraph 3 may be extended only once. The screening authority of the notifying Member State shall inform the foreign investor that has filed the request for authorisation that the deadline has been extended.	~~expire paragraphs 3~~ , the notifying Member State may, on a reasoned request by another Member State or the Commission, extend the relevant deadlines by up to 20 calendar days. The deadlines may be extended only once. The notifying Member State shall inform the other Member States, the Commission and the other Member States shall endeavour to agree on a mutually acceptable extension of foreign investor that has filed the request for authorisation that the deadline. ~~If the deadlines for the assessment of the initial notification set out in paragraph 3 have passed, they shall resume according to the deadlines set out in point (c) and (d) of paragraph 3 has been extended.~~ Text Origin: Council Mandate	~~expire paragraphs 3~~ , the notifying Member State may, on a reasoned request by another Member State or the Commission, extend the relevant deadlines by up to 20 calendar days. The deadlines may be extended only once. The notifying Member State shall inform the other Member States, the Commission and the other Member States shall endeavour to agree on a mutually acceptable extension of foreign investor that has filed the request for authorisation that the deadline. ~~If the deadlines for the assessment of the initial notification set out in paragraph 3 have passed, they shall resume according to the deadlines set out in point (c) and (d) of paragraph 3 has been extended.~~
Article 8d(5)					
177a	The notifying Member State shall take their screening decision only after the deadlines referred to in points (a)-(d) have expired.			5. The notifying Member State shall take ~~their~~ its screening decision only after the ~~deadlines referred to in~~ respective deadline set out	

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		Moved reference text						<i>in paragraph 3 of this Article</i> points (a)-(d) ~~have~~ has expired. Moved from row 176 [176 - 177a] Text Origin: Council Mandate		
Article 8d(5)										
178		5.The notifying Member State shall provide the complete additional information requested by the Commission or other Member States pursuant to paragraph 2 without undue delay via the secure and encrypted system referred to in Article 12(4). Where the notifying Member State provides additional information to a Member State, such additional information shall be sent to the Commission simultaneously.		5.The notifying Member State shall provide the complete additional information requested by the Commission or other Member States pursuant to paragraph 2 without undue delay ~~via the secure and encrypted system referred to in Article 12(4).~~ Where the notifying Member State provides additional information to a Member State, such additional information shall be sent to the Commission simultaneously.		5.The notifying Member State shall endeavour to provide the ~~complete~~ additional information, requested by the Commission or other Member States pursuant to paragraph 2 without undue delay ~~via the secure and encrypted system referred to in Article 12(4).~~ Where the notifying Member State provides additional information to a Member State, ~~such that~~ additional information shall be sent to the Commission simultaneously.		Moved to row 170g [178 - 170g]		5.The notifying Member State shall provide the ~~complete~~ -additional information, requested by the Commission or other Member States pursuant to paragraph 2 without undue delay ~~via the secure and encrypted system referred to in Article 12(4).~~ Where the notifying Member State provides additional information to a Member State, ~~such that~~ additional information shall be sent to the Commission simultaneously.
Article 8d(6)										
179		6.Where the notifying Member State receives several requests for additional information about the same notifiable investment, it shall provide		6.Where the notifying Member State receives several requests for additional information about the same notifiable investment, it shall provide		6.Where the notifying Member State receives several requests for additional information about the same ~~notifiable~~ notified investment, it shall		Moved to row 170h [179 - 170h]		6.Where the notifying Member State receives several requests for additional information about the same ~~notifiable~~ notified investment, it shall

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		all the additional information requested simultaneously.		all the additional information requested simultaneously.		<i>endeavour to</i> provide all the <i>requested</i> additional information ~~requested~~ simultaneously.				<i>endeavour to</i> provide all the <i>requested</i> additional information ~~requested~~ simultaneously.
Article 8d(7)										
G	180	7. Where several notifying Member States receive requests for additional information about a given multi-country notification, the deadlines set out in paragraph 3 shall commence on the date of receipt of the last complete additional information. The Commission shall communicate this date and the deadline to the respective Member States.		7. Where several notifying Member States receive requests for additional information about a given multi-country notification, the deadlines set out in paragraph 3 shall commence on the date of receipt of the last complete additional information. The Commission shall communicate this date and the deadline to the respective Member States.		7. Where several notifying Member States receive requests for additional information about a ~~given~~ multi-country notification, ~~the deadlines set out in paragraph 3~~ they shall ~~commence on the date of receipt of the last complete additional~~ <i>endeavour to provide all requested</i> information. ~~The Commission shall communicate this date and the deadline to the respective Member States simultaneously.~~		Moved to row 170i [180 - 170i]		7. Where several notifying Member States receive requests for additional information about a ~~given~~ multi-country notification, ~~the deadlines set out in paragraph 3~~ they shall ~~commence on the date of receipt of the last complete additional~~ <i>endeavour to provide all requested</i> information. ~~The Commission shall communicate this date and the deadline to the respective Member States simultaneously.~~
Article 8(7a)										
G	180a			<i>7a. The following deadlines shall apply to the consultations between Member States and the Commission pursuant to Article 7(6) to (9):</i>						
Article 8(7a), point (a)										
G	180b			<i>(a) the meeting referred to in Article 7(6) shall take place within 20 calendar</i>						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>days following the receipt by the host Member State of the last comment or opinion pursuant to Article 7, whichever comes last;</i>						
		Article 8(7a), point (b)								
G		180c		<i>(b) the host Member State shall transmit its draft decision pursuant to Article 7(8) within 10 calendar days following the meeting referred to in Article 7(6);</i>						G
		Article 8(7a), point (c)								
G		180d		<i>(c) the objection by a Member State or the Commission pursuant to Article 7(9) shall be raised within 10 calendar days following the receipt of the draft screening decision pursuant to Article 7(8).</i>						G
		Article 8(7b)								
G		180e		<i>7b. The following deadlines shall apply to the adoption and the notification of screening decisions on notified foreign investments:</i>						G
		Article 8(7b), point (a)								
G		180f		<i>(a) the notifying Member State shall adopt its screening decision only</i>						G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>after the deadlines referred to in points (a) to (d) of paragraph 3 of this Article have expired;</i>						
		Article 8(7b), point (b)								
G		180g		<i>(b) where neither Member States nor the Commission have reserved the right to issue comments or an opinion, respectively, by the deadlines pursuant to paragraph 1 of this Article, the notifying Member State shall adopt its screening decision within 60 calendar days from the date of notification;</i>						G
		Article 8(7b), point (c)								
G		180h		<i>(c) following an objection raised pursuant to Article 7(9), the host Member State and the Member State that raised the objection shall transmit the information referred to in Article 7(9a) within 5 calendar days;</i>						G
		Article 8(7b), point (d)								
G		180i		<i>(d) following a Commission decision pursuant to Article 7(9b), the host Member State shall adopt its screening decision within 15 calendar days of the</i>						G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>notification referred to in Article 7(9d);</i>						
		Article 8(7b), point (e)								
G		180j		<i>(e) the notification of the screening decision pursuant to Article 7(9f) shall take place within 3 calendar days.</i>						G
		Article 8(7c), first subparagraph								
G		180k		<i>7c. The following deadlines shall apply to the adoption and the notification of a decision by the Commission pursuant to Article 7(9b) and (9c):</i>						G
		Article 8(7c), first subparagraph, point (a)								
G		180l		<i>(a) the Commission shall adopt its decision within 20 calendar days following receipt of the complete information referred to in Article 7(9a);</i>						G
		Article 8(7c), first subparagraph, point (b)								
G		180m		<i>(b) the notification pursuant to Article 7(9d) shall take place within 3 calendar days.</i>						G
		Article 8(7c), second subparagraph								
G		180n		<i>The deadlines referred to in paragraph 7a, points (a) and (b), in paragraph 7b,</i>						G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>point (b), and paragraph 7c, point (a), of this Article shall be extended by up to 30 calendar days in total, where applicable, to allow the host Member State or, where relevant, the Commission and the foreign investor to agree on mitigating measures. The negotiation of mitigating measures by the Commission and the foreign investor shall be conducted in cooperation with the host Member State.</i>						
Article 8d(8)										
181		8.Where, due to exceptional circumstances, the notifying Member State considers that its security or public order requires issuing a screening decision before the deadlines referred to in paragraph 3 expire, it shall notify the other Member States and the Commission of its intention and duly justify the need for immediate action. The other Member States and the Commission shall provide comments or issue an opinion expeditiously. This procedure shall not be invoked to serve purely the		8.Where, due to exceptional circumstances, the notifying Member State considers that its security or public order requires issuing a screening decision <i>pursuant to Article 14(1)</i> before the deadlines referred to in paragraph 3 expire, it shall notify the other Member States and the Commission of its intention and duly justify the need for immediate action. The other Member States and the Commission shall provide comments or issue an opinion expeditiously. This procedure shall not be		8.Where, due to exceptional circumstances, the notifying Member State considers that its security or public order requires ~~issuing~~ <i>adopting</i> a screening decision before the <i>expiry of respective</i> deadlines ~~referred to~~ <i>set out</i> in paragraph 3 ~~-expire~~ , it shall notify the other Member States and the Commission of its intention and duly justify the need for immediate action. The other Member States and the Commission shall ~~provide~~ <i>issue</i> comments or ~~issue~~ an opinion		~~86.~~ Where, due to exceptional circumstances, the notifying Member State considers that its security or public order requires ~~issuing~~ <i>adopting</i> a screening decision before the <i>expiry of respective</i> deadlines ~~referred to~~ <i>set out</i> in paragraph 3 ~~-expire~~ , it shall notify the other Member States and the Commission of its intention and duly justify the need for immediate action. The other Member States and the Commission shall ~~provide~~ <i>issue</i> comments or ~~issue~~ an opinion		8.Where, due to exceptional circumstances, the notifying Member State considers that its security or public order requires ~~issuing~~ <i>adopting</i> a screening decision before the <i>expiry of respective</i> deadlines ~~referred to~~ <i>set out</i> in paragraph 3 ~~-expire~~ , it shall notify the other Member States and the Commission of its intention and duly justify the need for immediate action. The other Member States and the Commission shall ~~provide~~ <i>issue</i> comments or ~~issue~~ an opinion

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		commercial interests of the applicant requesting the authorisation.		invoked to serve purely the commercial interests of the applicant requesting the authorisation.		expeditiously. This procedure shall not be invoked to serve purely ~~the~~ commercial interests of the applicant requesting the authorisation.		expeditiously. This procedure shall not be invoked to serve purely ~~the~~ commercial interests of the applicant requesting the authorisation. Text Origin: Council Mandate		expeditiously. This procedure shall not be invoked to serve purely ~~the~~ commercial interests of the applicant requesting the authorisation.
Article 8d(9)										
181a		11. When issuing comments or an opinion pursuant to this Article, the Member States, and the Commission, as the case may be, shall consider whether such comments or opinion should be classified information and what level of classification should apply thereto, in accordance with Union and the respective national law on classified information. Moved reference text						~~11~~ 7. When issuing comments or an opinion pursuant to this Article, the Member States, ~~and or~~ the Commission, as the case may be, shall consider whether such comments or opinion should be classified information and what level of classification should apply thereto, in accordance with Union law and the ~~respective~~ applicable national law on classified information. Moved from row 165 [165 - 181a] Text Origin: Council Mandate		
Article 8d(9)										
182		9.All deadlines set out in this Article shall be suspended between 25 December and 1		9.All deadlines set out in this Article shall be suspended between 25 December and 1		~~9.All deadlines set out in this Article shall be suspended between 25 December and 1~~				

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
		January and shall resume on 2 January.		January and shall resume on 2 January.		~~January and shall resume on 2 January.~~				
Article 8e										
182a								Article 12 Considerations of comments and opinions		
Article 8e(1)										
182b		5.Where a Member State where the foreign investment is planned or completed receives a comment from another Member State pursuant to paragraph 1 or an opinion from the Commission pursuant to paragraph 2 or 3, it shall give utmost consideration to such a comment or opinion. Moved reference text					~~51.~~ Where a notifying Member State ~~where the foreign investment is planned or completed~~ receives a comment from another Member State pursuant to ~~paragraph 1~~ Article 8(1) or an opinion from the Commission pursuant to ~~paragraph 2 or 3~~ Article 8(2) or Article 8(3), it shall give ~~utmost~~ due consideration to such a comment or an opinion. Moved from row 155 [155 - 182b] Text Origin: Council Mandate			
Article 8e(2)										
182c		6.Following the receipt of a comment pursuant to paragraph 1, the Member State shall set up a meeting with the Member States who issued comments to discuss						62. Following the receipt of comments or an opinion, and at the request of a Member State having issued comments or of the Commission, where the		

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		how to best address the risks identified. If the Member State where the foreign investment is planned or completed disagrees with the risks identified or, if applicable, the measure proposed with the comment, the Member States shall aim to identify alternative solutions. Where the comment concerns a multi-country transaction, the other Member States who notified the foreign investment shall also be invited to discuss whether the intended outcomes are compatible with one another and, where applicable, the intended conditions are able to address identified cross-border risks adequately. The Commission shall be invited to any such meetings. Moved reference text					<i>latter issued an opinion, the notifying a comment pursuant to paragraph 1, the Member State shall set uporganise a meeting with the Member States who issued comments to discuss how to best to address the risks identified. If the Member State where the foreign investment is planned or completed disagrees with the risks identified or, if applicable, the measure proposed with the comment,</i> <i>The meeting referred to in the first subparagraph shall be organised with:</i> <i>a) the Member States shall aim to identify alternative solutions. that issued comments and the Commission, or</i> <i>b) the Commission, where no comments were issued.</i> Where the ~~comment~~ ~~concerns~~ ~~comments~~ or an ~~opinion~~ ~~concern~~ a multi-country transaction, <i>the notifying Member State shall invite to the meeting referred to in the first subparagraph</i> the other			

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
								Member States who notified the foreign investment ~~shall also be invited to discuss whether the intended outcomes are compatible with one another and, where applicable, the intended conditions are able to address identified cross-border risks adequately. The Commission shall be invited to any such meetings.~~ Moved from row 156 [156 - 182c]		
Article 8e(3)										
182d		7.Following the receipt of an opinion pursuant to paragraph 2 or 3, the procedure set out in paragraph 6 shall apply mutatis mutandis. Moved reference text						~~73. Following the receipt of an opinion pursuant to paragraph 2 or 3, the procedure set out in paragraph 6~~The screening decision shall apply mutatis mutandisbe taken by the Member State undertaking the screening. Moved from row 157 [157 - 182d]		
Article 8e(4)										
182e		8.Following the receipt of an opinion pursuant to paragraph 2 or 3, the Member State where the foreign investment is						~~84. Following the receipt of comments pursuant to Article 8(1) or an opinion pursuant to paragraph 2 or 3, the~~Article 8(2) or Article		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	planned or completed shall: Moved reference text			<i>8(3), the notifying Member State shall notify to the Member States concerned and to the Commission no later than 7 calendar days after the screening decision enters into force the operative part of its screening decision as well as a summary of the main reasons thereof in view of the issued comments or opinion, including:</i> <i>(a) the extent to which it gave the Member States' comments or the Commission opinion due consideration; and</i> <i>(b) where applicable, the reason for its disagreement with the Member States' comments or the Commission opinion.</i>~~<i>the foreign investment is planned or completed shall:</i>~~ Moved from row 158 [158 - 182e]	
Article 8e(4), point (a)					
182f	(a) notify its screening decision to the respective Member States and to the Commission via the secure			Moved from row 159 [159 - 182f]	

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement-new structure	vs.EC Draft Agreement-old structure
	and encrypted system referred to in Article 12(4) no later than 3 calendar days after it was sent to the respective parties to the foreign investment; Moved reference text				
Article 8e(4), point (b)					
182g	(b) provide a written explanation to the respective Member States and the Commission via the secure and encrypted system referred to in Article 12(4) no later than 7 calendar days after the screening decision was notified pursuant to paragraph (a) on: Moved reference text			Moved from row 160 [160 - 182g]	
Article 8e(4), point (b)(i)					
182h	(i) the extent to which it gave the Member States' comments or the Commission opinion utmost consideration; or Moved reference text			Moved from row 161 [161 - 182h]	
Article 8e(4), point (b)(ii)					
182i	(ii) the reason for its disagreement with the Member States' comments			Moved from row 162 [162 - 182i]	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	or the Commission opinion. Moved reference text				
Article 9					
183	Article 9 Own initiative procedure	Article 9 Own initiative procedure	Article 9 <i>Own initiative procedure</i> Cooperation mechanism in relation to non-notified foreign investments	Article ~~9~~ 13 <i>Own initiative procedure</i> Comments and opinions on non-notified foreign investments	Article 9 <i>Own initiative procedure</i> Cooperation mechanism on non-notified foreign investments
Article 9(1)					
184	1.A Member State that considers that a foreign investment in the territory of another Member State which has not been notified to the cooperation mechanism is likely to negatively affect its security or public order, it may open an own initiative procedure in relation to that foreign investment. Before opening the procedure, the Member State shall check that the Member State where the investment is planned or completed does not intend to notify the foreign investment to the cooperation mechanism.	1. ~~Where~~ a Member State ~~that~~ considers that a foreign investment in the territory of another Member State which has not been notified to the cooperation mechanism is likely to negatively affect its security or public order or where the Commission considers that such a foreign investment is likely to negatively affect the security or public order of more than one Member State or projects or programmes of Union interest on grounds of security and public order, the Member State or the Commission, it may open an own initiative procedure in relation to that foreign investment. Before opening	1. ~~Any Member State may issue a duly justified comment addressed to a Member State that considers that a~~ where the foreign investment ~~in the territory of another Member State is~~ planned or completed which has not been notified to the cooperation mechanism ~~is likely to negatively affect its security or public order, it may open an own initiative procedure in relation to that foreign investment. Before opening the procedure,~~ where the Member State shall check that the Member State where the investment is planned or completed does not intend to notify the foreign investment to the cooperation	1. ~~Any Member State that considers that a foreign investment in the territory of another~~ may issue duly justified comments addressed to a host Member State ~~on a foreign investment~~ which has not been notified to the cooperation mechanism ~~is likely to negatively affect its security or public order, it may open an own initiative procedure in relation to that foreign investment. Before opening the procedure,~~ where the Member State shall check that the Member State where the investment is planned or completed does not intend to notify the foreign investment to the cooperation	1. ~~Any Member State that considers that a foreign investment in the territory of another~~ may issue duly justified comments addressed to a host Member State ~~on a foreign investment~~ which has not been notified to the cooperation mechanism ~~is likely to negatively affect its security or public order, it may open an own initiative procedure in relation to that foreign investment. Before opening the procedure,~~ where the Member State shall check that the Member State where the investment is planned or completed does not intend to notify the foreign investment to the cooperation

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
				the procedure, the Member State or the Commission shall check that the host Member State ~~where the investment is planned or completed~~ does not intend to notify the foreign investment to the cooperation mechanism.		~~mechanism.issuing the comment~~		~~mechanism.issuing the comments:~~		~~mechanism.issuing the comments:~~
	Article 9(1), point (a)									
G	184a					<i>(a) considers that foreign investment is likely to negatively affect its security or public order, or</i>		<i>(a) considers that that foreign investment is likely to negatively affect its security or public order, or</i>		<i>(a) considers that that foreign investment is likely to negatively affect its security or public order, or</i>
	Article 9(1), point (b)									
G	184b					<i>(b) has relevant information relevant for that foreign investment.</i>		<i>(b) has information relevant to that foreign investment.</i>		<i>(b) has information relevant to that foreign investment.</i>
	Article 9(1), point (c)									
G	184c					<i>Member States issuing comments shall simultaneously send those comments to the Commission. The Commission shall notify the other Member States that comments have been issued.</i>		<i>The Member State issuing comments shall simultaneously send its comments to the Commission and inform all other Member States that comments have been issued.</i>		<i>The Member State issuing comments shall simultaneously send its comments to the Commission and inform all other Member States that comments have been issued.</i>
	Article 9(2)									
G	185	2.Member States shall be granted at least 15 months, after the foreign investment has been completed, the		2.Member States and the Commission shall be granted ~~at least~~ up to 15 months, after the foreign investment		2. The Commission may issue a duly justified opinion addressed to the Member States ~~shall be~~		2. The Commission may issue a duly justified opinion addressed to a host Member States ~~shall be~~		2. The Commission may issue a duly justified opinion addressed to a host Member States ~~shall be~~

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
		right to open the procedure set out in paragraph 1, provided the respective foreign investment has not been notified to the cooperation mechanism in the meantime.		has been completed, the right to open the procedure set out in paragraph 1, provided the respective foreign investment has not been notified to the cooperation mechanism in the meantime.		~~granted at least 15 months, after~~ State where the foreign investment ~~has been~~ is planned or completed, ~~the right to open the procedure set out in paragraph 1, provided the respective foreign investment which~~ has not been notified to the cooperation mechanism ~~in the meantime where the~~ Commission:		~~granted at least 15 months, after the~~ State on a foreign investment ~~has been~~ is completed, ~~the right to open the procedure set out in paragraph 1, provided the respective foreign investment which~~ has not been notified to the cooperation mechanism ~~in the meantime where the~~ Commission:		~~granted at least 15 months, after the~~ State on a foreign investment ~~has been~~ is completed, ~~the right to open the procedure set out in paragraph 1, provided the respective foreign investment which~~ has not been notified to the cooperation mechanism ~~in the meantime where the~~ Commission:
	Article 9(2)(a)									
G	185a					<i>(a) considers that foreign investment is likely to negatively affect security or public order in more than one Member State, or</i>		<i>(a) considers that the foreign investment is likely to negatively affect security or public order in more than one Member State, or</i>		<i>(a) considers that the foreign investment is likely to negatively affect security or public order in more than one Member State, or</i>
	Article 9(2)(b)									
G	185b					<i>(b) considers that foreign investment is likely to negatively affect projects or programmes of Union interest as listed in Annex I on grounds of security or public order, or</i>		<i>(b) considers that the foreign investment is likely to negatively affect projects or programmes of Union interest as listed in Annex I on grounds of security or public order, or</i>		<i>(b) considers that the foreign investment is likely to negatively affect projects or programmes of Union interest as listed in Annex I on grounds of security or public order, or</i>
	Article 9(2)(c)									
G	185c					<i>(c) has relevant information relevant for that foreign investment.</i>		<i>(c) has information relevant to that foreign investment.</i>		<i>(c) has information relevant to that foreign investment.</i>
	Article 9(2a)									
G	185d					The Commission shall		2a. The Commission shall:		2a. The Commission shall:

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
						<i>notify the other Member States that an opinion was issued.</i>		<i>(a) send opinions meeting the conditions set out in points (a) and (c) of paragraph 2 to all Member States that provided comments and notify the other Member States that an opinion was issued; (b) send opinions meeting the conditions set out in point (b) of paragraph 2 to all Member States.</i>		<i>(a) send opinions meeting the conditions set out in points (a) and (c) of paragraph 2 to all Member States that provided comments and notify the other Member States that an opinion was issued; (b) send opinions meeting the conditions set out in point (b) of paragraph 2 to all Member States.</i>
Article 9(3)										
186		3. The Commission may open an own initiative procedure when it considers that a foreign investment in the territory of a Member State which has not been notified to the cooperation mechanism falls under Article 7(2). Before opening the procedure, the Commission shall check that the Member State where the investment is planned or completed does not intend to notify the foreign investment to the cooperation mechanism.		<i>deleted</i>		<i>3. The Commission may open an own initiative procedure when it considers that a foreign investment in the territory of a Member State which has not been notified to the cooperation mechanism falls under Article 7(2). States, before opening the procedure, issuing comments, and the Commission before issuing an opinion, shall check that the whether the host Member State where the investment is planned or completed does not intend intends to notify the foreign investment through the cooperation mechanism pursuant to Article 5.</i>		<i>3. Member States, before issuing comments, and the Commission may open an own initiative procedure when it considers that before issuing an opinion, shall check whether the host Member State has already started or completed screening the foreign investment in the territory of a Member State which has not been notified to the cooperation mechanism falls under Article 7(2). Before opening the procedure, the Commission shall check that the Member State where the investment is planned or completed does not intend and whether it intends to notify the foreign</i>		<i>32a. Member States, before issuing comments, and the Commission may open an own initiative procedure when it considers that before issuing an opinion, shall check whether the host Member State has already started or completed screening the foreign investment in the territory of a Member State which has not been notified to the cooperation mechanism falls under Article 7(2). Before opening the procedure, the Commission shall check that the Member State where the investment is planned or completed does not intend and whether it intends to notify the foreign</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
								investment ~~through~~ the cooperation mechanism pursuant to Article 5.		investment ~~through~~ the cooperation mechanism pursuant to Article 5.
Article 9(4)										
187		4.The Commission shall be granted at least 15 months, after the foreign investment has been completed, to open the procedure set out in paragraph 3, provided the respective foreign investment has not been notified to the cooperation mechanism in the meantime.		<i>deleted</i>		4.Before issuing comments or an opinion in relation to a foreign investment pursuant to paragraph 1, point (a) and paragraph 2, point (a) or (b), the Member States or the Commission shall ~~be granted at least 15 months, after the foreign investment has been completed, to open the procedure set out in paragraph 3, provided the respective foreign investment has not been notified~~send a request for information to the eooperation mechanism in the meantime host Member State.		4.Before issuing comments or an opinion in relation to a foreign investment pursuant to paragraph 1, point (a) and paragraph 2, point (a) or (b), the Member States or the Commission shall ~~be granted at least 15 months, after the foreign investment has been completed, to open the procedure set out in paragraph 3, provided the respective foreign investment has not been notified~~send a request for information to the eooperation mechanism in the meantime host Member State.		4.Before issuing comments or an opinion in relation to a foreign investment pursuant to paragraph 1, point (a) and paragraph 2, point (a) or (b), the Member States or the Commission shall ~~be granted at least 15 months, after the foreign investment has been completed, to open the procedure set out in paragraph 3, provided the respective foreign investment has not been notified~~send a request for information to the eooperation mechanism in the meantime host Member State.
Article 9(5)										
188		5.The Member States or the Commission shall open the own initiative procedure set out in paragraph 1 and 3 respectively by sending a duly motivated request for information via the secure and encrypted system referred to in Article 12(4) to		5.The Member States or the Commission shall open the own initiative procedure ~~set out in paragraph 1 and 3 respectively~~ by sending a duly motivated request for information ~~via the secure and encrypted system referred to in Article 12(4)~~		~~5.The Member States or the Commission shall open the own initiative procedure set out in paragraph 1 and 3 respectively by sending a duly motivated request for information via the secure and encrypted system referred to in Article 12(4)~~		~~5.The Member States or the Commission shall open the own initiative procedure set out in paragraph 1 and 3 respectively by sending a duly motivated request for information via the secure and encrypted system referred to in Article 12(4)~~		~~5.The Member States or the Commission shall open the own initiative procedure set out in paragraph 1 and 3 respectively by sending a duly motivated request for information via the secure and encrypted system referred to in Article 12(4)~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		the Member State where the foreign investment is planned or has been completed. Any request for information pursuant to this paragraph shall be duly justified, limited to the information necessary for the Member States to provide comments or for the Commission to issue an opinion, proportionate to the purpose of the request and not unduly burdensome for the notifying Member State. Where the request for information is submitted by a Member State, that Member State shall send the request to the Commission simultaneously.		to the host Member State ~~where the foreign investment is planned or has been completed.~~ Any request for information pursuant to this paragraph shall be duly justified, limited to the information necessary for the Member States to provide comments or for the Commission to issue an opinion, proportionate to the purpose of the request and not unduly burdensome for the ~~notifying~~ host Member State. Where the request for information is submitted by a Member State, that Member State shall send the request to the Commission simultaneously.		~~to the Member State where the foreign investment is planned or has been completed.~~ Any request for information pursuant to ~~this~~ paragraph 4 shall be ~~duly justified, limited to the information necessary for the Member States to provide comments or for the Commission to issue an opinion, proportionate to the purpose of the request and not unduly burdensome for the notifying Member State.~~ Where the request for information is submitted by a Member State, that Member State shall send the request to the Commission simultaneously.:		~~to the Member State where the foreign investment is planned or has been completed.~~ Any request for information pursuant to ~~this~~ paragraph 4 shall be ~~duly justified, limited to the information necessary for the Member States to provide comments or for the Commission to issue an opinion, proportionate to the purpose of the request and not unduly burdensome for the notifying Member State.~~ Where the request for information is submitted by a Member State, that Member State shall send the request to the Commission simultaneously.:		~~to the Member State where the foreign investment is planned or has been completed.~~ Any request for information pursuant to ~~this~~ paragraph 4 shall be ~~duly justified, limited to the information necessary for the Member States to provide comments or for the Commission to issue an opinion, proportionate to the purpose of the request and not unduly burdensome for the notifying Member State.~~ Where the request for information is submitted by a Member State, that Member State shall send the request to the Commission simultaneously.:
Article 9(5), point (a)										
G	188a					(a) duly justified;		(a) duly justified;		(a) duly justified;
Article 9(5), point (b)										
G	188b					(b) limited to the information necessary for a Member State to issue comments or for the Commission to issue an opinion;		(b) limited to the information necessary for a Member State to issue comments or for the Commission to issue an opinion; Text Origin: Council Mandate		(b) limited to the information necessary for a Member State to issue comments or for the Commission to issue an opinion;
Article 9(5), point (c)										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
188c						<i>(c) proportionate to the purpose of the request, and</i>		<i>(c) proportionate to the purpose of the request, and</i> Text Origin: Council Mandate		<i>(c) proportionate to the purpose of the request, and</i>
Article 9(5), point (c)										
188d						<i>(d) not unduly burdensome for the notifying Member State.</i>		<i>(c) not unduly burdensome for the host Member State.</i>		<i>(c) not unduly burdensome for the host Member State.</i>
Article 9(5), point (d)										
188e						<i>A request for information from a host Member State shall simultaneously be sent to the Commission.</i>		<i>(d) Where the request for information is submitted by a Member State, that Member State shall send the request to the Commission simultaneously.</i>		<i>(d) Where the request for information is submitted by a Member State, that Member State shall send the request to the Commission simultaneously.</i>
Article 9(6)										
189		6.The Member State where the investment is planned or completed shall provide the complete information requested by the other Member States or the Commission pursuant to paragraph 5 without undue delay via the secure and encrypted system referred to in Article 12(4). Where the notifying Member State provides additional information to a Member State, such additional information shall be sent to the Commission		6.The host Member State ~~where the investment is planned or completed~~ shall provide the complete information requested by the other Member States or the Commission pursuant to paragraph 5 without undue delay ~~via the secure and encrypted system referred to in Article 12(4)~~ . Where the ~~notifying~~ host Member State provides ~~additional~~ such information to a Member State, ~~such additional~~ that information shall be sent to the Commission		6.The host Member State ~~where the investment is planned or completed~~ shall provide the ~~complete~~ information requested by the other Member States or the Commission pursuant to paragraph ~~5~~ 4 without undue delay ~~via the secure and encrypted system referred to in Article 12(4)~~ . Where the ~~notifying~~ host Member State provides ~~additional~~ information to a Member State, ~~such additional~~ information ~~it shall be sent~~ simultaneously send		6.The host Member State ~~where the investment is planned or completed~~ shall provide the ~~complete~~ information requested by the other Member States or the Commission pursuant to paragraph ~~5~~ 4 without undue delay ~~via the secure and encrypted system referred to in Article 12(4)~~ . Where the ~~notifying~~ host Member State provides ~~additional~~ information to ~~another~~ the Member State, ~~such additional~~ the host Member State shall		6.The host Member State ~~where the investment is planned or completed~~ shall provide the ~~complete~~ information requested by the other Member States or the Commission pursuant to paragraph ~~5~~ 4 without undue delay ~~via the secure and encrypted system referred to in Article 12(4)~~ . Where the ~~notifying~~ host Member State provides ~~additional~~ information to ~~another~~ the Member State, ~~such additional~~ the host Member State shall

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		simultaneously.		simultaneously.		<i>that</i> to the Commission <i>simultaneously</i> .		<i>simultaneously send that</i> information ~~shall be sent~~ to the Commission <i>simultaneously</i> .		<i>simultaneously send that</i> information ~~shall be sent~~ to the Commission <i>simultaneously</i> .
Article 9(6a), first subparagraph										
190		7.Following receipt of information referred to in paragraph 6, Member States may provide comments and the Commission may provide an opinion to the Member State where the foreign investment is planned or has been completed. The rules and procedures laid down in Article 7 and 8 shall apply mutatis mutandis, subject to the following modifications:		7.Following receipt of information referred to in paragraph 6, Member States may provide comments and the Commission may provide an opinion to the host Member State, no later than 30 calendar days after receiving the complete information requested pursuant to paragraph 5. In cases where the procedure was initiated by a Member State, the Commission shall be granted an additional 15 calendar days to issue its opinion. The host Member State ~~where the foreign investment is planned or has been completed. The rules and procedures laid down in Article 7 and 8 shall apply mutatis mutandis, subject to the following modifications:~~ give the utmost consideration to such a comment or opinion.		7.Following the receipt of information ~~referred to~~ in pursuant to paragraph 6, Member States may ~~provide~~ issue comments and the Commission may ~~provide~~ issue an opinion to the host Member State ~~where the foreign investment is planned or has been completed. The rules and procedures laid down in Article 7 and 8 shall apply mutatis mutandis, subject to the~~ within a reasonable period of time, and in any case no later than 20 calendar days following the receipt of the information. In case where the opinion of the Commission follows comments from other Member States, the Commission shall have 10 additional calendar days for issuing its opinion.		~~7.Following receipt of information referred to in~~ Comments issued pursuant to paragraph 6; ~~Member States may provide comments and the Commission may provide an opinion~~ 1, point (a) and opinions issued pursuant to paragraph 2, point (a) or (b) shall be sent to the host Member State ~~where the foreign investment is planned or has been completed. The rules and procedures laid down in Article 7 and 8 shall apply mutatis mutandis, subject to the~~ within a reasonable period of time, and in any case no later than 20 calendar days following the receipt of the information pursuant to paragraph 6.		~~7.Following receipt of information referred to in~~ Comments issued pursuant to paragraph 6; ~~Member States may provide comments and the Commission may provide an opinion~~ 1, point (a) and opinions issued pursuant to paragraph 2, point (a) or (b) shall be sent to the host Member State ~~where the foreign investment is planned or has been completed. The rules and procedures laid down in Article 7 and 8 shall apply mutatis mutandis, subject to the~~ within a reasonable period of time, and in any case no later than 20 calendar days following the receipt of the information pursuant to paragraph 6.
Article 9(6a), second subparagraph										
190a								Where a Member State		Where a Member State

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>has issued comments pursuant to paragraph 1, point (a), the Commission's deadline, as set out in the first subparagraph, for issuing its opinion shall be extended by an additional 10 calendar days.</i>		<i>has issued comments pursuant to paragraph 1, point (a), the Commission's deadline, as set out in the first subparagraph, for issuing its opinion shall be extended by an additional 10 calendar days.</i>
Article 9(6b)										
191		(a) the comments by Member States or the opinion by the Commission shall be sent no later than 35 calendar days following receipt of the complete information requested pursuant to paragraph 5.		<i>deleted</i>		<i>(a) the comments by Member States or the opinion by the Commission shall be sent no later than 35 calendar days following receipt of the complete information requested pursuant to paragraph 5.</i>				<i>deleted</i>
Article 9(6b), point (a)										
192		(b) for procedures initiated pursuant to paragraph 1, the Commission shall have 15 additional calendar days to issue an opinion after the deadline for the Member State set out in point (a) of this paragraph have expired.		<i>deleted</i>		<i>(b) for procedures initiated pursuant to paragraph 1, the Commission shall have 15 additional calendar days to issue an opinion after the deadline for the Member State set out in point (a) of this paragraph have expired.</i>				<i>deleted</i>
Article 9(6c)										
192a						8. A host Member State shall give due consideration to the comments of the other Member States and to the opinion of the Commission. If the host Member State		7a. The host Member State shall give due consideration to the comments of the other Member States and to the opinion of the Commission. If the host		7a. The host Member State shall give due consideration to the comments of the other Member States and to the opinion of the Commission. If the host

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>considers that the foreign investment does not require authorisation pursuant to its own national law, it has already screened the foreign investment, or it disagrees with the risks identified by the Member States that have issued comments or the Commission, it shall inform the Member States that have issued comments and the Commission thereof.</i>		<i>Member State, on the basis of the comments of the other Member States and the opinion of the Commission, does not intend to screen the foreign investment, it shall inform the Member States that have issued comments and the Commission thereof.</i>		<i>Member State, on the basis of the comments of the other Member States and the opinion of the Commission, does not intend to screen the foreign investment, it shall inform the Member States that have issued comments and the Commission thereof.</i>
Article 9(6d)										
G	192b			<i>7a. Following the receipt of a comment or opinion pursuant to paragraph 7, the host Member State shall set up a meeting with the Member States that issued comments, where applicable, and the Commission to discuss how to effectively address the risks identified. If the host Member State disagrees with the risks identified or, where applicable, the measures proposed with the comment or opinion, the Member States and the Commission shall aim to identify alternative solutions and agree on a</i>			<i>7b. If, following the information as referred to in paragraph 7a, a Member State that issued comments so requests, the host Member State shall organise a meeting with the Member States that issued comments and with the Commission or, if the Commission so requests, a meeting with the Commission alone where only the Commission issued an opinion.</i>		<i>7b. If, following the information as referred to in paragraph 7a, a Member State that issued comments so requests, the host Member State shall organise a meeting with the Member States that issued comments and with the Commission or, if the Commission so requests, a meeting with the Commission alone where only the Commission issued an opinion.</i>	G

	CLEAN	Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement-new structure	vs.EC Draft Agreement-old structure
			<i>suitable course of action to manage the risks in question.</i>			
Article 9(6e)						
G 192c			<i>7b. Following the meeting referred to in paragraph 7a, the host Member State shall inform the Commission and, where applicable, the Member States having provided comments, whether it intends to screen the investment.</i>		<i>6e. Where, following any such meeting, the host Member State decides not to screen the foreign investment, it shall inform Member States that issued comments and the Commission thereof and provide them with a written explanation on: (a) the reasons for not screening the foreign investment, including where applicable the reasons for its disagreement with the comments or opinion issued; and (b) where applicable, any alternative measures it intends to take in order to address the risks identified in the comments or the opinion.</i>	<i>7c. Where, following any such meeting, the host Member State decides not to screen the foreign investment, it shall inform Member States that issued comments and the Commission thereof and provide them with a written explanation on: (a) the reasons for not screening the foreign investment, including where applicable the reasons for its disagreement with the comments or opinion issued; and (b) where applicable, any alternative measures it intends to take in order to address the risks identified in the comments or the opinion.</i>
Article 9(6f)						
G 192d			<i>7c. Where the host Member State decides not to screen the foreign investment, it shall provide a written explanation to the Member States concerned and the</i>		<i>7d. Without prejudice to Article 5(1), (2) and (2a), where the host Member State decides to screen the foreign investment, it shall notify the foreign</i>	<i>7d. Without prejudice to Article 5(1), (2) and (2a), where the host Member State decides to screen the foreign investment, it shall notify the foreign</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>Commission on the reasons for its disagreement with the comments of those Member States or the opinion of the Commission.</i>				<i>investment in accordance with Article 5(3).</i>		<i>investment in accordance with Article 5(3).</i>
Article 9(6g)										
G	192e					<i>9. Member States may issue comments pursuant to paragraph 1 and the Commission may issue an opinion pursuant to paragraph 2 no later than 15 months following the completion of a foreign investment.</i>		<i>9. Member States may issue comments pursuant to paragraph 1 and the Commission may issue an opinion pursuant to paragraph 2 no later than 15 months following the completion of a foreign investment.</i> Text Origin: Council Mandate		<i>9. Member States may issue comments pursuant to paragraph 1 and the Commission may issue an opinion pursuant to paragraph 2 no later than 15 months following the completion of a foreign investment.</i>
Article 9(6h)										
G	192f					<i>10. This Article shall not apply to foreign investments completed before the entry into force of this Regulation.</i>				
Article 9a										
G	192g			<i>Article 9a Investigative Powers of the Commission</i>						
Article 9a(1)										
G	192h			<i>1. Upon a duly justified request by a Member State or on its own initiative when there are reasonable</i>						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>grounds to suspect that a foreign investment may affect the security or public order of more than one Member State, and provided the host Member State has been notified, the Commission may request information in accordance with this Article.</i>						
Article 9a(1)										
192i				<i>2.The Commission may require the parties involved in a foreign investment to provide any information deemed necessary to assess whether the foreign investment is likely to negatively affect security or public order. It may request information from any other entity or person likely to possess relevant information for assessing whether a foreign investment is likely to negatively affect security or public order, including suppliers, contractors, customers and experts.</i>						
Article 9a(3)										
192j				<i>3.The Commission shall inform a Member State before seeking such</i>						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>information on its territory.</i>						
		Article 9a(2)								
G		192k		<i>4.A request for information pursuant to paragraph 2 shall:</i>				Text Origin: EP Mandate		G
		Article 9a(2), point (a)								
G		192l		<i>(a) state its legal basis and purpose, specify the required information, and set an appropriate time-limit for its provision;</i>						G
		Article 9a(2), point (b)								
G		192m		<i>(b) be duly justified and limited to the information strictly necessary for assessing the potential impact of a transaction on security or public order;</i>				Text Origin: EP Mandate		G
		Article 9a(4), point (c)								
G		192n		<i>(c) include a statement that, if the information supplied is incorrect, incomplete or misleading, the periodic penalty payments provided for in paragraph 6 could be imposed;</i>						G
		Article 9a(2), point (c)								
G		192o		<i>(d) include a statement that a lack of cooperation may allow the Commission to take a decision based on the</i>						G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>facts available to it.</i>						
Article 9a(5)										
G	192p			<i>5. The deadlines referred to in Article 8(7a), points (a) to (c), Article 8(7b), point (b), and Article 8(7c), point (a), may be suspended for the time required by the Commission to obtain the requested information. The suspension shall take effect from the date of the Commission's request for information and shall remain in effect until the requested information has been fully received. The suspension shall not last longer than 30 calendar days. The Commission shall promptly notify the relevant Member States of both the suspension and of its lifting.</i>						G
Article 9a(6)										
G	192q			<i>6. In the event of an unjustified lack of compliance with the Commission's information requests, the Commission may impose, by decision:</i>						G
Article 9a(6), point (a)										
G	192r			<i>(a) fines not exceeding 1 % of the aggregate turnover of</i>						G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>the party or entity concerned in the preceding financial year; or</i>						
Article 9a(6), point (b)										
192s				<i>(b) periodic penalty payments, where incomplete, incorrect or misleading information is provided, or the requested information is not supplied within the specified deadline. Such periodic penalty payments shall not exceed 5 % of the average daily aggregate turnover of the party or entity concerned in the preceding financial year for each working day of delay, calculated from the date established in the decision, until compliance is achieved.</i>						
Article 9a(7)										
192t				<i>7. Before imposing periodic penalty payments, the party or entity concerned shall be given the opportunity to be heard. When determining the amount of the fine or periodic penalty payment, the Commission shall take into account the nature, gravity and duration of the</i>						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>failure to comply, in accordance with the principles of proportionality and appropriateness.</i>						
Article 9a(8)										
192u				<i>8. When determining the amount of the fine or periodic penalty payment, the Commission shall take into account the nature, gravity and duration of the failure to comply, in accordance with the principles of proportionality and appropriateness.</i>						
Section 3										
192v								<i>Section V REQUIREMENTS TO ENSURE AN EFFECTIVE COOPERATION</i>		
Article 9b										
192w										
Article 9c										
192x								<i>Article 14 General requirements</i>		
Article 9c(1)										
192y		1. Member States shall provide the necessary resources, legal and administrative means for their efficient and effective						1. Member States <i>and the Commission</i> shall provide the necessary resources, <i>and</i> legal and administrative means <i>for to efficiently and</i>		

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	participation in the cooperation mechanism. Moved reference text			<i>effectively meet the objectives of this Regulation including as regards</i> their ~~efficient and effective~~ participation in the cooperation mechanism. Moved from row 209 [209 - 192y]	
Article 9c(2)					
192z	2.Each Member State and the Commission shall designate a contact point for the purposes of the cooperation mechanism. Moved reference text			2.Each Member State and the Commission shall designate a contact point for the purposes of the cooperation mechanism. Moved from row 210 [210 - 192z]	
Article 9c(3)					
192aa	3.Member States shall ensure that the deadlines and procedures set out in their screening mechanisms allow them to provide complete answers to requests for additional information by the Commission or other Member States. Moved reference text			3.Member States shall ensure that the deadlines and procedures set out in their screening mechanisms allow them to provide ~~complete~~ answers to requests for additional information by the Commission or other Member States. Moved from row 211 [211 - 192aa]	
Article 9c(4)					
192ab	4.Member States shall			4.Member States shall	

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		ensure that their screening mechanisms give sufficient time and means to assess and give utmost consideration to other Member States’ comments and Commission opinions before a screening decision is taken. This includes having all necessary legal means and powers to consider concerns expressed or likely impacts identified by another Member State or the Commission in its screening decision or in any other relevant instrument at its disposal. Where a foreign investment is notified to the Commission and other Member States pursuant to Article 5, the screening mechanisms shall not allow Member States to take their screening decision until the deadlines for comments by the Member States and Commission opinions set out in Article 8(3) expire. Moved reference text						ensure that their screening mechanisms give sufficient time and means to assess and give ~~utmost~~due consideration to other Member States’ comments and Commission opinions before a screening decision is taken. This includes having ~~that~~ at their disposal, in any relevant instrument, including its screening mechanism, the necessary legal means and powers to consider concerns expressed or likely impacts identified by another Member State or the Commission~~in its screening decision or in any other relevant instrument at its disposal. Where a foreign investment is notified to the Commission and other Member States pursuant to Article 5, the screening mechanisms shall not allow Member States to take their screening decision until the deadlines for comments by the Member States and Commission opinions set out in Article 8(3) expire.~~ Moved from row 212 [212 - 192ab]		
Article 9c(5)										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
192ac		6.The screening authorities shall be empowered to investigate, assess, decide on and monitor foreign investments brought to their attention pursuant to Article 9(7). Moved reference text						~~65. The~~ Screening authorities shall be empowered to investigate, assess, decide on and monitor foreign investments <i>that fall within the scope of their screening mechanisms and are</i> brought to their attention pursuant to Article ~~9(7)~~<i>13(1) or (2).</i> Moved from row 214 [214 - 192ac]		
Article 9c(6)										
192ad		7.Where mitigating measures in a screening decision require compliance by undertakings established in other Member States, the Member States that adopted a screening decision shall cooperate with the other Member State or Member States concerned on the monitoring and enforcement of screening decision. Member States shall ensure that they have all necessary legal means and powers to address effectively the consequences of non-compliance with the mitigating measures provided in a screening decision.						~~76. Member States shall ensure that they have the necessary legal means and powers to effectively address within their territory the consequences of non-compliance with the mitigating measures provided for in their screening decision.~~ Where mitigating measures in a screening decision require compliance by undertakings established in other Member States, the Member ~~States~~<i>State</i> that adopted a screening decision <i>and other relevant Member States</i> shall <i>endeavor to</i> cooperate with ~~the each~~ other ~~Member State or Member States~~		

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		Moved reference text						<i>concerned ~~on~~in the monitoring and enforcement of ~~screening decision~~. <del>Member States shall ensure that they have all necessary legal means and powers to address effectively the consequences of non-compliance with the mitigating measures provided in ~~at~~the screening decision, in accordance with their national laws.</del></i> Moved from row 215 [215 - 192ad]		
Article 9c(7)										
192ae								<i>7. Where, following the adoption of a screening decision, a host Member State imposes penalties in accordance with Article 4(2), point (ha), it shall, where appropriate, notify the Commission and the Member States that provided comments on the transaction within a reasonable timeframe.</i> Text Origin: Auxiliar		
Article 10										
193		Article 10 Information requirements		Article 10 Information requirements		Article 10 Information requirements		Article ~~10~~ 15 Information requirements		Article 10 Information requirements

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
							Text Origin: Commission Proposal			
Article 10(1)										
194		1.Member States shall ensure that information provided in the notification referred to in Article 5 and to the request of information referred to in 9(5) include:		1.Member States shall ~~ensure that~~ provide, at a minimum, the following information ~~provided~~ in the notification referred to in Article 5 and in response to the request of information referred to in 9(5) ~~include~~ :		1.Member States shall ensure that information provided in the notification referred to in Article 5 and provided in response to a ~~the~~ request of information ~~referred to in 9(5)~~ pursuant to 9(6) include:		1.Member States shall ensure that information provided in the notification referred to in Article 5 and provided in response to a ~~the~~ request of information ~~referred to in 9(5)~~ pursuant to 13(6) include:		1.Member States shall ensure that information provided in the notification referred to in Article 5 and provided in response to a ~~the~~ request of information ~~referred to in 9(5)~~ pursuant to 9(6) include:
							Text Origin: Council Mandate			
Article 10(1), point (a)										
195		(a) the name of the investor, the global ultimate owner of the investor and the Union target, the ownership structure of the investor and, where applicable, of the corporate group to which the investor is a part;		(a) the name of the investor, the global ultimate owner of the investor and the Union target, the ownership structure of the investor and, where applicable, of the corporate group to which the investor is a part;		(a) the name, if possible written in both the Latin alphabet and in the original characters and address, where applicable, website address and activities of the ~~global ultimate~~ foreign investor, the ~~name, if possible written in both the Latin alphabet and in the original characters and address, where applicable, website address of the the beneficial owner of the foreign investor and the Union target,~~ the ownership structure of the foreign investor and, where applicable, of the corporate group ~~of~~ which the foreign		(a) the name, if possible written in both the Latin alphabet and in the original characters where applicable, and the address, website address and activities of the foreign investor, and, where applicable, the name, if possible written in both the Latin alphabet and in the original characters where applicable, and the address and website address of the beneficial ~~the global ultimate~~ owner of the foreign investor ~~and the Union target,~~ the ownership structure of the foreign investor and, where		(a) the name, if possible written in both the Latin alphabet and in the original characters where applicable, and the address, website address and activities of the foreign investor, and, where applicable, the name, if possible written in both the Latin alphabet and in the original characters where applicable, and the address and website address of the beneficial ~~the global ultimate~~ owner of the foreign investor ~~and the Union target,~~ the ownership structure of the foreign investor and, where

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
						investor ~~is a~~ forms part;		applicable, of the corporate group ~~to of~~ which the foreign investor ~~is a part;~~ forms part.		applicable, of the corporate group ~~to of~~ which the foreign investor ~~is a part;~~ forms part.
Article 10(1), point (b)										
196		(b) a comprehensive description of the investment, its value and information on the ownership of the Union target, before and after the foreign investment, on the funding of the investment and its source, on the basis of the best information available to the Member State;		(b) a comprehensive description of the investment, its value and information on the ownership of the Union target, before and after the foreign investment, on the funding of the investment and its source, on the basis of the best information available to the Member State;		(b) a comprehensive description of the ~~investment, its value and information on the ownership of the Union target, before and after the foreign investment, on theits~~ approximate value, its funding of the investment and its and source, on the basis of the best information available to the Member State, and the date by which the foreign investment is planned to be completed or has been completed;		(b) a comprehensive description of the ~~investment, its value and information on the ownership of the Union target, before and after the foreign investment, on theits~~ approximate value, its funding of the investment and its and source, on the basis of the best information available to the Member State, and the date by which the foreign investment is planned to be completed or has been completed;		(b) a comprehensive description of the ~~investment, its value and information on the ownership of the Union target, before and after the foreign investment, on theits~~ approximate value, its funding of the investment and its and source, on the basis of the best information available to the Member State, and the date by which the foreign investment is planned to be completed or has been completed;
Article 10(1), point (c)										
197		(c) name and address of the Union target, its activities and alternative providers, the ownership structure of the Union target and, where applicable, of the corporate group to which the Union target is a part;		(c) name and address of the Union target, its activities and alternative providers, the ownership structure of the Union target and, where applicable, of the corporate group to which the Union target is a part;		(c) name and address of the Union target, its activities and alternative providers, the beneficial owner of the Union target, the ownership structure of the Union target before and after the foreign investment, and, where applicable, of the corporate group ~~to of~~ which the Union target ~~is a~~ forms part;		(c) name and address of the Union target, its activities and alternative providers, the beneficial owner of the Union target, the ownership structure of the Union target before and after the foreign investment, and, where applicable, of the corporate group ~~to of~~ which the Union target ~~is a~~ forms part;		(c) name and address of the Union target, its activities and alternative providers, the beneficial owner of the Union target, the ownership structure of the Union target before and after the foreign investment, and, where applicable, of the corporate group ~~to of~~ which the Union target ~~is a~~ forms part;

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								Text Origin: Council Mandate		
Article 10(1), point (d)										
198		(d) if applicable, information about the other legal entities of the same corporate group as the Union target that are located in other Member States;		(d) if applicable, information about the other legal entities of the same corporate group as the Union target that are located in other Member States;		(d) <i>ifwhere</i> applicable, information about the other legal entities of the same corporate group as the Union target that are located in other Member States and about relevant business operations that the Union target conducts in other Member States ;		(d) <i>ifwhere</i> applicable, information about the other legal entities of the same corporate group as the Union target that are located in other Member States and about relevant business operations that the Union target conducts in other Member States ;		(d) <i>ifwhere</i> applicable, information about the other legal entities of the same corporate group as the Union target that are located in other Member States and about relevant business operations that the Union target conducts in other Member States ;
								Text Origin: Council Mandate		
Article 10(1), point (e)										
199		(e) activities of the foreign investor, its name and address; and		(e) activities of the foreign investor, its name and address; ~~and~~		(e) ~~activities~~ <i>where applicable, details about the participation</i> of the ~~foreign investor, its name and address; and~~ Union target in projects or programmes of Union interest as listed in Annex I.		(e) ~~activities~~ <i>where applicable, details about the participation</i> of the ~~foreign investor, its name and address; and~~ Union target in projects or programmes of Union interest as listed in Annex I.		deleted
								Text Origin: Council Mandate		
Article 10(1), point (ea)										
199a								(ea) whether the Union target, within the preceding five years, has been awarded a grant exceeding EUR 750 000;		(ea) whether the Union target, within the preceding five years, has been awarded a grant exceeding EUR 750 000;

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
Article 10(1), point (eb)										
G	199b			<i>(ea) where applicable, the reasons justifying the notification, including whether any of the conditions for the notification of a foreign investment referred to in points (i) to (iii) of Article 5(1), point (b), are fulfilled;</i>				<i>(eb) where applicable, which of the conditions set out in Article 5 are fulfilled;</i> Text Origin: EP Mandate		<i>(eb) where applicable, which of the conditions set out in Article 5 are fulfilled;</i>
Article 10(1), point (eb)										
G	199c			<i>(eb) whether the Union target is a recipient of funds as defined in Article 2 paragraph 59 of Regulation (EU) 2024/2509, or of any fund or financial instrument established or managed by the Union; and</i>						
Article 10(1),										
G	200	(f) the date when the foreign investment is planned to be completed or has been completed.		(f) the date when the foreign investment is planned to be completed or has been completed.		(f) ~~the date when the foreign investment is planned to be completed or has been completed.~~		(f) ~~the date when the foreign investment is planned to be completed or has been completed.~~ Text Origin: Commission Proposal		(f) ~~the date when the foreign investment is planned to be completed or has been completed.~~
Article 10(2)										
G	201	2.The Commission shall set out, by means of implementing acts pursuant to Article 21, to be adopted prior to the date of application of this		2.The Commission shall set out, by means of implementing acts pursuant to Article 21, to be adopted prior to the date of application of this		~~2.The Commission shall set out, by means of implementing acts pursuant to Article 21, to be adopted prior to the date of application of this~~		2. By ... [18 months from the date of entry into force of this Regulation], the Commission shall ~~set out~~ establish , by means of implementing acts ~~pursuant~~		2. By ... [18 months from the date of entry into force of this Regulation], the Commission shall ~~set out~~ establish , by means of implementing acts ~~pursuant~~

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		Regulation referred to in Article 24(2), the form to be used to provide the type of information required under paragraph 1.		Regulation referred to in Article 24(2), the form to be used to provide the type of information required under paragraph 1.		<i>RegulationBy ... [OJ: please insert the date of application of this Regulation], the Commission shall establish, by means of an implementing act pursuant to-referred to in Article 24(2)21, the form to be used to provide the type-of information required underreferred to in paragraph 1 of this Article. Where necessary, the Commission may amend that implementing act.</i>		<i>to Article 21, to be adopted prior to the date of application of this Regulation referred to in Article 24(2), the form to be used to provide the type-of information required underreferred to in paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 29(2).</i> Text Origin: Council Mandate		<i>to Article 21, to be adopted prior to the date of application of this Regulation referred to in Article 24(2), the form to be used to provide the type-of information required underreferred to in paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 22(2).</i>
Article 10(3)										
202		3. Where the Commission or Member States request additional information pursuant to Article 8(1) or Article 9(5) from the Member State where the foreign investment is planned or has been completed, that Member State shall endeavour to provide such information, if available, to the requesting Member States and the Commission.		<i>deleted</i>		<i>3. Where the Commission or Member States request additional information pursuant to Article 8(1) or Article 9(5) from the Member State where the foreign investment is planned or has been completed, that Member State shall endeavour to provide such information, if available, to the requesting Member States and the Commission.</i>		<i>3. Where the Commission or Member States request additional information pursuant to Article 8(1) or Article 9(5) from the Member State where the foreign investment is planned or has been completed, that Member State shall endeavour to provide such information, if available, to the requesting Member States and the Commission.</i> Text Origin: Commission Proposal		<i>3. Where the Commission or Member States request additional information pursuant to Article 8(1) or Article 9(5) from the Member State where the foreign investment is planned or has been completed, that Member State shall endeavour to provide such information, if available, to the requesting Member States and the Commission.</i>
Article 10(4)										

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
203		4. Where necessary, the Member State where the foreign investment is planned or has been completed may request the applicant requesting an authorisation or any other relevant undertaking to provide the information referred to in paragraphs 1 and 3. The request for information may concern information necessary for the Member State to determine if any of the conditions set out in Article 5(1) are met. The undertaking concerned shall provide the requested information to the Member State where the foreign investment is planned or has been completed within 15 calendar days of the request.		4. Where necessary, the host Member State ~~where the foreign investment is planned or has been completed~~ may request the applicant requesting an authorisation or any other relevant undertaking to provide, <i>inter alia</i> , the information referred to in ~~paragraphs 1 and 3~~ paragraph 1 of this Article and Article 8(2) . The request for information may concern information necessary for the Member State to determine if any of the conditions set out in Article 5(1) are met. The undertaking concerned shall provide the requested information to the Member State where the foreign investment is planned or has been completed within 15 calendar days of the request.		4. ~~Where necessary~~ , The host Member State ~~where the foreign investment is planned or has been completed~~ may request the ~~applicant requesting an authorisation~~ foreign investor or any other ~~relevant undertaking~~ natural or legal person either within the chain of control of the foreign investor or within the chain of control of the Union target to provide the information referred to in ~~paragraphs 1 and 3~~ . ~~The request for information may concern information necessary for the Member State to determine if any of the conditions set out in paragraph 1, Article 5(1) are met. The undertaking concerned shall provide~~ 8(2), 8(2a) and 9(4) . The requested information shall be provided to the host Member State ~~where the foreign investment is planned or has been completed~~ within 15 calendar days ~~following~~ the request. By way of derogation, that Member State may extend the deadline by a period it		4. ~~Where necessary~~ , The host Member State ~~where the foreign investment is planned or has been completed~~ may request the ~~applicant requesting an authorisation~~ foreign investor or any other ~~relevant undertaking~~ natural or legal person either within the chain of control of the foreign investor or within the chain of control of the Union target to provide the information referred to in ~~paragraphs 1 and 3~~ . ~~The request for information may concern information necessary for the Member State to determine if any of the conditions set out in paragraph 1 of this Article, Article 10(1) and (2), and Article 5(1) are met~~ 13(4) . ~~The undertaking concerned shall provide~~ The requested information shall be provided to the host Member State ~~where the foreign investment is planned or has been completed~~ within 15 calendar days ~~following~~ the request. By way of derogation, that Member State may extend the		4. ~~Where necessary~~ , The host Member State ~~where the foreign investment is planned or has been completed~~ may request the ~~applicant requesting an authorisation~~ foreign investor or any other ~~relevant undertaking~~ natural or legal person either within the chain of control of the foreign investor or within the chain of control of the Union target to provide the information referred to in ~~paragraphs 1 and 3~~ . ~~The request for information may concern information necessary for the Member State to determine if any of the conditions set out in paragraph 1, Article 5(1) are met. The undertaking concerned shall provide~~ 8(2), 8(2a) and 9(4) . The requested information shall be provided to the host Member State ~~where the foreign investment is planned or has been completed~~ within 15 calendar days ~~following~~ the request. By way of derogation, that Member State may extend the deadline by a period it

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>deems appropriate in light of the complexity or quantity of the requested information.</i>		<i>deadline by a period it deems appropriate in light of the complexity or quantity of the requested information.</i> Text Origin: Council Mandate		<i>deems appropriate in light of the complexity or quantity of the requested information.</i>
Article 10(5)										
204		5.The Member State where the foreign investment is planned or completed and the Commission may request other Member States to seek information from undertakings in their territory, provided this information is relevant and strictly necessary for assessing a foreign investment pursuant to Article 13. The Member State receiving the request to seek information shall, without delay, request the undertaking to provide that information and shall notify it to the Member State where the foreign investment is planned or completed and the Commission, in accordance with the procedure set out in Articles 8(2) and 9(6) as applicable.		5.The <i>host</i> Member State ~~where the foreign investment is planned or completed~~ and the Commission may request other Member States to seek information from undertakings in their territory, provided this information is relevant and strictly necessary for assessing a foreign investment pursuant to Article 13. The Member State receiving the request to seek information shall, without delay, request the undertaking to provide that information and shall notify it to the <i>host</i> Member State ~~where the foreign investment is planned or completed~~ and the Commission, in accordance with the procedure set out in <i>Articles 8(2) and Article 8(5) and Article 9(6)</i> as applicable.		5.The <i>host</i> Member State ~~where the foreign investment is planned or completed~~ and the Commission may request other Member States to ~~seek~~ <i>gather</i> information from ~~undertakings in a natural or legal person within~~ their territory, provided ~~this~~ <i>that</i> information is relevant and strictly necessary for assessing a foreign investment pursuant to Article 13 <i>and the information request is duly justified</i> . The Member State receiving the request ~~to seek~~ <i>for</i> information shall ~~endeavour~~ , without delay, ~~request the undertaking to provide that information and shall notify if available or as soon as the information has been made available to it to both the host~~ <i>the</i> Member State ~~where the foreign investment is planned or~~		~~5.The Member State where the foreign investment is planned or completed and the Commission may request other Member States to seek information from undertakings in their territory, provided this information is relevant and strictly necessary for assessing a foreign investment pursuant to Article 13. The Member State receiving the request to seek information shall, without delay, request the undertaking to provide that information and shall notify it to the Member State where the foreign investment is planned or completed and the Commission, in accordance with the procedure set out in Articles 8(2) and 9(6) as applicable.~~ Text Origin: Council		~~5.The Member State where the foreign investment is planned or completed and the Commission may request other Member States to seek information from undertakings in their territory, provided this information is relevant and strictly necessary for assessing a foreign investment pursuant to Article 13. The Member State receiving the request to seek information shall, without delay, request the undertaking to provide that information and shall notify it to the Member State where the foreign investment is planned or completed and the Commission, in accordance with the procedure set out in Articles 8(2) and 9(6) as applicable.~~

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
						<i>completed</i> and the Commission, <i>in accordance with the procedure set out in Articles 8(2) and 9(6) as applicable.</i>	Mandate			
Article 10(6)										
205		6.A Member State shall notify the Commission and the other Member States concerned if, in exceptional circumstances, it is unable, despite its best efforts, to provide the information referred to in paragraphs 3, 4 or 5. That Member State shall duly explain the reasons for not being able to provide the information.		6.A Member State shall notify the Commission and the other Member States concerned if, in exceptional circumstances, it is unable, despite its best efforts, to provide the information referred to in paragraphs ~~3, 4~~ or 5 of this Article, Article 8(2) or Article 9(5). That Member State shall duly explain the reasons for not being able to provide the information.		6.A Member State shall notify the Commission and the other Member States concerned if, in exceptional circumstances, it is unable, despite its best efforts, to provide the information referred to in paragraphs ~~3, 4~~ or 5. <i>That Member State shall duly explain the reasons for not being able to provide the information or 4</i> .		6.A Member State shall notify the Commission and the other Member States concerned if, in exceptional circumstances, it is unable, despite its best efforts, to provide the information referred to in ~~paragraphs 3, 4 or 5.~~ <i>That Member State shall duly explain the reasons for not being able to provide the information paragraph 1 of this article and indicate those circumstances.</i>		6.A Member State shall notify the Commission and the other Member States concerned if, in exceptional circumstances, it is unable, despite its best efforts, to provide the information ~~referred to in paragraphs 3, 4 or 5 requested pursuant to Article 9(4) and indicate those circumstances.~~ <i>That Member State shall duly explain the reasons for not being able to provide the information.</i>
Article 10(7)										
206		7.If no or incomplete information is provided, the comment issued by Member States, or the opinion issued by the Commission may be based on the information available to them.		7.If no or incomplete information is provided, the comment issued by Member States, or the opinion issued by the Commission may be based on the information available to them.		7.If no or incomplete information is provided, the ~~comment~~ comments issued by Member States, or the opinion issued by the Commission may be based on the information available to them.		7.If no or incomplete information is provided, the ~~comment~~ comments issued by Member States, or the opinion issued by the Commission may be based on the information available to them.		7.If no or incomplete information is provided, the ~~comment~~ comments issued by Member States, or the opinion issued by the Commission may be based on the information available to them.

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
							Mandate			
Article 10(8)										
207		8. Where the information referred to in paragraphs 1 to 6 originates from an undertaking, the Member State receiving the information from the undertaking shall check the completeness of the information and shall take reasonable steps to ensure that the information is accurate before providing it to the Commission and other Member States.		8. Where the information referred to in paragraphs 1 to 6 originates from an undertaking, the Member State receiving the information from the undertaking shall check the completeness of the information and shall take reasonable steps to ensure that the information is accurate before providing it to the Commission and other Member States.		~~8. Where the information referred to in paragraphs 1 to 6 originates from an undertaking, the Member State receiving the information from the undertaking shall check the completeness of the information and shall take reasonable steps to ensure that the information is accurate before providing it to the Commission and other Member States.~~		8. Where the information referred to in paragraphs 1 ~~to 6~~ and 4 originates from ~~an undertaking~~ a natural or legal person , the Member State receiving the information ~~from the undertaking~~ shall, where it has reasonable grounds to doubt ~~check~~ the completeness and accuracy of that ~~of the information and shall~~ , take reasonable steps to ensure that the information is complete and accurate before providing it to the Commission and other Member States.		8. Where the information referred to in paragraphs 1 ~~to 6~~ and 4 originates from ~~an undertaking~~ a natural or legal person , the Member State receiving the information ~~from the undertaking~~ shall, where it has reasonable grounds to doubt ~~check~~ the completeness and accuracy of that ~~of the information and shall~~ , take reasonable steps to ensure that the information is complete and accurate before providing it to the Commission and other Member States.
Article 10a										
207a								Article 16 Information-gathering assistance		Article 10a Information-gathering assistance
Article 10a(1)										
207b								1. The host Member State and the Commission may request another Member State to gather information from a natural or legal person residing or		1. The host Member State and the Commission may request another Member State to gather information from a natural or legal person residing or

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
								<i>established in its territory, provided that the natural or legal person is likely to possess the information in question. The Member State receiving the request for information shall endeavour, without delay, to gather that information and provide it to both the host Member State and the Commission.</i>		<i>established in its territory, provided that the natural or legal person is likely to possess the information in question. The Member State receiving the request for information shall endeavour, without delay, to gather that information and provide it to both the host Member State and the Commission.</i>
Article 10a(2)										
G 207c								<i>2. The host Member State may request the Commission to gather information from a natural person residing in another Member State's territory or a legal person established in another Member State's territory, provided that the natural or legal person is likely to possess the information in question. Provided that the Member State in whose territory the natural or legal person resides or is established has been informed by the Commission and does not, within a reasonable time limit, object or offer to provide that information itself, the Commission shall</i>		<i>2. The host Member State may request the Commission to gather information from a natural person residing in another Member State's territory or a legal person established in another Member State's territory, provided that the natural or legal person is likely to possess the information in question. Provided that the Member State in whose territory the natural or legal person resides or is established has been informed by the Commission and does not, within a reasonable time limit, object or offer to provide that information itself, the Commission shall</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>endeavour, without delay, to gather that information and provide it to both the host Member State and the other Member State.</i>		<i>endeavour, without delay, to gather that information and provide it to both the host Member State and the other Member State.</i>
Article 10a(3)										
G		207d						<i>3. The information requested pursuant to paragraph 1 or 2 shall be relevant and strictly necessary for assessing a foreign investment pursuant to Article 19 and the request for information gathering assistance pursuant to paragraph 1 or 2 shall be duly justified.</i>		<i>3. The information requested pursuant to paragraph 1 or 2 shall be relevant and strictly necessary for assessing a foreign investment pursuant to Article 13 and the request for information gathering assistance pursuant to paragraph 1 or 2 shall be duly justified.</i>
Article 10a(4)										
G		207e						<i>4. Where the Commission requests information from a natural or legal person pursuant to paragraph 2, the request by the Commission shall:</i>		<i>4. Where the Commission requests information from a natural or legal person pursuant to paragraph 2, the request by the Commission shall:</i>
Article 10a(4), point (a)										
G		207f						<i>(a) state its legal basis and purpose,</i>		<i>(a) state its legal basis and purpose,</i>
Article 10a(4), point (b)										
G		207g						<i>(b) state which national authority was informed by the Commission,</i>		<i>(b) state which national authority was informed by the Commission,</i>
Article 10a(4), point (c)										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure	
G	207h							<i>(c) specify the requested information, and</i>		<i>(c) specify the requested information, and</i>	G
	Article 10a(4), point (d)										
G	207i							<i>(d) set an appropriate time-limit for providing that information.</i>		<i>(d) set an appropriate time-limit for providing that information.</i>	G
	Article 10a(5)										
G	207j							<i>5. Where, as a result of the application of this article, a natural or legal person receives confidential information from a Member State or the Commission, that person shall not use that information for any other purpose than to reply to the request for information and shall not disclose it.</i>		<i>5. Where, as a result of the application of this article, a natural or legal person receives confidential information from a Member State or the Commission, that person shall not use that information for any other purpose than to reply to the request for information and shall not disclose it.</i>	G
	Article 10a(6)										
G	207k							<i>6. Article 15(6) and (8) shall apply mutatis mutandis.</i>		<i>6. Article 10(6) and (8) shall apply mutatis mutandis.</i>	G
	Article 11										
G	208	Article 11 Common requirements for screening mechanisms to ensure an effective cooperation mechanism		Article 11 Common requirements for screening mechanisms to ensure an effective cooperation mechanism		Article 11 Common requirements for screening mechanisms to ensure an effective cooperation mechanism		<i>Article 11 Common requirements for screening mechanisms to ensure an effective cooperation mechanism</i>		Article 11 Common requirements for screening mechanisms to ensure an effective cooperation mechanism	G
	Article 11a										
	208a										
	Article 11a(-1)										

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
208b	4.The Commission shall: Moved reference text			~~4.The Commission shall:~~ Moved from row 152 [152 - 208b] Text Origin: Commission Proposal	
Article 11a(-1), point (a)					
208c	(a) send opinions meeting the conditions set out in points (a) and (c) of paragraph 2 to all Member States that provided comments and notify the other Member States that an opinion was issued via the secure and encrypted system referred to in Article 12(4); Moved reference text			~~(a) send opinions meeting the conditions set out in points (a) and (c) of paragraph 2 to all Member States that provided comments and notify the other Member States that an opinion was issued via the secure and encrypted system referred to in Article 12(4);~~ Moved from row 153 [153 - 208c] Text Origin: Council Mandate	
Article 11a(-1), point (b)					
208d	(b) send opinions meeting the conditions set out in point (b) of paragraph 2 and opinions meeting the conditions in paragraph 3 to all Member States via the secure and encrypted system referred to in Article 12(4). Moved reference text			~~(b) send opinions meeting the conditions set out in point (b) of paragraph 2 and opinions meeting the conditions in paragraph 3 to all Member States via the secure and encrypted system referred to in Article 12(4).~~ Moved from row 154 [154 - 208d]	

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
							Text Origin: Council Mandate			
Article 11a(1)										
209		1.Member States shall provide the necessary resources, legal and administrative means for their efficient and effective participation in the cooperation mechanism.		1.Member States shall provide the necessary resources, legal and administrative means ~~for to~~ carry out, in an effective and efficient manner, the tasks assigned to them to fulfil the objectives of this Regulation, including their efficient and effective participation in the cooperation mechanism.		1.Member States and the Commission shall provide the necessary resources, and legal and administrative means for their efficient and effective participation in the cooperation mechanism.		Moved to row 192y [209 - 192y]		1.Member States and the Commission shall provide the necessary resources, and legal and administrative means ~~for to~~ efficiently and effectively meet the objectives of this Regulation including as regards their ~~efficient and effective~~ participation in the cooperation mechanism.
Article 11a(2)										
210		2.Each Member State and the Commission shall designate a contact point for the purposes of the cooperation mechanism.		2.Each Member State and the Commission shall designate a contact point for the purposes of the cooperation mechanism.		2.Each Member State and the Commission shall designate a contact point for the purposes of the cooperation mechanism.		Moved to row 192z [210 - 192z]		2.Each Member State and the Commission shall designate a contact point for the purposes of the cooperation mechanism.
Article 11a(3)										
211		3.Member States shall ensure that the deadlines and procedures set out in their screening mechanisms allow them to provide complete answers to requests for additional information by the Commission or other Member States.		3.Member States shall ensure that the deadlines and procedures set out in their screening mechanisms allow them to provide complete answers to requests for additional information by the Commission or other Member States.		3.Member States shall ensure that the deadlines and procedures set out in their screening mechanisms allow them to provide ~~complete~~ answers to requests for additional information by the Commission or other Member States.		Moved to row 192aa [211 - 192aa]		3.Member States shall ensure that the deadlines and procedures set out in their screening mechanisms allow them to provide ~~complete~~ answers to requests for additional information by the Commission or other Member States.
Article 11a(4)										

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
212		4.Member States shall ensure that their screening mechanisms give sufficient time and means to assess and give utmost consideration to other Member States' comments and Commission opinions before a screening decision is taken. This includes having all necessary legal means and powers to consider concerns expressed or likely impacts identified by another Member State or the Commission in its screening decision or in any other relevant instrument at its disposal. Where a foreign investment is notified to the Commission and other Member States pursuant to Article 5, the screening mechanisms shall not allow Member States to take their screening decision until the deadlines for comments by the Member States and Commission opinions set out in Article 8(3) expire.		4.Member States ~~shall ensure that their~~ screening mechanisms shall give sufficient ~~time and~~ means to assess and give utmost consideration to other Member States' comments and Commission opinions before a screening decision is taken. This includes having all necessary legal means and powers to consider concerns expressed or likely impacts identified by another Member State or the Commission in its screening decision or in any other relevant instrument at its disposal. ~~Where a foreign investment is notified to the Commission and other Member States pursuant to Article 5, the screening mechanisms shall not allow Member States to take their screening decision until the deadlines for comments by the Member States and Commission opinions set out in Article 8(3) expire.~~		4.Member States shall ensure that their screening mechanisms give sufficient time and means to assess and give ~~utmost due~~ consideration to other Member States' comments and Commission opinions before a screening decision is taken. This includes having ~~at their disposal, in any relevant instrument, including its screening mechanism, the~~ necessary legal means and powers to consider concerns expressed or likely impacts identified by another Member State or the Commission ~~in its screening decision or in any other relevant instrument at its disposal.~~ Where a foreign investment is notified to the Commission and other Member States pursuant to Article 5, the screening ~~mechanisms~~ mechanism shall not allow ~~Member States~~ a screening authority to take ~~their~~ a screening decision until the expiry of deadlines for comments by the Member States and Commission opinions set out in Article 8(3), except for cases referred to in Article		Moved to row 192ab [212 - 192ab]		4.Member States shall ensure that their screening mechanisms give sufficient time and means to assess and give ~~utmost due~~ consideration to other Member States' comments and Commission opinions before a screening decision is taken. This includes having ~~at their disposal, in any relevant instrument, including its screening mechanism, the~~ necessary legal means and powers to consider concerns expressed or likely impacts identified by another Member State or the Commission ~~in its screening decision or in any other relevant instrument at its disposal.~~ ~~Where a foreign investment is notified to the Commission and other Member States pursuant to Article 5, the screening mechanisms shall not allow Member States to take their screening decision until the deadlines for comments by the Member States and Commission opinions set out in Article 8(3) expire.~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						~~8(8)~~ expire.				
Article 11a(5)										
213		5.Member States shall ensure that their national laws allow compliance with the obligations set out in paragraphs 5 to 9 of Article 7.		5.Member States shall ensure that their national laws allow compliance with the obligations set out in ~~paragraphs 5 to 9~~ of Article 7.		~~5.Member States shall ensure that their national laws allow compliance with the obligations set out in paragraphs 5 to 9 of Article 7.~~				
Article 11a(6)										
214		6.The screening authorities shall be empowered to investigate, assess, decide on and monitor foreign investments brought to their attention pursuant to Article 9(7).		6.The screening authorities shall be empowered to investigate, assess, decide on and monitor foreign investments brought to their attention pursuant to Article 9(7).		~~6.The~~ Without prejudice to Article 4, screening authorities shall be empowered to investigate, assess, decide on and monitor foreign investments brought to their attention pursuant to Article ~~9(7)~~ 9(1) or (2).		Moved to row 192ac [214 - 192ac]		~~6.The~~ Screening authorities shall be empowered to investigate, assess, decide on and monitor foreign investments that fall within the scope of their screening mechanisms and are brought to their attention pursuant to Article ~~9(7)~~ 9(1) or (2).
Article 11a(7)										
215		7.Where mitigating measures in a screening decision require compliance by undertakings established in other Member States, the Member States that adopted a screening decision shall cooperate with the other Member State or Member States concerned on the monitoring and enforcement of screening decision. Member States shall ensure		7.Where mitigating measures in a screening decision require compliance by undertakings established in ~~other Member States, the Member States that adopted a screening decision shall cooperate with the~~ more than one Member State, ~~the or~~ Member States concerned shall cooperate with each other on the monitoring and		7.Member States shall ensure that they have the necessary legal means and powers to effectively address within their territory the consequences of non-compliance with the mitigating measures provided for in their screening decision. Where mitigating measures in a screening decision require compliance by undertakings		Moved to row 192ad [215 - 192ad]		7.Member States shall ensure that they have the necessary legal means and powers to effectively address within their territory the consequences of non-compliance with the mitigating measures provided for in their screening decision. Where mitigating measures in a screening decision require compliance by undertakings

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		that they have all necessary legal means and powers to address effectively the consequences of non-compliance with the mitigating measures provided in a screening decision.		enforcement of the screening decision. Member States shall ensure that they have all necessary legal means and powers to address effectively the consequences of non-compliance with the mitigating measures provided in a screening decision of another Member State or of the Commission.		established in other Member States, the Member States that adopted a screening decision ~~shall cooperate with the~~ and other relevant Member States or Member States in which the concerned undertaking is established or to be established, shall endeavor to cooperate with each other to the extent possible in the monitoring and enforcement of ~~screening decision.~~ Member States shall ensure that they have all necessary legal means and powers to address effectively the consequences of non-compliance with the mitigating measures provided in a screening decision, within the framework of their screening mechanisms.				established in other Member States, the Member ~~States~~ State that adopted a screening decision and other relevant Member States shall endeavor to cooperate with ~~the~~ each other ~~Member State or Member States concerned on~~ in the monitoring and enforcement of ~~screening decision.~~ Member States shall ensure that they have all necessary legal means and powers to address effectively the consequences of non-compliance with the mitigating measures provided in a screening decision, in accordance with their national laws.
Article 11(7a)										
G	215a			7a. Where, following the adoption of a screening decision, a host Member State imposes penalties in accordance with Article 4(2), point (ha), it shall notify the Commission and the Member States that provided comments on the						7a. Where, following the adoption of a screening decision, a host Member State imposes penalties in accordance with Article 4(2), point (ha), it shall, where appropriate, notify the Commission and the Member States that

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>transaction within a reasonable timeframe.</i>						<i>provided comments on the transaction within a reasonable timeframe.</i>
Article 12										
216		Article 12 Confidentiality of information exchanges in the cooperation mechanism		Article 12 Confidentiality of information exchanges in the cooperation mechanism		Article 12 Confidentiality of information exchanges in the cooperation mechanism		Article ~~12~~ 17 Confidentiality of information exchanges in the cooperation mechanism Text Origin: Commission Proposal		Article 12 Confidentiality of information exchanges in the cooperation mechanism
Article 12(1)										
217		1.Information received in accordance with the procedures set out in Articles 5, 7 and 9 shall be used only for the purpose for which it was requested, unless:		1.Information received in accordance with the procedures set out in Articles 5, 7, 9 and 9a and 9 shall be used only for the purpose for which it was requested, unless:		1.Information received ~~in accordance with the procedures set out in Articles 5, 7 and 9~~ as a result of the application of this Regulation shall be used only for the purpose for which it was requested, unless: <i>the originator of the information explicitly agrees to another use.</i>		1.Information received ~~in accordance with the procedures set out in Articles 5, 7 and 9~~ as a result of the application of this Regulation shall be used only for the purpose for which it was requested, unless: <i>the originator of the information explicitly agrees to another use.</i> Text Origin: Council Mandate		1.Information received ~~in accordance with the procedures set out in Articles 5, 7 and 9~~ as a result of the application of this Regulation shall be used only for the purpose for which it was requested, unless: <i>the originator of the information explicitly agrees to another use.</i>
Article 12(1), point (a)										
218		(a) the originator of the information explicitly agrees to another use; or		(a) the originator of the information explicitly agrees to another use; or		(a) ~~the originator of the information explicitly agrees to another use; or~~				
Article 12(1), point (b)										
219		(b) the Court of Justice of the European Union or a court of the Member State		(b) the Court of Justice of the European Union or a court of the host Member		(b) ~~the Court of Justice of the European Union or a court of the Member State~~				

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		where the foreign investment is planned or completed requests such information for the purpose of legal proceedings.		~~State~~ ~~where the foreign investment is planned or completed~~ requests such information for the purpose of legal proceedings.		~~where the foreign investment is planned or completed~~ requests such information for the purpose of legal proceedings.				
Article 12(2)										
220		2.Member States and the Commission shall ensure the confidentiality of the information they provide or receive in application of this Regulation, in accordance with national and Union law. When dealing with requests for access to documents provided or received in application of this Regulation, Member States and the Commission shall refrain from disclosing any information that would undermine the purpose of the investigations conducted pursuant to this Regulation.		2.Member States and the Commission shall ensure the confidentiality of the information they provide or receive in application of this Regulation, in accordance with national and Union law. When dealing with requests for access to documents provided or received in application of this Regulation, Member States and the Commission shall refrain from disclosing any information that would undermine the purpose of the investigations conducted pursuant to this Regulation.		2.Member States and the Commission shall ensure the confidentiality of the information they provide or receive in application of this Regulation, in accordance with national and Union law. When dealing with requests for access to documents provided or received in application of this Regulation, Member States and the Commission shall refrain from disclosing any information that would undermine the purpose of the investigations conducted pursuant to this Regulation.		2.Member States and the Commission shall ensure the confidentiality of the information they provide or receive in application of this Regulation, in accordance with national and Union law. When dealing with requests for access to documents provided or received in application of this Regulation, Member States and the Commission shall refrain from disclosing any information that would undermine the purpose of the investigations conducted pursuant to this Regulation. Text Origin: Commission Proposal		2.Member States and the Commission shall ensure the confidentiality of the information they provide or receive in application of this Regulation, in accordance with national and Union law. When dealing with requests for access to documents provided or received in application of this Regulation, Member States and the Commission shall refrain from disclosing any information that would undermine the purpose of the investigations conducted pursuant to this Regulation.
Article 12(3)										
221		3.Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written		3.Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written		3.Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written		3.Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written		3.Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		consent of the originator.		consent of the originator.		consent of the originator.		consent of the originator. Text Origin: Commission Proposal		consent of the originator.
Article 12(4)										
G	222	4.The Commission shall provide a secure and encrypted system to support the exchange of information between the contact points.		<i>deleted</i>		4.The Commission shall provide a secure and encrypted system to support the exchange of information between the contact points <i>referred to in Article 11(2). All substantive communication between the Member States and the Commission pursuant to this Regulation shall be transmitted via that secure and encrypted system.</i>				
Article 12a										
G	222a			<i>Article 12a Secure and encrypted system and single portal</i>				<i>Article 18 Secure and encrypted system, database and online EU portal</i> Text Origin: EP Mandate		<i>Article 12a Secure and encrypted system, database and online EU portal</i>
Article 12a(1)										
G	222b			<i>1.The Commission shall establish and maintain a secure and encrypted system to facilitate the exchange of information between the contact points. All communications between Member States, as well as</i>				<i>1.By [12 months from the date of entry into force of this Regulation], the Commission shall establish and subsequently maintain a secure and encrypted system to facilitate the exchange of information</i>		<i>1.By [12 months from the date of entry into force of this Regulation], the Commission shall establish and subsequently maintain a secure and encrypted system to facilitate the exchange of information</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>between Member States and the Commission under this Regulation, including notifications pursuant to Article 5 and comments and opinions pursuant to Article 7, shall be transmitted exclusively through that secure and encrypted system.</i>				<i>between the contact points. All substantive communications between Member States, as well as between Member States and the Commission under this Regulation, shall be transmitted through that secure and encrypted system, unless the nature of the information requires different means, such as physical documents.</i> Text Origin: EP Mandate		<i>between the contact points. All substantive communications between Member States, as well as between Member States and the Commission under this Regulation, shall be transmitted through that secure and encrypted system, unless the nature of the information requires different means, such as physical documents.</i>
Article 12a(2)										
222c				<i>2.As part of the secure and encrypted system, the Commission shall establish an online single portal for the electronic filing of foreign investments with screening authorities. That single portal shall be operational no later than ... [six months before the date of application of this Regulation]. It shall serve as the entry point for the screening of foreign investments. Member States shall use the single portal to receive filings and for other communications with applicants.</i>				<i>2.As part of the secure and encrypted system, and at the request of at least nine Member States, the Commission shall establish an online EU portal for the electronic filing of foreign investments with screening authorities and for communications between natural or legal persons making a filing and those authorities. That portal shall be operational no later than twelve months after the request referred to in the first sentence.</i>		<i>2.As part of the secure and encrypted system, and at the request of at least nine Member States, the Commission shall establish an online EU portal for the electronic filing of foreign investments with screening authorities and for communications between natural or legal persons making a filing and those authorities. That portal shall be operational no later than twelve months after the request referred to in the first sentence.</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
Article 12a(3)										
222d				<i>3.Applicants and their legal representatives shall submit filings through an online form available on the single portal established pursuant to paragraph 2 of this Article. The form shall include the information required under Article 10(1).</i>				<i>3. The online EU portal as referred to in paragraph 2 of this Article shall apply in respect to any foreign investment in a Member State that requested its establishment pursuant to paragraph 2 of this Article. It shall also apply in respect of foreign investments in a Member State which, after the establishment of that portal, so requests. The online EU portal shall no longer apply in a given Member State where it so requests. The Commission shall publish and keep updated a list of Member States using the online EU portal.</i>		<i>3. The online EU portal as referred to in paragraph 2 of this Article shall apply in respect to any foreign investment in a Member State that requested its establishment pursuant to paragraph 2 of this Article. It shall also apply in respect of foreign investments in a Member State which, after the establishment of that portal, so requests. The online EU portal shall no longer apply in a given Member State where it so requests. The Commission shall publish and keep updated a list of Member States using the online EU portal.</i>
Article 12a(4)										
222e				<i>4. When submitting a filing, applicants shall select the Member States to which the filing is to be transmitted. Subsequent communications between the recipient Member State and the applicants shall be conducted through the single portal until the request for authorisation is finalised.</i>				<i>4. Filings of foreign investments in the Member States referred to in paragraph 3 of this Article shall only be submitted through an online form available on the online EU portal as referred to in paragraph 2 of this Article. That form shall include the information required under Article 15(1).</i>		<i>4. Filings of foreign investments in the Member States referred to in paragraph 3 of this Article shall only be submitted through an online form available on the online EU portal as referred to in paragraph 2 of this Article. That form shall include the information required under Article 10(1).</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
Article 12a(5)										
G	222f			<i>5.All information transmitted through the single portal shall be made available only to the designated recipient.</i>						G
Article 12a(5)										
G	222g			<i>6.By ... [six months before the date of application of this Regulation], the Commission shall, by means of implementing acts pursuant to Article 21, adopt measures setting out the modalities for the functioning of the single portal and the secure and encrypted system provided for in this Article.</i>				<i>5.By no later than 12 months from the request referred to in paragraph 2 of this Article, the Commission shall set out, by means of implementing acts, the arrangements for the functioning of the online EU portal described in this Article. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 29(2).</i>	<i>5.By no later than 12 months from the request referred to in paragraph 2 of this Article, the Commission shall set out, by means of implementing acts, the arrangements for the functioning of the online EU portal described in this Article. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 22(2).</i>	G
Article 12a(6)										
G	222h			<i>7.As part of the secure and encrypted system, the Commission shall set up a secure database, to be made available to all Member States, with information exchanged on the foreign investments assessed by the cooperation mechanism, including the parties involved, the comments and opinions issued and the</i>				<i>6.The Commission shall set up a secure database available to all Member States with information on the foreign investments notified to the cooperation mechanism and the outcome of the assessments under screening mechanisms.</i>	<i>6.The Commission shall set up a secure database available to all Member States with information on the foreign investments notified to the cooperation mechanism and the outcome of the assessments under screening mechanisms.</i>	G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>outcome of the assessments under the national screening mechanisms, including information about the relevant screening decisions. The Commission shall set up that secure database no later than ... [six months from the date of entry into force of this Regulation] and upload to that database the information it has at its disposal since 12 October 2020. By ... [the date of application of this Regulation] Member States shall upload to that database the information at their disposal about the outcome of the relevant procedure under their own screening mechanisms. The Member States and the Commission may also provide additional information or explanations, including relevant business intelligence they have procured and verified from commercial vendors.</i>						
		Article 12a(7), first subparagraph								
G	222i							7.After completion of the national procedure,		7.After completion of the national procedure,

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>Member States shall upload to the database the following information:</i>		<i>Member States shall upload to the database the following information:</i>
		Article 12a(7), first subparagraph, point (a)								
G		222j						<i>(a) name, address or registered office and, where applicable, national registration number of the foreign investor and, where applicable, of the foreign investor's subsidiary in the Union;</i>		<i>(a) name, address or registered office and, where applicable, national registration number of the foreign investor and, where applicable, of the foreign investor's subsidiary in the Union;</i>
		Article 12a(7), first subparagraph, point (b)								
G		222k						<i>(b) name, registered office and national registration number of the Union target;</i>		<i>(b) name, registered office and national registration number of the Union target;</i>
		Article 12a(7), first subparagraph, point (c)								
G		222l						<i>(c) name, registered office and national registration number of companies affiliated with the Union target;</i>		<i>(c) name, registered office and national registration number of companies affiliated with the Union target;</i>
		Article 12a(7), first subparagraph, point (d)								
G		222m						<i>(d) outcome of the national procedure according to the following categories:</i>		<i>(d) outcome of the national procedure according to the following categories:</i>
		Article 12a(7), first subparagraph, point (d)(i)								
G		222n						<i>(i) not subject to national screening mechanism (non-eligible);</i>		<i>(i) not subject to national screening mechanism (non-eligible);</i>
		Article 12a(7), first subparagraph, point (d)(ii)								

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure	
G		222o						<i>(ii) authorisation without condition,</i>		<i>(ii) authorisation without condition,</i>	G
	Article 12a(7), first subparagraph, point (d)(iii)										
G		222p						<i>(iii) authorisation subject to mitigating measures;</i>		<i>(iii) authorisation subject to mitigating measures;</i>	G
	Article 12a(7), first subparagraph, point (d)(iv)										
G		222q						<i>(iv) prohibition,</i>		<i>(iv) prohibition,</i>	G
	Article 12a(7), first subparagraph, point (d)(v)										
G		222r						<i>(v) withdrawal of a filing,</i>		<i>(v) withdrawal of a filing,</i>	G
	Article 12a(7), first subparagraph, point (d)(vi)										
G		222s						<i>(vi) other;</i>		<i>(vi) other;</i>	G
	Article 12a(7), first subparagraph, point (e)										
G		222t						<i>(e) the Member States that have issued comments and whether the Commission issued an opinion.</i>		<i>(e) the Member States that have issued comments and whether the Commission issued an opinion.</i>	G
	Article 12a(7), second subparagraph										
G		222u						<i>Points (a) to (c) only apply where this information has not been previously provided pursuant to Article 15 (1) or where it has changed since the notification.</i>		<i>Points (a) to (c) only apply where this information has not been previously provided pursuant to Article 10 (1) or where it has changed since the notification.</i>	G
	Article 12a(8)										
G		222v						<i>7a. Member States may upload to the database relevant information on cases where mitigating measures were significantly</i>		<i>7a. Member States may upload to the database relevant information on cases where mitigating measures were significantly</i>	G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>or repeatedly not complied with.</i>		<i>or repeatedly not complied with.</i>
Article 12a(9)										
G		222w						<i>8.By ... [18 months from the date of entry into force of this Regulation] the Commission shall provide, by means of an implementing act, technical guidance to Member States concerning the implementation of paragraphs 7 and 9 of this Article. That implementing act shall be adopted in accordance with the procedure referred to in Article 29(2).</i>		<i>8.By ... [18 months from the date of entry into force of this Regulation] the Commission shall provide, by means of an implementing act, technical guidance to Member States concerning the implementation of paragraphs 7 and 9 of this Article. That implementing act shall be adopted in accordance with the procedure referred to in Article 22(2).</i>
Article 12a(10)										
G		222x						<i>9.The Commission shall set up that secure database no later than ... [12 months from the date of entry into force of this Regulation]. The Commission shall upload to the database the information it has at its disposal since 12 October 2020 based on the notifications sent by Member States that screened foreign investments pursuant to Regulation 2019/452.</i>		<i>9.The Commission shall set up that secure database no later than ... [12 months from the date of entry into force of this Regulation]. The Commission shall upload to the database the information it has at its disposal since 12 October 2020 based on the notifications sent by Member States that screened foreign investments pursuant to Regulation 2019/452.</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
Article 12a(11)										
222y								<i>10. By ...[OJ: please insert the date of application of this Regulation] Member States shall upload to that database the information at their disposal about the outcome of their screening mechanisms under that Regulation. The Member States and the Commission may also provide additional information or explanations, including, where applicable, relevant business intelligence they have procured and verified from commercial vendors.</i>		<i>10. By ...[OJ: please insert the date of application of this Regulation] Member States shall upload to that database the information at their disposal about the outcome of their screening mechanisms under that Regulation. The Member States and the Commission may also provide additional information or explanations, including, where applicable, relevant business intelligence they have procured and verified from commercial vendors.</i>
Article 12a(12)										
222z								<i>11. The Commission shall set out, by means of implementing acts, the arrangements for the functioning of the secure and encrypted system referred to in paragraph 1 and the database referred to in paragraph 6. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 29(2). The first of those implementing acts shall be adopted by [12 months from the date of</i>		<i>11. The Commission shall set out, by means of implementing acts, the arrangements for the functioning of the secure and encrypted system referred to in paragraph 1 and the database referred to in paragraph 6. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 22(2). The first of those implementing acts shall be adopted by [12 months from the date of</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>entry into force of this Regulation].</i>		<i>entry into force of this Regulation].</i>
Article 12b										
G	222aa			<i>Article 12b Business intelligence capability</i>						
Article 12b, first paragraph										
G	222ab			<i>The Commission shall develop a business intelligence capability to support the Member States' screening authorities in identifying potential risks to security and public order related to foreign investments, develop coordinated risk assessments and, in consultation with the Commission expert group on the screening of foreign investments, support a Union FDI capacity-building programme to identify and promote best practices and lessons learned, and offer common training programmes for officials of the Member States.</i>						
CHAPTER 4										
G	223	CHAPTER 4 FOREIGN INVESTMENTS		CHAPTER 4 FOREIGN INVESTMENTS		CHAPTER 4 FOREIGN		CHAPTER 4 FOREIGN INVESTMENTS		CHAPTER 4 FOREIGN INVESTMENTS

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	LIKELY TO NEGATIVELY AFFECT SECURITY OR PUBLIC ORDER	LIKELY TO NEGATIVELY AFFECT SECURITY OR PUBLIC ORDER	INVESTMENTS LIKELY TO NEGATIVELY AFFECT SECURITY OR PUBLIC ORDER	LIKELY TO NEGATIVELY AFFECT SECURITY OR PUBLIC ORDER Text Origin: Commission Proposal	LIKELY TO NEGATIVELY AFFECT SECURITY OR PUBLIC ORDER
Article 13					
224	Article 13 Determination of likely negative impact on security and public order	Article 13 Determination of likely negative impact on security and public order	Article 13 Determination of likely negative impact on security and public order	Article 13 Determination of likely negative impact on security and public order Text Origin: Commission Proposal	Article 13 Determination of likely negative impact on security and public order
Article 13(1)					
225	1.Member States shall determine, for the purposes of taking a screening decision pursuant to Article 14 or issuing a duly motivated comment pursuant to Article 7(1) or Article 9(7), whether a foreign investment is likely to negatively affect security or public order.	1.Member States shall determine, for the purposes of taking a screening decision pursuant to Article 14 or issuing a duly motivated comment pursuant to Article 7(1) or Article 9(7), whether a foreign investment is likely to negatively affect security or public order.	~~1.Member States shall determine, for the purposes of taking a screening decision pursuant to Article 14 or issuing a duly motivated comment pursuant to Article 7(1) or Article 9(7).~~ When determining whether a foreign investment is likely to negatively affect security or public order-, for the purposes of taking a screening decision, or issuing a comment or an opinion, the Member States and the Commission shall in particular consider its potential effects on, inter	~~1.Member States shall determine, for the purposes of taking a screening decision pursuant to Article 14 or issuing a duly motivated comment pursuant to Article 7(1) or Article 9(7).~~ When determining whether a foreign investment is likely to negatively affect security or public order-, for the purposes of taking a screening decision, or issuing comments or an opinion, the Member States and the Commission shall in particular consider its potential effects on: Text Origin: Council	~~1.Member States shall determine, for the purposes of taking a screening decision pursuant to Article 14 or issuing a duly motivated comment pursuant to Article 7(1) or Article 9(7).~~ When determining whether a foreign investment is likely to negatively affect security or public order-, for the purposes of taking a screening decision, or issuing comments or an opinion, the Member States and the Commission shall in particular consider its potential effects on:

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
					<i>alia:</i>		Mandate			
Article 13(1a)										
G	225a					<i>(a) the availability, including outside the Union as a result of the foreign investment, of technologies covered by the critical technology areas listed in Annex II;</i>		<i>(a) the availability, including outside the Union as a result of the foreign investment, of critical technologies, in particular those listed in Annex III, and the protection and availability of intellectual property or other intangible assets;</i>		<i>(a) the availability, including outside the Union as a result of the foreign investment, of critical technologies, in particular those listed in Annex III, and the protection and availability of intellectual property or other intangible assets;</i>
Article 13(1b)										
G	225b					<i>(b) a project or programme of Union interest listed in Annex I;</i>		<i>(b) a project or programme of Union interest listed in Annex [IV];</i> Text Origin: Council Mandate		<i>(b) a project or programme of Union interest listed in Annex [IV];</i>
Article 13(1c)										
G	225c					<i>(c) the security, integrity, resilience and functioning of a critical entity within the meaning of Article 2(1) of Directive (EU) 2022/2557;</i>		<i>(c) the security, integrity, resilience and functioning of a critical entity or critical infrastructure within the meaning of Article 2 of Directive (EU) 2022/2557, including the land and property necessary for the operation of such infrastructure, as well as those of entities falling within the scope of Directive (EU) 2022/2555, taking into account the</i>		<i>(c) the security, integrity, resilience and functioning of a critical entity or critical infrastructure within the meaning of Article 2 of Directive (EU) 2022/2557, including the land and property necessary for the operation of such infrastructure, as well as those of entities falling within the scope of Directive (EU) 2022/2555, taking into account the</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
								<i>relevant Union-level coordinated security risk assessments carried out in accordance with Article 22 of Directive 2022/2555;</i> Text Origin: Council Mandate		<i>relevant Union-level coordinated security risk assessments carried out in accordance with Article 22 of Directive 2022/2555;</i>
Article 13(1d)										
G	225d					<i>(d) the continuity of supply of critical inputs;</i>		<i>(d) the continuity of supply of critical inputs, including services;</i>		<i>(d) the continuity of supply of critical inputs, including services;</i>
Article 13(1e)										
G	225e					<i>(e) the protection of sensitive information, including personal data, in particular with regard to the ability of the foreign investor to access, control, and otherwise process such personal data;</i>		<i>(e) the protection of sensitive information, including personal data as defined in Article 4, point (1), of Regulation (EU) 2016/679^{1a}, in particular with regard to the ability of the foreign investor to access, control, and otherwise process such information;</i> 1a. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1–88, ELI: http://data.europa.eu/eli/reg/2016/		<i>(e) the protection of sensitive information, including personal data as defined in Article 4, point (1), of Regulation (EU) 2016/679^{1a}, in particular with regard to the ability of the foreign investor to access, control, and otherwise process such information;</i> 1a. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1–88, ELI: http://data.europa.eu/eli/reg/2016/

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
							679/oj).		679/oj).	
Article 13(1f)										
G	225f					<i>(f) the freedom and pluralism of the media, including online platforms that can be used for large scale disinformation or criminal activities;</i>		<i>(f) the freedom and pluralism of the media, including online and social media platforms that can be used for large scale disinformation or criminal activities, as well as the protection of electoral processes;</i> Text Origin: Council Mandate		<i>(f) the freedom and pluralism of the media, including online and social media platforms that can be used for large scale disinformation or criminal activities, as well as the protection of electoral processes;</i>
Article 13(1g)										
G	225g					<i>(g) the protection of public health;</i>		<i>(g) the protection of public health, including the provision and availability of the critical medicines listed in Annex II;</i> Text Origin: Council Mandate		<i>(g) the protection of public health, including the provision and availability of the critical medicines listed in Annex II;</i>
Article 13(1h)										
G	225h					<i>(h) critical transport infrastructure;</i>				
Article 13(1h)										
G	225i					<i>(i) protection of food security.</i>		<i>(i) the protection of food security, including farming when the Union target possesses or operates more than 10,000 hectares of farmland.</i>		<i>(i) the protection of food security, including farming when the Union target possesses or operates more than 10,000 hectares of farmland.</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
							Text Origin: Council Mandate			
Article 13(2)										
226		2.The Commission shall determine, for the purpose of issuing a duly motivated opinion pursuant to Article 7(2) or (3) or Article 9(7), whether it considers a foreign investment to be likely to negatively affect security or public order.		2.The Commission shall determine, for the purpose of issuing a duly motivated opinion pursuant to Article 7(2) or (3) or Article 9(7), or a decision pursuant to Article 7(9b) or (9c) , whether it considers a foreign investment to be likely to negatively affect security or public order.		~~2.The Commission shall determine, for the purpose of issuing a duly motivated opinion pursuant to Article 7(2) or (3) or Article 9(7), whether it considers a foreign investment to be likely to negatively affect security or public order.~~				deleted
Article 13(3)										
227		3.When determining whether an investment is likely to negatively affect security or public order, the Member States or the Commission shall in particular consider whether the investment concerned is likely to negatively affect:		3.When determining whether ~~an~~ foreign investment is likely to negatively affect security or public order, the Member States or the Commission shall in particular consider whether the investment concerned is likely to negatively affect:		~~3.When determining whether an investment is likely to negatively affect security or public order, the Member States or the Commission shall in particular consider whether the investment concerned is likely to negatively affect:~~				
Article 13(3), point (a)										
228		(a) the security, integrity and functioning of critical infrastructure, whether physical or virtual; in that context, based on the information available, it shall also be assessed whether the foreign investment is likely to		(a) the security, integrity ~~and~~ , functioning and resilience of critical infrastructure, including the land and property critical to the use of such of critical infrastructure, whether physical or virtual; in that context, based on the		~~(a) the security, integrity and functioning of critical infrastructure, whether physical or virtual; in that context, based on the information available, it shall also be assessed whether the foreign investment is likely to~~				

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement-new structure	vs.EC Draft Agreement-old structure
	negatively affect the resilience of any of the critical entities they have identified under Directive (EU) 2022/2557 of the European Parliament and of the Council¹ as well as entities in scope of Directive (EU) 2022/2555 of the European Parliament and of the Council². The results of the Union level coordinated security risk assessments of critical supply chains carried out in accordance with Article 22(1) of Directive (EU) 2022/2555 shall also be taken into account. ; ¹. Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC (OJ L 333, 27.12.2022, p. 164–198, ELI: http://data.europa.eu/eli/dir/2022/2557/oj). ². Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (OJ L 333, 27.12.2022, p. 80–152, ELI: http://data.europa.eu/eli/dir/2022/2555/oj).	information available, it shall also be assessed whether the foreign investment is likely to negatively affect the resilience of any of the critical entities they have identified under Directive (EU) 2022/2557 of the European Parliament and of the Council¹ as well as entities in scope of Directive (EU) 2022/2555 of the European Parliament and of the Council². The results of the Union level coordinated security risk assessments, including those concerning of critical supply chains carried out in accordance with Article 22(1) of Directive (EU) 2022/2555 shall ~~also~~ be taken into account-, covering both technical and non-technical risk factors; ¹. Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC (OJ L 333, 27.12.2022, p. 164–198, ELI: http://data.europa.eu/eli/dir/2022/2557/oj). ². Directive (EU) 2022/2555 of the European Parliament and of the	~~negatively affect the resilience of any of the critical entities they have identified under Directive (EU) 2022/2557 of the European Parliament and of the Council¹ as well as entities in scope of Directive (EU) 2022/2555 of the European Parliament and of the Council². The results of the Union level coordinated security risk assessments of critical supply chains carried out in accordance with Article 22(1) of Directive (EU) 2022/2555 shall also be taken into account.;~~ ~~¹. Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC (OJ L 333, 27.12.2022, p. 164–198, ELI: http://data.europa.eu/eli/dir/2022/2557/oj).~~ ~~². Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (OJ L 333, 27.12.2022, p. 80–152, ELI: http://data.europa.eu/eli/dir/2022/2555/oj).~~		

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (OJ L 333, 27.12.2022, p. 80–152, ELI: http://data.europa.eu/eli/dir/2022/2555/oj).	~~555/oj~~					
		Article 13(3), point (aa)								
G	228a			<i>(aa) the security of military facilities and other sensitive public facilities in the immediate geographical proximity of the Union target;</i>				<i>(j) the security of military facilities and other sensitive public facilities in the immediate geographical proximity of the Union target;</i> Text Origin: EP Mandate		<i>(j) the security of military facilities and other sensitive public facilities in the immediate geographical proximity of the Union target;</i>
		Article 13(3), point (ab)								
G	228b			<i>(ab) the security, integrity, functioning, operational stability and resilience of the internal market;</i>						
		Article 13(3), point (b)								
G	229	(b) the availability of critical technologies;		(b) the availability <i>and uptake</i> of critical technologies, <i>technology security and technology leakage</i> ;		(b) ~~the availability of critical technologies~~ ;				
		Article 13(3), point (c)								
G	230	(c) the continuity of supply of critical inputs;		(c) the ~~continuity~~ <i>security and resilience</i> of supply ~~of chains for~~ critical inputs;		(c) ~~the continuity of supply of critical inputs~~ ;		Text Origin: Commission Proposal		

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
	Article 13(3), point (ca)									
G	230a			<i>(ca) food security;</i>		<i>(ca)</i>				G
	Article 13(3), point (cb)									
G	230b			<i>(cb) the capacity to avoid and address strategic dependencies;</i>						G
	Article 13(3), point (cc)									
G	230c			<i>(cc) the protection of the financial and economic stability of the Union;</i>						G
	Article 13(3), point (ca)									
G	230d			<i>(cd) the provision of essential services and services of general interest;</i>						G
	Article 13(3), point (d)									
G	231	(d) the protection of sensitive information, including personal data, in particular with regard to the ability of the foreign investor to access, control, and otherwise process such personal data, or		(d) the protection of sensitive information, including personal data as defined in Article 4, point (1), of Regulation (EU) 2016/679^{1a} , in particular with regard to the ability of the foreign investor to access, control, and otherwise process such ~~personal data,~~ ~~or information;~~		(d) ~~the protection of sensitive information, including personal data, in particular with regard to the ability of the foreign investor to access, control, and otherwise process such personal data, or~~		Text Origin: EP Mandate		G
				<i>1a. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of</i>						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1–88, ELI: http://data.europa.eu/eli/reg/2016/679/oj).</i>						
Article 13(3), point (da)										
G		231a		<i>(da) the protection of intellectual property, knowledge or other intangible assets;</i>						
Article 13(3), point (e)										
G		232	(e) the freedom and pluralism of the media, including online platforms that can be used for large scale disinformation or criminal activities.	(e) the freedom and pluralism of the media, including online and social media platforms that can be used for large scale disinformation or criminal activities-, fundamental rights, civic discourse and electoral processes, as well as the neutrality, objectivity and pluralism of education; or		<i>(e) ~~the freedom and pluralism of the media, including online platforms that can be used for large scale disinformation or criminal activities.~~</i>				
Article 13(3), point (ea)										
G		232a		<i>(ea) the likelihood of economic coercion by a third country falling within the scope of Article 2 of Regulation (EU) 2023/2675^{1a}.</i> <i>1a. Regulation (EU) 2023/2675 of</i>						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>the European Parliament and of the Council of 22 November 2023 on the protection of the Union and its Member States from economic coercion by third countries (OJ L, 2023/2675, 7.12.2023, ELI: http://data.europa.eu/eli/reg/2023/2675/oj).</i>						
Article 13(4)										
233		4. When determining whether an investment is likely to negatively affect security or public order, the Member States or the Commission shall also take into account information related to the foreign investor, including:		4. When determining whether an investment is likely to negatively affect security or public order, the Member States or the Commission shall also take into account information related to the foreign investor, including:		4. When determining whether ~~ana~~ foreign investment is likely to negatively affect security or public order, for the purposes of taking a screening decision, or issuing a comment or an opinion , the Member States ~~and~~ the Commission shall also take into account information related to the foreign investor, including:		4. When determining whether ~~ana~~ foreign investment is likely to negatively affect security or public order, for the purposes of taking a screening decision or issuing comments or an opinion , the Member States ~~and~~ the Commission shall also take into account information related to the foreign investor, including: Text Origin: Council Mandate		4. When determining whether ~~ana~~ foreign investment is likely to negatively affect security or public order, for the purposes of taking a screening decision or issuing comments or an opinion , the Member States ~~and~~ the Commission shall also take into account information related to the foreign investor, including:
Article 13(4), point (-a)										
233a				<i>(-a) whether the foreign investor or the foreign investor's subsidiary in the Union is directly or indirectly controlled by the government, including state bodies, regional or local authorities or armed forces, of a third country, including through ownership structure, significant</i>				<i>(-a) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign</i>		<i>(-a) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>funding, special rights or state-appointed directors or managers, or other features aimed at influencing management decisions, such as golden shares;</i>				<i>investor is likely to: (i) pursue a third country's policy objectives, including by using the investment to coerce a Member State or the Union to prevent or obtain the cessation, modification or adoption of a particular act; (ii) facilitate the development of a third country's military capabilities; or (iii) use the foreign investment to support internal repression in a third country or the commission of serious violations of human rights or international humanitarian law, in particular when the Union target develops or produces items included in Annex I of Regulation (EU) 2021/821 or items included in Annex I of the Directive 2009/43/EC;</i>		<i>investor is likely to: (i) pursue a third country's policy objectives, including by using the investment to coerce a Member State or the Union to prevent or obtain the cessation, modification or adoption of a particular act; (ii) facilitate the development of a third country's military capabilities; or (iii) use the foreign investment to support internal repression in a third country or the commission of serious violations of human rights or international humanitarian law, in particular when the Union target develops or produces items included in Annex I of Regulation (EU) 2021/821 or items included in Annex I of the Directive 2009/43/EC;</i>
	Article 13(4), point (a)									
234		(a) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the		(a) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the		(a) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the		(a) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the		(a) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign investor was involved in a foreign investment previously screened by a Member State and that was not authorised or was only authorised with conditions; to determine this, Member States and the Commission shall rely on information available to them, including the information contained in the secure database set up pursuant to Article 7(10);		subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the– foreign investor was involved in a foreign investment previously screened by a Member State or, where available, by a third country with an established foreign direct investment screening mechanism, with which the Union cooperates in investment screening matters and that was not authorised or was only authorised with conditions; to determine this, Member States and the Commission shall rely on information available to them, including the information contained in the secure database set up pursuant to Article ~~7(10)~~ 12a (106a) ;		subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the– foreign investor ~~was involved in~~ made a foreign investment that was previously screened by a Member State ~~and that was yet~~ not authorised or was only authorised subject to mitigating measures which were not complied with. ~~with conditions~~ ; To determine this, Member States and the Commission shall rely on information available to them, including the information contained in the secure database set up pursuant to ~~Article 7(10)~~ Article 16a (1) ;		subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the– foreign investor ~~was involved in~~ made a foreign investment that was previously screened by a Member State ~~and that was yet~~ not authorised or was only authorised subject to mitigating measures which were significantly or repeatedly not complied with. ~~with conditions~~ ; To determine this, Member States and the Commission shall rely on information available to them, including the information contained in the secure database set up pursuant to ~~Article 7(10)~~ 18 (6) and information provided by the foreign investor on that matter ; Text Origin: Council Mandate		subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the– foreign investor ~~was involved in~~ made a foreign investment that was previously screened by a Member State ~~and that was yet~~ not authorised or was only authorised subject to mitigating measures which were significantly or repeatedly not complied with. ~~with conditions~~ ; To determine this, Member States and the Commission shall rely on information available to them, including the information contained in the secure database set up pursuant to ~~Article 7(10)~~ 12a (6) and information provided by the foreign investor on that matter ;
Article 13(4), point (b)										
235		(b) where applicable, the reasons for subjecting the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the		(b) where applicable, the reasons for subjecting the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the		(b) where applicable, the reasons for subjecting the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the		(b) where applicable, the reasons for subjecting the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the		(b) where applicable, the reasons for subjecting the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign investor to restrictive measures pursuant to Article 215 TFEU;		subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign investor to restrictive measures pursuant to Article 215 TFEU;		subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign investor to restrictive measures adopted pursuant to Article 29 TEU and Article 215 TFEU;		subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign investor to restrictive measures adopted pursuant to Article 29 TEU and Article 215 TFEU;		subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign investor to restrictive measures adopted pursuant to Article 29 TEU and Article 215 TFEU;
							Text Origin: Council Mandate			
Article 13(4), point (c)										
236		(c) whether the foreign investor or any of its subsidiaries has already been involved in activities negatively affecting the security or public order in a Member State;		(c) whether the foreign investor or any of its subsidiaries has already been involved in activities negatively affecting the security or public order in a Member State;		(c) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor , or any of ~~its~~ the subsidiaries of the foreign investor, or any other party owned or controlled by or acting on behalf or at the direction of the foreign investor has already been involved in activities negatively affecting the security or public order in a Member State;		(c) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor , or any of ~~its~~ the subsidiaries of the foreign investor, or any other party owned or controlled by or acting on behalf or at the direction of the foreign investor has already been involved in activities negatively affecting the security or public order in a Member State;		(c) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor , or any of ~~its~~ the subsidiaries of the foreign investor, or any other party owned or controlled by or acting on behalf or at the direction of the foreign investor has already been involved in activities negatively affecting the security or public order in a Member State;
							Text Origin: Council Mandate			
Article 13(4), point (d)										
237		(d) whether the foreign		(d) whether the foreign		(d) whether the foreign		(d) whether the foreign		(d) whether the foreign

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
		investor or any of its subsidiaries has engaged in illegal or criminal activities, including the circumvention of Union restrictive measures pursuant to Article 215 TFEU;		investor or any of its subsidiaries has engaged in illegal or criminal activities, including money laundering and the circumvention of Union restrictive measures pursuant to Article 215 TFEU;		investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor , or any of ~~the~~ subsidiaries of the foreign investor, or any other party owned or controlled by or acting on behalf or at the direction of the foreign investor has engaged in illegal or criminal activities, including the circumvention of Union restrictive measures pursuant to Article 29 TEU and Article 215 TFEU ;		investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor , or any of ~~the~~ subsidiaries of the foreign investor, or any other party owned or controlled by or acting on behalf or at the direction of the foreign investor has engaged in illegal or criminal activities, including the circumvention of Union restrictive measures pursuant to Article 29 TEU and Article 215 TFEU ;		investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor , or any of ~~the~~ subsidiaries of the foreign investor, or any other party owned or controlled by or acting on behalf or at the direction of the foreign investor has engaged in illegal or criminal activities, including the circumvention of Union restrictive measures pursuant to Article 29 TEU and Article 215 TFEU ;
								Text Origin: Council Mandate		
	Article 13(4), point (e)									
238		(e) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign investor is likely to pursue a third country's policy objectives, or facilitate the development of a third		(e) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign investor is likely to pursue a third country's policy objectives, support risks of violations of international		(e) whether the foreign investor, a natural person or entity controlling the foreign investor, the beneficial owner of the foreign investor, any of the subsidiaries of the foreign investor, or any other party owned or controlled by, or acting on behalf or at the direction of the foreign investor is likely to pursue a third country's policy objectives, or to facilitate the development of a third				

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		country's military capabilities.		<i>law by a third country</i> , or facilitate the development of a third country's military capabilities-;		country's military capabilities.				
Article 13(4), point (ea)										
G	238a			<i>(ea) whether the foreign investor is established in a third country subject to Union restrictive measures pursuant to Article 215 TFEU, in a jurisdiction identified as a third country with significant strategic deficiencies in its national AML/CFT regime in accordance with Article 29 of Regulation (EU) 2024/1624 of the European Parliament and of the Council, or in a country pursuing an aggressive civil-military fusion strategy;</i>				<i>(ea) whether the foreign investor is established in a jurisdiction identified as a third country with significant strategic deficiencies in its national AML/CFT regime in accordance with Article 29 of Regulation (EU) 2024/1624 ;</i>		<i>(ea) whether the foreign investor is established in a jurisdiction identified as a third country with significant strategic deficiencies in its national AML/CFT regime in accordance with Article 29 of Regulation (EU) 2024/1624 ;</i>
Article 13(4), point (eb)										
G	238b			<i>(eb) whether the foreign investor or any of its subsidiaries is established in a third country whose legislation permits arbitrary access to company operations or data, including commercially sensitive information, and imposes obligations on</i>				<i>(eb) whether the foreign investor is subject to the legislation of a third country that imposes obligations on natural or legal persons to share information for intelligence purposes without due process or oversight mechanisms.</i>		<i>(eb) whether the foreign investor is subject to the legislation of a third country that imposes obligations on natural or legal persons to share information for intelligence purposes without due process or oversight mechanisms.</i>

	CLEAN	Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement-new structure	vs.EC Draft Agreement-old structure
			<i>companies to share information for intelligence purposes without democratic checks and balances, oversight mechanisms, due process, or the right to appeal to an independent court or tribunal.</i>			
	Article 13(4), point (ec)					
G	238c				<i>(ec) whether the foreign investor has an opaque ownership structure.</i>	<i>(ec) whether the foreign investor has an opaque ownership structure.</i>
	Article 13(4a)					
G	238d		<i>4a. The Commission shall make available a risk evaluation form that may be used by Member States to assess the elements referred to in paragraphs 3 and 4.</i>		<i>4a. The Commission shall make available a risk evaluation form that may be used by Member States to assess the elements referred to in paragraphs 1 and 2.</i> Text Origin: EP Mandate	<i>4a. The Commission shall make available a risk evaluation form that may be used by Member States to assess the elements referred to in paragraphs 3 and 4.</i>
	Article 13(4b)					
G	238e		<i>4b. The Commission may carry out a risk assessment relating to a specific sector, critical technology, foreign investors or Union undertakings to inform screening decisions of the Member States. That risk assessment shall be made available in the secure database set up pursuant to</i>		<i>4b. The Commission may carry out risk assessments relating to specific sectors, critical technologies, foreign investors or Union undertakings. Those risk assessments shall be made available in the secure database set up pursuant to Article 18(6) and may be taken into account by</i>	<i>4b. The Commission may carry out risk assessments relating to specific sectors, critical technologies, foreign investors or Union undertakings. Those risk assessments shall be made available in the secure database set up pursuant to Article 12a(6) and may be taken into account by</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
				<i>Article 12a(6a) and shall be taken into account by Member States when determining whether an investment is likely to negatively affect security or public order.</i>				<i>Member States when determining whether an investment is likely to negatively affect security or public order.</i>		<i>Member States when determining whether an investment is likely to negatively affect security or public order.</i>
Article 14										
239		Article 14 Screening decisions on foreign investments likely to negatively affect security or public order		Article 14 Screening decisions on foreign investments ~~likely to negatively affect security or public order~~		Article 14 Screening decisions on foreign investments likely to negatively affect security or public order		Article ~~14~~ 20 Screening decisions on foreign investments likely to negatively affect security or public order Text Origin: Commission Proposal		Article 14 Screening decisions on foreign investments likely to negatively affect security or public order
Article 14(1), first subparagraph										
240		1. Where, taking into account the criteria laid down in Article 13 and, where applicable, in the light of comments provided by other Member States pursuant to Article 7(1) or Article 9(7), or an opinion provided by the Commission pursuant to Article 7(2) or (3) or Article 9(7), the Member State in which the foreign investment is planned or completed concludes that the foreign investment is likely to negatively affect security or public order in one or more Member States, including		1. Where, taking into account the criteria laid down in Article 13 and, where applicable, in the light of comments provided by other Member States pursuant to Article 7(1) or Article 9(7), or an opinion provided by the Commission pursuant to Article 7(2) or (3) or Article 9(7), and without prejudice to the Commission's power to adopt a decision pursuant to Article 7(9c), the host the Member State ~~in which the foreign investment is planned or completed~~ concludes that the foreign		1. Where, taking into account the criteria laid down in Article 13 as well as any additional information or element it may consider relevant to the foreign investment and, where applicable, in the light of comments ~~provided~~ issued by other Member States pursuant to Article 7(1), 7(2a) or Article 9(7), or an opinion ~~provided~~ issued by the Commission ~~pursuant to Article 7(2) or (3) or Article 9(7), the host~~ Member State ~~in which the foreign investment is planned or~~		1. Where, taking into account the criteria laid down in Article ~~13~~ 19 as well as any additional information or element it may consider relevant to the foreign investment and, where applicable, in the light of comments ~~provided~~ issued by other Member States pursuant to Article ~~7(1), 8(1), 8(2a) or Article 9(7)~~ 13(7), or an opinion ~~provided~~ issued by the Commission ~~pursuant to Article 7(2) or (3) or Article 9(7), the host~~ Member State ~~in which the foreign investment is~~		1. Where, taking into account the criteria laid down in Article 13 as well as any additional information or element it may consider relevant to the foreign investment and, where applicable, in the light of comments ~~provided~~ issued by other Member States pursuant to Article 7(1), 7(2a) or Article 9(7), or an opinion ~~provided~~ issued by the Commission ~~pursuant to Article 7(2) or (3) or Article 9(7), the host~~ Member State ~~in which the foreign investment is planned or~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		where a project or programme of Union interest is concerned, it shall issue a screening decision to:		investment is likely to negatively affect security or public order in one or more Member States, including where a project or programme of Union interest is concerned, it shall issue a screening decision to:		~~completed~~ concludes that the foreign investment is likely to negatively affect security or public order in one or more Member States, ~~including where a project or programme of Union interest is concerned~~ , it shall issue a screening decision to:		~~planned or completed~~ concludes that the foreign investment is likely to negatively affect security or public order in one or more Member States, ~~including where a project or programme of Union interest is concerned~~ , it shall issue a screening decision to:		~~completed~~ concludes that the foreign investment is likely to negatively affect security or public order in one or more Member States, ~~including where a project or programme of Union interest is concerned~~ , it shall issue a screening decision to:
								Text Origin: Council Mandate		
Article 14(1), first subparagraph, point (a)										
G	241	(a) authorise the foreign investment subject to mitigating measures, or		(a) authorise the foreign investment subject to mitigating measures, or		(a) authorise the foreign investment subject to mitigating measures, or		(a) authorise the foreign investment subject to mitigating measures, or		(a) authorise the foreign investment subject to mitigating measures, or
								Text Origin: Commission Proposal		
Article 14(1), first subparagraph, point (b)										
G	242	(b) prohibit the foreign investment.		(b) prohibit the foreign investment.		(b) prohibit or unwind the foreign investment-		(b) prohibit or unwind the foreign investment-		(b) prohibit or unwind the foreign investment-
								Text Origin: Council Mandate		
Article 14(1), second subparagraph										
G	243	The screening decision shall comply with the principle of proportionality and take into consideration all circumstances of the foreign investment.		The screening decision shall comply with the principle of proportionality, be based on documented risks and take into consideration all circumstances of the foreign investment.		The screening decision shall comply with the principle of proportionality and take into consideration all circumstances of the foreign investment.		The screening decision shall comply with the principle of proportionality, rely on a risk-based analysis and take into consideration all circumstances of the foreign investment.		The screening decision shall comply with the principle of proportionality, rely on a risk-based analysis and take into consideration all circumstances of the foreign investment.
Article 14(2)										

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
244		2. Where the Member State where the foreign investment is planned or completed considers that other measures pursuant to Union or national law are available and appropriate to address the foreign investment's effect on security and public order, the foreign investment shall be authorised without conditions.		2. Where the <i>host</i> Member State ~~where~~ concludes that the foreign investment is ~~planned or completed~~ not likely to negatively affect security or public order or considers that other measures pursuant to Union or national law are available and appropriate to effectively address the foreign investment's effect on security and public order, and except in cases where the Commission has taken a decision pursuant to Article 7(9c), the foreign investment shall be authorised without conditions.		~~2. Where~~ The <i>host</i> Member State ~~where the foreign investment is planned or completed~~ considers ~~that~~ shall consider whether other measures pursuant to Union or national law are available and appropriate to address the foreign investment's ~~effect~~ impact on security ~~and/or~~ public order; ~~the foreign investment shall be authorised without conditions.~~		~~2. Where~~ The <i>host</i> Member State ~~where the foreign investment is planned or completed~~ considers ~~that~~ shall consider whether other measures pursuant to Union or national law are available and appropriate to address the foreign investment's ~~effect~~ impact on security ~~and/or~~ public order; ~~the foreign investment shall be authorised without conditions.~~		~~2. Where~~ The <i>host</i> Member State ~~where the foreign investment is planned or completed~~ considers ~~that~~ shall consider whether other measures pursuant to Union or national law are available and appropriate to address the foreign investment's ~~effect~~ impact on security ~~and/or~~ public order; ~~the foreign investment shall be authorised without conditions.~~
Article 14(2a)										
244a						3. The host Member State shall only issue a screening decision to prohibit or unwind the foreign investment where the impact on security or public order could not be adequately addressed through other means.		3. The host Member State shall only issue a screening decision to prohibit or unwind the foreign investment where the impact on security or public order could not be adequately addressed through other means.		3. The host Member State shall only issue a screening decision to prohibit or unwind the foreign investment where the impact on security or public order could not be adequately addressed through other means.
Article 14(2b)										
244b				2a. The mitigating measures referred to in				4. The mitigating measures referred to in paragraph 1,		4. The mitigating measures referred to in paragraph 1,

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>paragraph 1, point (a), shall be sufficient to address the foreign investment's effect on security and public order and shall comply with the principle of proportionality. Those measures may include:</i>				<i>point (a), shall be sufficient to address the foreign investment's effect on security and public order. Those measures may include:</i> Text Origin: EP Mandate		<i>point (a), shall be sufficient to address the foreign investment's effect on security and public order. Those measures may include:</i>
Article 14(2b), point (a)										
G		244c		<i>(a) changes to the proposed governance structure of the target;</i>				<i>(a) changes to the proposed governance structure of the Union target;</i> Text Origin: EP Mandate		<i>(a) changes to the proposed governance structure of the Union target;</i>
Article 14(2b), point (b)										
G		244d		<i>(b) modifications to the voting rights conferred on the investor;</i>				<i>(b) modifications to the voting rights conferred on the foreign investor;</i> Text Origin: EP Mandate		<i>(b) modifications to the voting rights conferred on the foreign investor;</i>
Article 14(2b), point (c)										
G		244e		<i>(c) prevention of unauthorised access to sensitive technologies or information;</i>				<i>(c) conditions on access to sensitive technologies or information;</i> Text Origin: EP Mandate		<i>(c) conditions on access to sensitive technologies or information;</i>
Article 14(2b), point (d)										
G		244f		<i>(d) commitments by the investor to ensure a specific supply and/or supply to a specific client;</i>				<i>(d) commitments to ensure a specific supply and/or supply to a specific client;</i> Text Origin: EP Mandate		<i>(d) commitments to ensure a specific supply and/or supply to a specific client;</i>
Article 14(2a), point (e)										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure	
G		244g		<i>(e) commitments by the investor to maintain or create local added value;</i>							G
	Article 14(2b), point (e)										
G		244h		<i>(f) commitments by the investor to address the risk of dependency, including the transfer of technologies and know-how;</i>			Text Origin: EP Mandate				G
	Article 14(2b), point (f)										
G		244i		<i>(g) measures to ensure the continuation of business activities;</i>			<i>(f) measures to ensure the continuation of business activities;</i> Text Origin: EP Mandate	<i>(f) measures to ensure the continuation of business activities;</i>			G
	Article 14(2b), point (g)										
G		244j		<i>(h) requirements to source critical components from secure and reliable suppliers;</i>			<i>(g) requirements to source critical components from secure and reliable suppliers;</i> Text Origin: EP Mandate	<i>(g) requirements to source critical components from secure and reliable suppliers;</i>			G
	Article 14(2b), point (h)										
G		244k		<i>(i) implementation of cybersecurity protocols to protect against potential threats;</i>			<i>(h) implementation of cybersecurity protocols to protect against potential threats;</i> Text Origin: EP Mandate	<i>(h) implementation of cybersecurity protocols to protect against potential threats;</i>			G
	Article 14(2a), point (j)										
G		244l		<i>(j) the requirement for the foreign investor to establish a joint venture with a Union</i>							G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>undertaking;</i>						
		Article 14(2b), point (i)								
G	244m			<i>(k) an obligation to store and process specific data within the Union.</i>				<i>(i) an obligation to store and process specific data within the Union.</i> Text Origin: EP Mandate		<i>(i) an obligation to store and process specific data within the Union.</i>
		Chapter 4a								
G	244n	CHAPTER 5 FINAL PROVISIONS Moved reference text						CHAPTER 5 FINAL AND TRANSITIONAL PROVISIONS Moved from row 245 [245 - 244n] Text Origin: Commission Proposal		CHAPTER 5 FINAL AND TRANSITIONAL PROVISIONS
		Article 14a								
G	244o			<i>Article 14a Group of experts on the screening of foreign direct investment into the Union</i>				<i>Article 21 Group of experts on the screening of foreign investments into the Union</i> Text Origin: EP Mandate		<i>Article 14a Group of experts on the screening of foreign investments into the Union</i>
		Article 14a(1)								
G	244p			<i>1.The group of experts on the screening of foreign direct investments into the Union, which provides advice and expertise to the Commission, shall continue to engage in discussions regarding foreign direct</i>				<i>1.The group of experts on the screening of foreign investments into the Union, which provides advice and expertise to the Commission, shall continue to engage in discussions regarding foreign</i>		<i>1.The group of experts on the screening of foreign investments into the Union, which provides advice and expertise to the Commission, shall continue to engage in discussions regarding foreign</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>investment screening. It shall share best practices, lessons learnt, and exchange views on emerging trends and issues of common concern related to foreign direct investments. The Commission shall also seek the advice of that group on systemic matters concerning the implementation of this Regulation. That group shall meet on a regular basis to ensure ongoing dialogue and mutual learning.</i>				<i>investment screening. It shall share best practices, lessons learnt, and exchange views on emerging trends and issues of common concern related to foreign investments. The Commission shall also seek the advice of that group on systemic matters concerning the implementation of this Regulation. The group of experts shall also assess and compare different databases and sources of market and business information.</i> Text Origin: EP Mandate		<i>investment screening. It shall share best practices, lessons learnt, and exchange views on emerging trends and issues of common concern related to foreign investments. The Commission shall also seek the advice of that group on systemic matters concerning the implementation of this Regulation. The group of experts shall also assess and compare different databases and sources of market and business information.</i>
Article 14a(2)										
244q				<i>2.The discussions in that group shall be kept confidential.</i>				<i>2.The discussions in that group shall be kept confidential.</i> Text Origin: EP Mandate		<i>2.The discussions in that group shall be kept confidential.</i>
Article 14b										
244r		Article 15 International cooperation Moved reference text						Article ~~15~~ 22 International cooperation Moved from row 246 [246 - 244r] Text Origin: Commission Proposal		
Article 14b, first paragraph										
244s		Member States and the						Member States and the		

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		Commission may cooperate with the responsible authorities of third countries on issues relating to the screening of investments on grounds of security and public order. Moved reference text						Commission may cooperate with the responsible authorities of third countries and engage bilaterally and multilaterally on issues relating to the screening of investments on grounds of security and public order. Moved from row 247 [247 - 244s]		
Article 14c										
G	244t			<i>Article 14b Public transparency requirements</i>				<i>Article 23 Public transparency requirements</i> Text Origin: EP Mandate		<i>Article 14b Public transparency requirements</i>
Article 14c(1), first subparagraph										
G	244u			<i>1.By ... [the date of entry into force of this Regulation] the Commission shall publish guidelines regarding the application of:</i>				Text Origin: EP Mandate		
Article 14b(1), first subparagraph, point (a)										
G	244v			<i>(a) the criteria for determining whether an investment enables effective participation in the management or control of a Union target pursuant to Article 2, point (1);</i>						
Article 14b(1), first subparagraph, point (b)										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure	
G		244w		<i>(b) the criteria for determining whether an undertaking is part of or participates in a project or programme of Union interest pursuant to Article 4(4), point (a);</i>							G
Article 14b(1), first subparagraph, point (c)											
G		244x		<i>(c) the criteria for determining whether an undertaking is economically active in one of the areas listed in Annex II pursuant to Article 2, point (9);</i>							G
Article 14b(1), first subparagraph, point (d)											
G		244y		<i>(d) the criteria for assessing potential risks to security and public order, including cross-border risks and those posed by greenfield investments, as set out in Article 13.</i>							G
Article 14c(1), second subparagraph											
G		244z		<i>Before issuing the guidelines referred to in the first subparagraph, the Commission shall conduct appropriate consultations with stakeholders. The Commission shall regularly update those guidelines in light of the experience gained in implementing this</i>							G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				Regulation.						
Article 14c(2)										
244aa				2.The Commission shall publish a list of all screening mechanisms established by the Member States. That list shall contain summary information on the respective scope and on the relevant procedural rules of each screening mechanism. It shall also contain a link to the screening authorities' guidance referred to in paragraph 3 and the contact details of the contact point concerned. The Commission shall keep that list up to date.				1.The Commission shall make publicly available a list of Member States' screening mechanisms no later than 3 months after the deadline referred to in Article 3(3), first sentence. That list shall contain the contact details referred to in Article 4(2), and, where available, relevant links to information on the screening mechanisms, including the guidance referred to in paragraph 2 of this article. The Commission shall keep that list up to date.		1.The Commission shall make publicly available a list of Member States' screening mechanisms no later than 3 months after the deadline referred to in Article 3(3), first sentence. That list shall contain the contact details referred to in Article 4(2), and, where available, relevant links to information on the screening mechanisms, including the guidance referred to in paragraph 2 of this article. The Commission shall keep that list up to date.
Article 14c(3)										
244ab				3.In order to enhance transparency and predictability, Member States shall publish and regularly update detailed guidance on the scope of their screening mechanism, the thresholds and triggers for notification obligations, the criteria used to assess whether an investment is likely to negatively affect security or public order, the				2.In so far as this is not laid down in national law, Member States shall publish and regularly update detailed guidance on the scope of their screening mechanism, the thresholds and triggers for notification obligations, and the applicable timelines and procedural rules.		2.In so far as this is not laid down in national law, Member States shall publish and regularly update detailed guidance on the scope of their screening mechanism, the thresholds and triggers for notification obligations, and the applicable timelines and procedural rules.

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>criteria for opening an in-depth investigation, and the applicable timelines and procedural rules.</i>						
CHAPTER 5										
245		CHAPTER 5 FINAL PROVISIONS		CHAPTER 5 FINAL PROVISIONS		CHAPTER 5 FINAL PROVISIONS		Moved to row 244n [245 - 244n]		
Article 15										
246		Article 15 International cooperation		Article 15 International cooperation		Article 15 International cooperation		Moved to row 244r [246 - 244r]		Article 15 International cooperation
Article 15, first paragraph										
247		Member States and the Commission may cooperate with the responsible authorities of third countries on issues relating to the screening of investments on grounds of security and public order.		Member States and the Commission may cooperate with the responsible authorities of third countries <i>and engage through bilateral and multilateral platforms</i> on issues relating to the screening of investments on grounds of security and public order. <i>That cooperation may involve the exchange of information and best practices, as well as technical and capacity-building support. In the context of that cooperation, the Commission shall encourage the establishment of investment screening mechanisms by</i>		Member States and the Commission may cooperate with the responsible authorities of third countries on issues relating to the screening of investments on grounds of security and public order.		Moved to row 244s [247 - 244s]		Member States and the Commission may cooperate with the responsible authorities of third countries <i>and engage bilaterally and multilaterally</i> on issues relating to the screening of investments on grounds of security and public order.

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>third countries, particularly those that are candidates for accession to the Union and countries in the Union's neighbourhood.</i>						
Article 16										
248		Article 16 Annual reporting at Union level		Article 16 Annual reporting at Union level		Article 16 Annual reporting at Union level		Article ~~16~~ 24 Annual reporting at Union level Text Origin: Commission Proposal		Article 16 Annual reporting at Union level
Article 16(1)										
249		1.By 31 March of each year beginning in [add date: first year of application], Member States shall report to the Commission, on a confidential basis, on their activities under their screening mechanism and under the cooperation mechanism for the preceding calendar year. This report shall contain information on:		1.By 31 March of each year beginning in [add date: first year of application], Member States shall report to the Commission, on a confidential basis, on their activities under their screening mechanism and under the cooperation mechanism for the preceding calendar year. This report shall contain ~~information on:~~		1.By 31 March of each year beginning in ~~add date: first year of application...~~ [OJ: please insert the number of the year that follows the year during which this Regulation starts to apply] , Member States shall report to the Commission, on a confidential basis, on their activities under their screening mechanism and ~~under~~ the cooperation mechanism for the preceding calendar year. ~~This~~ That report shall contain information on:		1.By 31 March of each year beginning in ~~add date: first year of application...~~ [the calendar year following that during which this Regulation starts to apply] , Member States shall report to the Commission, on a confidential basis, on their activities under their screening mechanism and ~~under~~ the cooperation mechanism for the preceding calendar year. ~~This~~ That report shall contain information on: Text Origin: Council Mandate		1.By 31 March of each year beginning in ~~add date: first year of application...~~ [the calendar year following that during which this Regulation starts to apply] , Member States shall report to the Commission, on a confidential basis, on their activities under their screening mechanism and ~~under~~ the cooperation mechanism for the preceding calendar year. ~~This~~ That report shall contain information on:
Article 16(1), point (a)										
250		(a) the number of foreign		(a) the number of foreign		(a) the number of foreign		(a) the number of foreign		(a) the number of foreign

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		investments screened after a request for authorisation and after an own initiative procedure;		investments screened after a request for authorisation and after an own initiative procedure;		investments screened ~~after a request for authorisation and after an own initiative procedure~~ ;		investments screened ~~after a request for authorisation and after an own initiative procedure~~ ;		investments screened ~~after a request for authorisation and after an own initiative procedure~~ ;
								Text Origin: EP Mandate		
Article 16(1), point (b)										
G	251	(b) the number of foreign investments approved with and without conditions;		(b) the number of foreign investments approved with and without conditions;		(b) the number of foreign investments ~~approved with and without conditions~~ authorised or authorised subject to mitigating measures ;		(b) the number of foreign investments ~~approved with and without conditions~~ authorised or authorised subject to mitigating measures ;		(b) the number of foreign investments ~~approved with and without conditions~~ authorised or authorised subject to mitigating measures ;
								Text Origin: Council Mandate		
Article 16(1), point (c)										
G	252	(c) the number of foreign investments prohibited, the number of foreign investments withdrawn;		(c) the number of foreign investments prohibited, the number of foreign investments withdrawn or unwound ;		(c) the number of foreign investments prohibited, ~~the number of foreign investments~~ withdrawn or unwound ;		(c) the number of foreign investments prohibited, ~~the number of foreign investments~~ withdrawn or unwound ;		(c) the number of foreign investments prohibited, ~~the number of foreign investments~~ withdrawn or unwound ;
								Text Origin: Council Mandate		
Article 16(1), point (d)										
G	253	(d) the number of foreign investments notified to the cooperation mechanism, and the number of comments issued by the respective Member State;		(d) the number of foreign investments notified to the cooperation mechanism, and the number of comments issued by the respective Member State;		(d) the number of foreign investments notified to the cooperation mechanism, ~~and the number of comments issued by the respective Member State~~ ;		(d) the number of foreign investments notified to the cooperation mechanism, ~~and the number of comments issued by the respective Member State~~ ;		(d) the number of foreign investments notified to the cooperation mechanism, ~~and the number of comments issued by the respective Member State~~ ;
								Text Origin: Council Mandate		

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
Article 16(1), point (da)										
G	253a				(e) the number of comments issued by the respective Member State;		(e) the number of comments issued by the respective Member State;	Text Origin: Council Mandate		(e) the number of comments issued by the respective Member State;
Article 16(1), point (e)										
G	254	(e) information on the origin of the foreign investors and the sector of activity of the targets of the foreign investments screened, authorised or prohibited;	(e) information on the origin of the foreign investors and the sector of activity of the targets of the foreign investments screened, authorised ~~or without conditions~~ , authorised with conditions, and foreign investments prohibited, respectively;	(e) information on the origin of the foreign investors and the sector of activity of the targets of the foreign investments screened, authorised or prohibited;	(e) information on the origin of the foreign investors and its beneficial owner and the sector of activity of the targets of the foreign investments screened, authorised or prohibited;	(e) information on the origin of the foreign investors and its beneficial owner and the sector of activity of the targets of the foreign investments screened, authorised ~~or without conditions~~ , authorised with conditions, foreign investments prohibited or unwound, respectively;		Text Origin: EP Mandate		(e) information on the origin of the foreign investors and its beneficial owner and the sector of activity of the targets of the foreign investments screened, authorised ~~or without conditions~~ , authorised with conditions, foreign investments prohibited or unwound, respectively;
Article 16(1), point (ea)										
G	254a			(ea) the average duration of investment screening procedures;						
Article 16(1), point (f)										
G	255	(f) an aggregate presentation of risks and vulnerabilities identified in the foreign investments that led to a screening decision;	(f) ~~an aggregate presentation of a description of the~~ risks and vulnerabilities identified in the foreign investments that led to a screening decision;	(f) an aggregate presentation of the risks and vulnerabilities identified in the foreign investments that led to a screening decision;	(f) an aggregate presentation of the risks and vulnerabilities identified in the foreign investments that led to a screening decision;	(f) an aggregate presentation of the risks and vulnerabilities identified in the foreign investments that led to a screening decision;		Text Origin: Council Mandate		(f) an aggregate presentation of the risks and vulnerabilities identified in the foreign investments that led to a screening decision;
Article 16(1), point (fa)										

	CLEAN	Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement-new structure	vs.EC Draft Agreement-old structure
255a			<i>(fa)the number of own initiative procedures opened pursuant to Article 9(1) and the number of instances where they resulted in the initiation of a screening procedure by the host Member State.</i>		<i>(fa)the number of comments issued pursuant to Article 13(1) and the number of screening procedures initiated following the receipt of comments by other Member States pursuant to Article 13(1) or opinions by the Commission pursuant to Article 13(2).</i> Text Origin: EP Mandate	<i>(fa)the number of comments issued pursuant to Article 9(1) and the number of screening procedures initiated following the receipt of comments by other Member States pursuant to Article 9(1) or opinions by the Commission pursuant to Article 9(2).</i>
Article 16(1a)						
255b			<i>1a. By ... [1 January of the first year of application], the Commission shall adopt an implementing act pursuant to Article 21 setting out the form to be used for reporting the information referred to in paragraph 1 of this Article.</i>		<i>1a. The Commission shall set out, by means of implementing acts, the form to be used for reporting the information referred to in paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 29(2). The first of those implementing acts shall be adopted by ... [1 January of the calendar year following that of the date on which this Regulation starts to apply],</i> Text Origin: EP Mandate	<i>1a. The Commission shall set out, by means of implementing acts, the form to be used for reporting the information referred to in paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 22(2). The first of those implementing acts shall be adopted by ... [1 January of the calendar year following that of the date on which this Regulation starts to apply],</i>
Article 16(2)						
256	2.On the basis of the		2. <i>Based</i> on ~~the basis of~~ the	2.On the basis of the	2. <i>Based</i> on ~~the basis of~~ the	2. <i>Based</i> on ~~the basis of~~ the

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
		information received in accordance with paragraph 1, and based on its assessment of trends and developments, the Commission shall provide an annual report on implementation of this Regulation to the European Parliament and to the Council. That report shall be made public.		information received in accordance with paragraph 1, <i>its implementation practice</i> , and ~~based on~~ its assessment of trends and developments, the Commission shall provide an annual report on implementation of this Regulation to the European Parliament and to the Council <i>by 30 September of each year beginning in ... [the first year of application of this Regulation]</i> . That report shall be made public.		information received in accordance with paragraph 1, and based on its assessment of trends and developments, the Commission shall provide an annual report on implementation of this Regulation <i>in the preceding year</i> to the European Parliament and to the Council. That report shall be made public <i>with a level of detail that guarantees the anonymity of specific transactions</i> .		information received in accordance with paragraph 1, <i>the Commission's implementation practice</i> , and ~~based on~~ its assessment of trends and developments, the Commission shall provide an annual report on implementation of this Regulation <i>in the preceding year</i> to the European Parliament and to the Council <i>by 31 October of each year beginning in ... [the calendar year following that during which this Regulation starts to apply]</i> . That report shall be made public <i>with a level of detail that guarantees the anonymity of specific transactions</i> . Text Origin: EP Mandate		information received in accordance with paragraph 1, <i>the Commission's implementation practice</i> , and ~~based on~~ its assessment of trends and developments, the Commission shall provide an annual report on implementation of this Regulation <i>in the preceding year</i> to the European Parliament and to the Council <i>by 31 October of each year beginning in ... [the calendar year following that during which this Regulation starts to apply]</i> . That report shall be made public <i>with a level of detail that guarantees the anonymity of specific transactions</i> .
Article 16(2a)										
G	256a			<i>2a. The Commission's annual report shall include an overview of the information referred to in paragraph 1 for each Member State, an assessment of the trends and figures on foreign investments into the Union, relevant legislative developments across</i>				<i>2a. The Commission's annual report shall include an overview of the information referred to in paragraph 1, an assessment of the trends and figures on foreign investments into the Union, relevant legislative developments across Member States, international cooperation</i>		<i>2a. The Commission's annual report shall include an overview of the information referred to in paragraph 1, an assessment of the trends and figures on foreign investments into the Union, relevant legislative developments across Member States, international cooperation</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>Member States, international cooperation efforts, lessons learnt, and best practices to support the implementation of this Regulation.</i>			<i>efforts.</i> Text Origin: EP Mandate		<i>efforts.</i>	
Article 16a										
G	256b					<i>Article 16a Database on the outcome of assessments under national screening mechanisms</i>				
Article 16a(1)										
G	256c					<i>1.The Commission shall set up a secure database available to all Member States with information on the foreign investments notified to the cooperation mechanism and the outcome of the assessments under screening mechanisms.</i>				
Article 16a(1), first subparagraph										
G	256d					<i>2.After completion of the national procedure, Member States shall upload to the database the following information:</i>		Text Origin: Council Mandate		
Article 16a(1), first subparagraph, point (a)										
G	256e					<i>(a) name, address or registered office and, where applicable, national</i>		Text Origin: Council Mandate		

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>registration number of the foreign investor and, where applicable, of the foreign investor's subsidiary in the Union;</i>				
		Article 16a(1), first subparagraph, point (b)								
G		256f				<i>(b) name, registered office and national registration number of the Union target;</i>		Text Origin: Council Mandate		G
		Article 16a(1), first subparagraph, point (c)								
G		256g				<i>(c) name, registered office and national registration number of companies affiliated with the Union target;</i>		Text Origin: Council Mandate		G
		Article 16a(1), first subparagraph, point (d)								
G		256h				<i>(d) outcome of the national procedure according to the following categories:</i>		Text Origin: Council Mandate		G
		Article 16a(1), first subparagraph, point (d)(i)								
G		256i				<i>(i) not subject to national screening mechanism (non-eligible)</i>		Text Origin: Council Mandate		G
		Article 16a(1), first subparagraph, point (d)(ii)								
G		256j				<i>(ii) authorisation without condition,</i>		Text Origin: Council Mandate		G
		Article 16a(1), first subparagraph, point (d)(iii)								
G		256k				<i>(iii) authorisation subject to mitigating measures;</i>		Text Origin: Council Mandate		G
		Article 16a(1), first subparagraph, point (d)(iv)								

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure	
G		256l				<i>(iv) prohibition,</i>		Text Origin: Council Mandate			G
	Article 16a(1), first subparagraph, point (d)(v)										
G		256m				<i>(v) withdrawal of a filing,</i>		Text Origin: Council Mandate			G
	Article 16a(1), first subparagraph, point (d)(vi)										
G		256n				<i>(vi) other;</i>		Text Origin: Council Mandate			G
	Article 16a(1), first subparagraph, point (d)(vii)										
G		256o									G
	Article 16a(1), second subparagraph										
G		256p				<i>Points (a) to (c) only apply where this information has not been previously provided pursuant to Article 10 (1) or where it has changed since the notification.</i>		Text Origin: Council Mandate			G
	Article 16a(2)										
G		256q				<i>3.By ...[OJ: please insert the date of Application of this Regulation] the Commission shall provide technical guidance to Member States concerning implementation of paragraph 2 and 4 of this Article , by means of an implementing act pursuant to Article 22, .</i>		Text Origin: Council Mandate			G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
Article 16a(3)										
G	256r					<i>4.The Commission shall upload to the database the information it has at its disposal since 12 October 2020 based on the notifications sent by Member States that screened foreign investments pursuant to Regulation 2019/452. By ...[OJ: please insert the date of application of this Regulation] Member States shall upload to that database the information at their disposal about the outcome of their screening mechanisms under that Regulation. When Member States do so, they may also provide additional explanations.</i>		Text Origin: Council Mandate		
Article 17										
G	257	Article 17 Processing of personal data		Article 17 Processing of personal data		Article 17 Processing of personal data		Article ~~17~~ 25 Processing of personal data Text Origin: Commission Proposal		Article 17 Processing of personal data
Article 17(1)										
G	258	1.Any processing of personal data pursuant to this Regulation shall be carried out in accordance with Regulation (EU)		1.Any processing of personal data pursuant to this Regulation shall be carried out in accordance with Regulation (EU)		1.Any processing of personal data pursuant to this Regulation shall be carried out in accordance with Regulation (EU)		1.Any processing of personal data pursuant to this Regulation shall be carried out in accordance with Regulation (EU)		1.Any processing of personal data pursuant to this Regulation shall be carried out in accordance with Regulation (EU)

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		2016/679 and Regulation (EU) 2018/1725 and only when necessary for the screening of foreign investments by Member States and for ensuring the effectiveness of the cooperation provided for in this Regulation.		2016/679 and Regulation (EU) 2018/1725 and only when necessary for the screening of foreign investments by Member States and for ensuring the effectiveness of the cooperation provided for in this Regulation.		2016/679 and Regulation (EU) 2018/1725 and ~~only whenin so far as it is~~ necessary for the screening of foreign investments by Member States and for ensuring the effectiveness of the cooperation ~~provided for in this Regulation~~ mechanism .		2016/679 and Regulation (EU) 2018/1725 and ~~only whenin so far as it is~~ necessary for the screening of foreign investments by Member States and for ensuring the effectiveness of the cooperation ~~provided for in this Regulation~~ mechanism . Text Origin: Council Mandate		2016/679 and Regulation (EU) 2018/1725 and ~~only whenin so far as it is~~ necessary for the screening of foreign investments by Member States and for ensuring the effectiveness of the cooperation ~~provided for in this Regulation~~ mechanism .
Article 17(2)										
259		2. Personal data related to the implementation of this Regulation shall be kept only for the time necessary to achieve the purposes for which they were collected.		2. Personal data related to the implementation of this Regulation shall be kept only for the time necessary to achieve the purposes for which they were collected.		<i>2. The national screening authorities of the Member States and the Commission shall be considered joint data controllers in accordance with Regulation (EU) 2016/679 of the European Parliament and the Council and Regulation (EU) 2018/1725 of the European Parliament and of the Council for the processing of operational personal data ~~related to the implementation of~~ under this Regulation ~~shall be kept only for the time necessary to achieve the purposes for which they were collected~~. A Joint Controllershship Arrangement between the European Commission and</i>		<i>2. The national screening authorities of the Member States and the Commission shall be considered joint data controllers in accordance with Regulation (EU) 2016/679 of the European Parliament and the Council and Regulation (EU) 2018/1725 of the European Parliament and of the Council for the processing of operational personal data ~~related to the implementation of~~ under this Regulation ~~shall be kept only for the time necessary to achieve the purposes for which they were collected~~</i> Text Origin: Council Mandate		<i>2. The national screening authorities of the Member States and the Commission shall be considered joint data controllers in accordance with Regulation (EU) 2016/679 of the European Parliament and the Council and Regulation (EU) 2018/1725 of the European Parliament and of the Council for the processing of operational personal data ~~related to the implementation of~~ under this Regulation ~~shall be kept only for the time necessary to achieve the purposes for which they were collected~~</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>the Member States' representatives or authorities participating in the cooperation mechanism under Regulation (EU) 2019/452 signed on 28 April 2022, should continue to apply.</i>				
Article 17(2a)										
259a						<i>3. Personal data related to foreign investments pursuant to this Regulation shall be retained only for the time necessary to achieve the purposes for which they were collected and in any case for a period of time not exceeding 15 years from the day that the host Member State or the other Member States receiving such personal data in the context of the cooperation mechanism or the Commission have closed the case or, if that occurs later, no legal obligation on the parties to the transaction arises any more from the screening decision.</i>		<i>3. Personal data related to foreign investments pursuant to this Regulation shall be retained only for the time necessary to achieve the purposes for which they were collected.</i> Text Origin: Council Mandate		<i>3. Personal data related to foreign investments pursuant to this Regulation shall be retained only for the time necessary to achieve the purposes for which they were collected.</i>
Article 17(2b)										
259b						<i>4. Personal data in screening decisions, Member States comments</i>				

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
						<i>and Commission opinions shall be retained not longer than 50 years after the adoption of those decisions or opinions.</i>				
Article 18										
260		Article 18 Evaluation		Article 18 Evaluation		Article 18 Evaluation		Article ~~18~~ 26 Evaluation Text Origin: Commission Proposal		Article 18 Evaluation
Article 18(1)										
261		1.The Commission shall evaluate the functioning and effectiveness of this Regulation 5 years after the date of application of this Regulation and every 5 years thereafter and present a report to the European Parliament and to the Council. Member States shall be involved in this exercise and, if necessary, provide the Commission with additional information for the preparation of that report.		1.The Commission shall evaluate the functioning and effectiveness of this Regulation ~~5~~ 3 years after the date of application of this Regulation and every 5 years thereafter and present a report to the European Parliament and to the Council. Member States shall be involved in this ~~exercise~~ evaluation process and, if necessary, provide the Commission with additional information for the preparation of that report. <i>That report shall include an analysis of the evolution of foreign investments into the Union as well as an assessment of the contribution of this Regulation to the economic</i>		1.The Commission shall evaluate the functioning and effectiveness of this Regulation 5 years after the date of application of this Regulation and every 5 years thereafter and present a report to the European Parliament and to the Council. Member States shall be involved in this exercise and, ~~if~~ where necessary, provide the Commission with additional information for the preparation of that report.		1.The Commission shall evaluate the functioning and effectiveness of this Regulation ~~5~~ three years after the date of application of this Regulation and every 5 years thereafter and present a report to the European Parliament and to the Council. Member States shall be involved in this ~~exercise~~ evaluation process and, if necessary, provide the Commission with additional information for the preparation of that report. <i>That report shall include an analysis of the evolution of foreign investments into the Union as well as an assessment of the contribution of this Regulation to the economic</i>		1.The Commission shall evaluate the functioning and effectiveness of this Regulation ~~5~~ three years after the date of application of this Regulation and every 5 years thereafter and present a report to the European Parliament and to the Council. Member States shall be involved in this ~~exercise~~ evaluation process and, if necessary, provide the Commission with additional information for the preparation of that report. <i>That report shall include an analysis of the evolution of foreign investments into the Union as well as an assessment of the contribution of this Regulation to the economic</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>security of the Union. It should include an assessment of whether the conditions set out in Article 4(4) and (4a) should be amended in order to ensure a consistent approach to the screening of foreign investments, taking into consideration the criteria set out in Article 13(3) and (4), including the security of military facilities and other sensitive public facilities. The report shall also assess the compliance costs faced by businesses.</i>				<i>security of the Union. It shall include an assessment of whether Article 4(4) should be amended, including as regards foreign investments into Union targets that manufacture or hold a marketing authorisation for critical medicines. The report shall also assess the compliance costs faced by businesses.</i> Text Origin: EP Mandate		<i>security of the Union. It shall include an assessment of whether Article 4(4) should be amended, including as regards foreign investments into Union targets that manufacture or hold a marketing authorisation for critical medicines. The report shall also assess the compliance costs faced by businesses.</i>
Article 18(2)										
G	262	2.Where the report from the Commission recommends amendments to this Regulation, it may be accompanied by a legislative proposal.		2.Where the report from the Commission recommends amendments to this Regulation, it may be accompanied by a legislative proposal.		2.Where the report from the Commission recommends amendments to this Regulation, it may be accompanied by a legislative proposal.		2.Where the report from the Commission recommends amendments to this Regulation, it may be accompanied by a legislative proposal. Text Origin: Commission Proposal		2.Where the report from the Commission recommends amendments to this Regulation, it may be accompanied by a legislative proposal.
Article 19										
G	263	Article 19 Delegated acts		Article 19 Delegated acts		Article 19 Delegated acts		Article ~~19~~ 27 Delegated acts Text Origin: Commission Proposal		Article 19 Delegated acts
Article 19(1)										

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
264		1.The Commission is empowered to adopt delegated acts in accordance with Article 20 for the purposes of amending, where necessary, the list of projects or programmes of Union interest set out in Annex I to take account of the adoption and amendment of Union law relating to projects or programmes of Union interest relevant to security or public order.		1.The Commission is empowered to adopt delegated acts in accordance with Article 20 for the purposes of amending, where necessary, the list of projects or programmes of Union interest set out in Annex I to take account of the adoption and amendment of Union law relating to projects or programmes of Union interest relevant to security or public order.		1.The Commission is empowered to adopt delegated acts in accordance with Article 20 for the purposes of amending, where necessary, the list of projects or programmes of Union interest, set out in Annex I, in order to take account of the adoption ~~and/or~~ amendment of Union ~~law relating to~~ legal acts establishing projects or programmes that provide for the development, maintenance or acquisition of critical infrastructure, critical technologies or critical inputs which are of particular importance of ~~Union interest relevant~~ to security or public order.		1.The Commission is empowered to adopt delegated acts in accordance with Article ~~20~~ 28 for the purposes of amending, where necessary, the list of projects or programmes of Union interest, set out in Annex ~~IV~~ , in order to take account of the adoption ~~and/or~~ amendment of Union ~~law relating to~~ legal acts establishing projects or programmes that provide for the development, maintenance or acquisition of critical infrastructure, critical technologies, critical inputs or capabilities which are of particular importance of ~~Union interest relevant~~ to security or public order.		1.The Commission is empowered to adopt delegated acts in accordance with Article 20 for the purposes of amending, where necessary, the list of projects or programmes of Union interest, set out in Annex IV , in order to take account of the adoption ~~and/or~~ amendment of Union ~~law relating to~~ legal acts establishing projects or programmes that provide for the development, maintenance or acquisition of critical infrastructure, critical technologies, critical inputs or capabilities which are of particular importance of ~~Union interest relevant~~ to security or public order.
Article 19(2)										
265		2.The Commission is empowered to adopt delegated acts in accordance with Article 20 for the purposes of amending, where necessary, the list of technologies, assets, facilities, equipment, networks, systems, services		2.The Commission is empowered to adopt delegated acts in accordance with Article 20 for the purposes of amending, where necessary, the list of technologies, materials , assets, facilities, equipment, networks, systems, services		2.The Commission is empowered to adopt delegated acts in accordance with Article 20 for the purposes of amending, where necessary, the list ~~technologies, assets, facilities, equipment, networks, systems, services~~		2.The Commission is empowered to adopt delegated acts in accordance with Article ~~20~~ 28 for the purposes of amending, where necessary, the list ~~technologies, assets, facilities, equipment, networks, systems, services~~		2.The Commission is empowered to adopt delegated acts in accordance with Article 20 for the purposes of amending, where necessary, the list ~~technologies, assets, facilities, equipment, networks, systems, services~~

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		and economic activities of particular importance for the security or public order interests of the Union set out in Annex II to take account of changes in the circumstances relevant to the security or public order interests of the Union. In particular, these considerations shall include the following:		and economic activities of particular importance for the security or public order interests of the Union set out in Annex II to take account of changes in the circumstances relevant to the security or public order interests of the Union. In particular, these considerations shall include the following:		~~and economic activities of technology areas~~ of particular importance for ~~the~~ security or public order ~~interests of the Union~~ set out in Annex II to take account of changes in the circumstances relevant to the security or public order ~~interests of the Union~~ . In particular, these considerations shall include the following: Text Origin: Council Mandate		~~and economic activities of particular of technology areas of~~ importance for ~~the~~ security or public order ~~interests of the Union~~ set out in Annex ~~IIII~~ to take account of changes in the circumstances relevant to the security or public order ~~interests of the Union~~ . In particular, these considerations shall include the following:		~~and economic activities of particular of technology areas of~~ importance for ~~the~~ security or public order ~~interests of the Union~~ set out in Annex ~~IIII~~ to take account of changes in the circumstances relevant to the security or public order ~~interests of the Union~~ . In particular, these considerations shall include the following:
Article 19(2), point (a)										
266		(a) the resilience of supply chains of particular importance for the security or public order interests of the Union;		(a) the resilience of supply chains of particular importance for the security or public order interests of the Union;		(a) the resilience of supply chains of particular importance for the security or public order ~~interests of the Union~~ ;;		(a) the resilience of supply chains of particular importance for the security or public order ~~interests of the Union~~ ;; Text Origin: Council Mandate		(a) the resilience of supply chains of particular importance for the security or public order ~~interests of the Union~~ ;;
Article 19(2), point (b)										
267		(b) the resilience of infrastructures of particular importance for the security or public order interests of the Union;		(b) the resilience of infrastructures of particular importance for the security or public order interests of the Union;		(b) the resilience of infrastructures of particular importance for the security or public order ~~interests of the Union~~ ;;		(b) the resilience of infrastructures of particular importance for the security or public order ~~interests of the Union~~ ;; Text Origin: Council Mandate		(b) the resilience of infrastructures of particular importance for the security or public order ~~interests of the Union~~ ;;
Article 19(2), point (ba)										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
267a				<i>(ba) the results of relevant risk assessments undertaken by the Commission and Member States under the Union Economic Security Strategy;</i>				<i>(ba) the results of relevant risk assessments undertaken by the Commission and Member States;</i> Text Origin: EP Mandate		<i>(ba) the results of relevant risk assessments undertaken by the Commission and Member States;</i>
Article 19(2), point (c)										
268		(c) the advancement of technologies of particular importance for security or public order of the Union;		(c) the advancement of technologies of particular importance for security or public order of the Union;		(c) the advancement of technologies of particular importance for security or public order ~~of the Union~~ ;		(c) the advancement of technologies of particular importance for security or public order ~~of the Union~~ ; Text Origin: Council Mandate		(c) the advancement of technologies of particular importance for security or public order ~~of the Union~~ ;
Article 19(2), point (ca)										
268a						<i>(ca) the risk of leakage or misuse of technologies of particular importance for security or public order;</i>		<i>(ca) the risk of leakage or misuse of technologies of particular importance for security or public order;</i> Text Origin: Council Mandate		<i>(ca) the risk of leakage or misuse of technologies of particular importance for security or public order;</i>
Article 19(2), point (d)										
269		(d) the emergence of vulnerabilities in relation to access to or other forms of processing of sensitive information, including personal data to the extent they are likely to negatively affect the security or public order interests of the Union; and		(d) the emergence of vulnerabilities in relation to access to or other forms of processing of sensitive information, including personal data to the extent they are likely to negatively affect the security or public order interests of the Union; and		(d) the emergence of vulnerabilities in relation to access to or other forms of processing of sensitive information, including personal data to the extent they are likely to negatively affect the security or public order ~~interests of the Union~~ ; and		(d) the emergence of vulnerabilities in relation to access to or other forms of processing of sensitive information, including personal data to the extent they are likely to negatively affect the security or public order ~~interests of the Union~~ ; and;		(d) the emergence of vulnerabilities in relation to access to or other forms of processing of sensitive information, including personal data to the extent they are likely to negatively affect the security or public order ~~interests of the Union~~ ; and;

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
							Text Origin: Council Mandate			
Article 19(2), point (e)										
G	270	(e) the emergence of a geopolitical situation of particular importance for security or public order of the Union.		(e) the emergence of a geopolitical situation of particular importance for security or public order of the Union.		(e) the emergence of a geopolitical situation of particular importance for security or public order ~~of the Union.~~		(e) the emergence of a geopolitical situation of particular importance for security or public order ~~of the Union.;~~ and		(e) the emergence of a geopolitical situation of particular importance for security or public order ~~of the Union.;~~ and
							Text Origin: Council Mandate			
Article 19(2a)										
G	270a					3. When determining whether to amend the list of technology areas of particular importance for security or public order set out in Annex II, and based on, inter alia, the consultation of experts from academia and the Members States, the Commission shall take into account whether the technology area has:				
Article 19(2a)										
G	270b					a) a dual-use potential;		f) whether the technology area has a dual-use potential.		f) whether the technology area has a dual-use potential.
							Text Origin: Council Mandate			
Article 19(2c)										
G	270c					b) a maturity, an				

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>innovation trajectory or a scalability that makes it susceptible to create strategic dependencies by shaping market standards or security environments ;</i>				
Article 19(2d)										
G		270d				<i>c) applications that are or have the potential to be essential for the security or public order of one the areas referred to in Article 13, paragraph 1, points (c) to (i).</i>				G
Article 19(2b)										
G		270e						<i>3.The Commission is empowered to adopt delegated acts in accordance with Article 20 amending this Regulation in order to delete Annex II and at the same time to replace the reference to that Annex in Article 19(1) point (g) in order to replace the reference to Annex II with a reference to the Union List of Critical Medicinal Products and the legal acts establishing it, when that list is established by the Commission pursuant to the Regulation laying down Union procedures for the</i>	<i>The Commission is empowered to adopt delegated acts in accordance with Article 20 amending this Regulation in order to delete Annex II and at the same time to replace the reference to that Annex in Article 13(1) point (g) in order to replace the reference to Annex II with a reference to the Union List of Critical Medicinal Products and the legal acts establishing it, when that list is established by the Commission pursuant to the Regulation laying down Union procedures for the</i>	G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>authorisation and supervision of medicinal products for human use and establishing rules governing the European Medicines Agency, amending Regulation (EC) No 1394/2007 and Regulation (EU) No 536/2014 and repealing Regulation (EC) No 726/2004, Regulation (EC) No 141/2000 and Regulation (EC) No 1901/2006.</i>		<i>authorisation and supervision of medicinal products for human use and establishing rules governing the European Medicines Agency, amending Regulation (EC) No 1394/2007 and Regulation (EU) No 536/2014 and repealing Regulation (EC) No 726/2004, Regulation (EC) No 141/2000 and Regulation (EC) No 1901/2006.</i>
Article 19(2a)										
G	270f			<i>2a. The first of the delegated acts referred to in paragraph 2 of this Article shall be adopted by ... [9 months from the date of entry into force of this Regulation] for the purpose of amending Annex II to further specify the list of technologies, materials, assets, facilities, equipment, networks, systems, services and economic activities of particular importance for the security or public order interests of the Union.</i>						
Article 20										
G	271	Article 20 Exercise of the delegation		Article 20 Exercise of the delegation		Article 20 Exercise of the delegation		Article ~~20~~ 28 Exercise of the delegation		Article 20 Exercise of the delegation

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
								Text Origin: Commission Proposal		
Article 20(1)										
272		1.The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.		1.The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.		1.The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.		1.The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article. Text Origin: Commission Proposal		1.The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
Article 20(2)										
273		2.The power to adopt delegated acts shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of the basic legislative act].		2.The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission for ~~an indeterminate~~ a period of ~~time from five years from ...~~ [the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year periodthe basic legislative act]. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or Council opposes such extension no later than three months before the end		2.The power to adopt delegated acts shall be conferred on the Commission for ~~an indeterminate~~ period of ~~time from 5 years from ...~~ [OJ: please insert the date of entry into force of this Regulation]. The delegation of power shall be tacitly extended for periods of identical duration, unless the European Parliament or the Council opposes to such extension no later than three months before the end of each periodthe basic legislative act].		2.The power to adopt delegated acts referred to in Article 27 shall be conferred on the Commission for ~~an indeterminate~~ a period of ~~time from five years from ...~~ [the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year periodthe basic legislative act]. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or Council opposes such extension no later than three months before the end		2.The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission for ~~an indeterminate~~ a period of ~~time from five years from ...~~ [the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year periodthe basic legislative act]. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or Council opposes such extension no later than three months before the end

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>of each period.</i>				<i>of each period.</i> Text Origin: EP Mandate		<i>of each period.</i>
Article 20(3)										
274		3.The delegation of power may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.		3.The delegation of power may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.		3.The delegation of power <i>referred to in Article 19</i> may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.		3.The delegation of power <i>referred to in Article 27</i> may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force. Text Origin: Commission Proposal		3.The delegation of power <i>referred to in Article 19</i> may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
Article 20(4)										
275		4.Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.		4.Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.		4.Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.		4.Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. Text Origin: Council		4.Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
							Mandate			
Article 20(5)										
276		5.As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.		5.As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.		5.As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.		5.As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council. Text Origin: Commission Proposal		5.As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
Article 20(6)										
277		6.A delegated act adopted pursuant to Article 19 shall enter into force only if no objection has been expressed by the European Parliament or the Council within 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months on the initiative of the European Parliament or of the Council.		6.A delegated act adopted pursuant to Article 19 shall enter into force only if no objection has been expressed by the European Parliament or the Council within 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months on the initiative of the European Parliament or of the Council.		6.A delegated act adopted pursuant to Article 19 shall enter into force only if no objection has been expressed by the European Parliament or the Council within ~~2~~ two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by ~~2~~ two months on the initiative of the European Parliament or of the Council.		6.A delegated act adopted pursuant to Article ~~19~~ 27 shall enter into force only if no objection has been expressed by the European Parliament or the Council within ~~2~~ two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by ~~2~~ two months on the initiative of the European Parliament or of the Council. Text Origin: Council Mandate		6.A delegated act adopted pursuant to Article 19 shall enter into force only if no objection has been expressed by the European Parliament or the Council within ~~2~~ two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by ~~2~~ two months on the initiative of the European Parliament or of the Council.
Article 21										

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure	
G	278	Article 21 Committee procedure for implementing acts		Article 21 Committee procedure for implementing acts		Article 21 Committee procedure for implementing acts		Text Origin: Commission Proposal			G
Article 21(1)											
G	279	1.The Commission is empowered to adopt implementing acts setting out the forms to be used to provide the information indicated in Article 10(1).		<i>deleted</i>		1.The Commission is empowered to adopt implementing acts ~~setting~~ ~~out~~ establishing the forms to be used to provide the information indicated in Article 10(1) and for the provision of the technical guidance pursuant to Article 16a(3).					G
Article 21(2)											
G	280	2.Implementing acts referred to in paragraph 1 shall be adopted in accordance with the advisory procedure referred to in Article 22(2).		2.Implementing acts referred to in ~~paragraph 1~~ Article 10(2), Article 12a(3), Article 12a(6) and Article 16(1a) shall be adopted in accordance with the advisory procedure referred to in Article 22(2).		2. The implementing acts referred to in paragraph 1 shall be adopted in accordance with the advisory procedure referred to in Article 22(2).					G
Article 22											
G	281	Article 22 Committee		Article 22 Committee		Article 22 Committee		Article ~~22~~ 29 Committee		Article 22 Committee	G
Article 22(1)											
G	282	1.The Commission shall be assisted by a committee. That committee shall be a		1.The Commission shall be assisted by a committee. That committee shall be a		1.The Commission shall be assisted by a committee. That committee shall be a		1.The Commission shall be assisted by a committee. That committee shall be a		1.The Commission shall be assisted by a committee. That committee shall be a	G

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	committee within the meaning of Regulation (EU) No 182/2011.	committee within the meaning of Regulation (EU) No 182/2011.	committee within the meaning of Regulation (EU) No 182/2011.	committee within the meaning of Regulation (EU) No 182/2011. Text Origin: Commission Proposal	committee within the meaning of Regulation (EU) No 182/2011.
Article 22(2)					
283	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply. Text Origin: Commission Proposal	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.
Article 23					
284	Article 23 Repeal	Article 23 Repeal	Article 23 Repeal <i>of the Regulation 2019/452</i>	Article ~~23~~ 30 Repeal <i>of Regulation (EU) 2019/452 and transitional measures</i> Text Origin: Council Mandate	Article 23 Repeal <i>of Regulation 2019/452 and transitional measures</i>
Article 23, first paragraph					
285	Regulation (EU) 2019/452 is repealed with effect from [date: 15 months after entry into force].	Regulation (EU) 2019/452 is repealed with effect from ~~date: 15...~~ [12 months after from the date of entry into force of this Regulation] .	Regulation (EU) 2019/452 is repealed with effect from ... [OJ: please insert the date: 15 24 months after the date of the entry into force of this Regulation] .	1. Regulation (EU) 2019/452 is repealed with effect from ~~date: 15...~~ [18 months after from the date of entry into force of this Regulation] . Without prejudice to paragraphs 2 and 3 of this Article, references to the repealed Regulation shall be construed as references to this Regulation.	1. Regulation (EU) 2019/452 is repealed with effect from ~~date: 15...~~ [18 months after from the date of entry into force of this Regulation] . Without prejudice to paragraphs 2 and 3 of this Article, references to the repealed Regulation shall be construed as references to this Regulation.

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								Text Origin: EP Mandate		
Article 23, second paragraph										
286		References to the repealed Regulation shall be construed as references to this Regulation.		References to the repealed Regulation shall be construed as references to this Regulation.		References to the repealed Regulation shall be construed as references to this Regulation.		~~References to the repealed Regulation shall be construed as references to this Regulation.~~ Text Origin: Commission Proposal		~~References to the repealed Regulation shall be construed as references to this Regulation.~~
Article 23, second paragraph a										
286a								2.Regulation (EU) 2019/452 shall continue to apply for foreign direct investments undergoing screening, as defined in Article 2, point (5), of Regulation (EU) 2019/452, on ... [18 months from the date of entry into force of this Regulation] and to foreign direct investments, as defined in Article 2, point (1), of that Regulation, completed by ... [18 months from the date of entry into force of this Regulation].		2.Regulation (EU) 2019/452 shall continue to apply for foreign direct investments undergoing screening, as defined in Article 2, point (5), of Regulation (EU) 2019/452, on ... [18 months from the date of entry into force of this Regulation] and to foreign direct investments, as defined in Article 2, point (1), of that Regulation, completed by ... [18 months from the date of entry into force of this Regulation].
Article 23, second paragraph b										
286b								3.This Regulation shall not apply to the foreign direct investments referred to paragraph 2 of this Article nor to foreign investments as defined in Article 2, point		3.This Regulation shall not apply to the foreign direct investments referred to paragraph 2 of this Article nor to foreign investments as defined in Article 2, point

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>(1), of this Regulation, which are undergoing screening on ... [18 months from the date of entry into force of this Regulation] or are completed by ... [18 months from the date of entry into force of this Regulation].</i>		<i>(1), of this Regulation, which are undergoing screening on ... [18 months from the date of entry into force of this Regulation] or are completed by ... [18 months from the date of entry into force of this Regulation].</i>
Article 23, second paragraph c										
286c								<i>4. When producing the first report pursuant to Article 24(1) and (2), Member States and the Commission shall also include information on foreign investments not already covered by a previous report pursuant to Article 5 of Regulation (EU) 2019/452.</i>		<i>4. When producing the first report pursuant to Article 16(1) and (2), Member States and the Commission shall also include information on foreign investments not already covered by a previous report pursuant to Article 5 of Regulation (EU) 2019/452.</i>
Article 24										
287		Article 24 Entry into force and application		Article 24 Entry into force and application		Article 24 Entry into force and application		Article 2431 Entry into force and application Text Origin: Commission Proposal		Article 24 Entry into force and application
Article 24, first paragraph										
288		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 Official Journal of the European Union.		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 Official Journal of the European Union.		This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
								Text Origin: Commission Proposal		
Article 24, second paragraph										
289		It shall apply from [date: 15 months after entry into force].		It shall apply from ~~date: 15...~~ [12 months after from the date of entry into force of this Regulation] .		It shall apply from ... [OJ: please insert the date: 15 24 months after the entry into force] .		It shall apply from ~~date: 15...~~ [18 months after from the date of entry into force of this Regulation] .		It shall apply from ~~date: 15...~~ [18 months after from the date of entry into force of this Regulation] .
								Text Origin: EP Mandate		
Article 24, second paragraph a										
289a				However, Article 19(2) and (2a) shall apply from ... [the date of entry into force of this Regulation].				However, Article 3(3), Article 15(2), Article 18(1), (2), (3), (4), (5), (6), (8), (9), (10) and (11) and Articles 27, 28 and 29 shall apply from ... [the date of entry into force of this Regulation].		However, Article 3(3), Article 10(2), Article 12a(1), (2), (3), (4), (5), (6), (8), (9), (10) and (11) and Articles 19, 20 and 22 shall apply from ... [the date of entry into force of this Regulation].
								Text Origin: EP Mandate		
Article 24, second paragraph b										
289b				This Regulation shall apply regardless of whether the single portal referred to in Article 12a(2) is operational.						
Article 24, third paragraph										
290		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 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 shall be binding in its entirety and directly applicable in all Member States.
								Text Origin: Commission		

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
							Proposal			
	Formula									
G	291	Done at Brussels,		Done at Brussels,		Done at Brussels,		Done at Brussels, Text Origin: Commission Proposal		Done at Brussels,
	Formula									
G	292	For the European Parliament		For the European Parliament		For the European Parliament		For the European Parliament Text Origin: Commission Proposal		For the European Parliament
	Formula									
G	293	The President		The President		The President		The President Text Origin: Commission Proposal		The President
	Formula									
G	294	For the Council		For the Council		For the Council		For the Council Text Origin: Commission Proposal		For the Council
	Formula									
G	295	The President		The President		The President		The President Text Origin: Commission Proposal		The President
	Annex I									
G	296	Annex I		Annex I		Annex I		Annex ~~IV~~ Text Origin: Commission Proposal		Annex ~~IV~~
	Annex I, first paragraph									
G	297	Projects or programmes of		Projects or programmes of		Projects or programmes of		Projects or programmes of		Projects or programmes of

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement-new structure	vs.EC Draft Agreement-old structure
	Union interest	Union interest	Union interest	Union interest Text Origin: Commission Proposal	Union interest
Annex I, point 1., first subparagraph					
298	1.Preparatory Action on Preparing the new EU GOVSATCOM programme	1.Preparatory Action on Preparing the new EU GOVSATCOM programme	1.Preparatory Action on Preparing the new EU GOVSATCOM programme	1.Preparatory Action on Preparing the new EU GOVSATCOM programme Text Origin: Commission Proposal	1.Preparatory Action on Preparing the new EU GOVSATCOM programme
Annex I, point 1., second subparagraph					
299	Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 58(2) point (b) thereof (OJ L 193, 30.7.2018, p. 1, ELI: http://data.europa.eu/eli/reg/	Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 58(2) point (b) thereof (OJ L 193, 30.7.2018, p. 1, ELI: http://data.europa.eu/eli/reg/	Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 58(2) point (b) thereof (OJ L 193, 30.7.2018, p. 1, ELI: http://data.europa.eu/eli/reg/	Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 58(2) point (b) thereof (OJ L 193, 30.7.2018, p. 1, ELI: http://data.europa.eu/eli/reg/	Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 58(2) point (b) thereof (OJ L 193, 30.7.2018, p. 1, ELI: http://data.europa.eu/eli/reg/

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
	2018/1046/oj).	2018/1046/oj).	2018/1046/oj).	2018/1046/oj). Text Origin: Commission Proposal	2018/1046/oj).
Annex I, point 2., first subparagraph					
300	2.Space Programme	2.Space Programme	2.Space Programme	2.Space Programme Text Origin: Commission Proposal	2.Space Programme
Annex I, point 2., second subparagraph					
301	Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69, ELI: http://data.europa.eu/eli/reg/2021/696/oj).	Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69, ELI: http://data.europa.eu/eli/reg/2021/696/oj).	Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69, ELI: http://data.europa.eu/eli/reg/2021/696/oj).	Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69, ELI: http://data.europa.eu/eli/reg/2021/696/oj).	Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69, ELI: http://data.europa.eu/eli/reg/2021/696/oj).
Annex I, point 3., first subparagraph					
302	3.Union secure connectivity programme	3.Union secure connectivity programme	3.Union secure connectivity programme	3.Union secure connectivity programme Text Origin: Commission Proposal	3.Union secure connectivity programme
Annex I, point 3., second subparagraph					

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
303		Regulation (EU) 2023/588 of the European Parliament and of the Council of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027 (OJ L 79, 17.3.2023, p.1, ELI: http://data.europa.eu/eli/reg/2023/588/oj).		Regulation (EU) 2023/588 of the European Parliament and of the Council of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027 (OJ L 79, 17.3.2023, p.1, ELI: http://data.europa.eu/eli/reg/2023/588/oj).		Regulation (EU) 2023/588 of the European Parliament and of the Council of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027 (OJ L 79, 17.3.2023, p.1, ELI: http://data.europa.eu/eli/reg/2023/588/oj).		Regulation (EU) 2023/588 of the European Parliament and of the Council of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027 (OJ L 79, 17.3.2023, p.1, ELI: http://data.europa.eu/eli/reg/2023/588/oj).		
Annex I, point 4., first subparagraph										
304		4.Horizon 2020 including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU		4.Horizon 2020 including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU		~~4.Horizon 2020 including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU~~		4.Horizon 2020 including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU		4.Horizon 2020 including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU
Annex I, point 4., second subparagraph										
305		Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 – the Framework Programme for Research and Innovation (2014-20) and repealing Decision No 1982/2006/EC (OJ L 347,		Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 – the Framework Programme for Research and Innovation (2014-20) and repealing Decision No 1982/2006/EC (OJ L 347,		~~Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 – the Framework Programme for Research and Innovation (2014-20) and repealing Decision No 1982/2006/EC (OJ L 347,~~		Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 – the Framework Programme for Research and Innovation (2014-20) and repealing Decision No 1982/2006/EC (OJ L 347,		Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 – the Framework Programme for Research and Innovation (2014-20) and repealing Decision No 1982/2006/EC (OJ L 347,

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		20.12.2013, p. 104, ELI: http://data.europa.eu/eli/reg/2013/1291/oj).		20.12.2013, p. 104, ELI: http://data.europa.eu/eli/reg/2013/1291/oj).		~~20.12.2013, p. 104, ELI: http://data.europa.eu/eli/reg/2013/1291/oj~~ .		20.12.2013, p. 104, ELI: http://data.europa.eu/eli/reg/2013/1291/oj).		20.12.2013, p. 104, ELI: http://data.europa.eu/eli/reg/2013/1291/oj).
								Text Origin: Commission Proposal		
Annex I, point 5., first subparagraph										
306		5.Horizon Europe, including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU		5.Horizon Europe, including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU		~~5.Horizon Europe, including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU~~		5.Horizon Europe, including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU		5.Horizon Europe, including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU
								Text Origin: Commission Proposal		
Annex I, point 5., second subparagraph										
307		Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/695/oj).		Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/695/oj).		~~Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/695/oj~~ .		Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/695/oj).		Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/695/oj).
								Text Origin: Commission		

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
							Proposal			
Annex I, point 6., first subparagraph										
308		6.Euratom Research and Training Programme 2021-25		6.Euratom Research and Training Programme 2021-25		6.Euratom Research and Training Programme 2021-25		6.Euratom Research and Training Programme 2021-25 Text Origin: Commission Proposal		6.Euratom Research and Training Programme 2021-25
Annex I, point 6., second subparagraph										
309		Council Regulation (Euratom) 2021/765 of 10 May 2021 establishing the Research and Training Programme of the European Atomic Energy Community for the period 2021-25 complementing Horizon Europe – the Framework Programme for Research and Innovation and repealing Regulation (Euratom) 2018/1563 (OJ L 167I, 12.5.2021, p. 81, ELI: http://data.europa.eu/eli/reg/2021/765/oj).		Council Regulation (Euratom) 2021/765 of 10 May 2021 establishing the Research and Training Programme of the European Atomic Energy Community for the period 2021-25 complementing Horizon Europe – the Framework Programme for Research and Innovation and repealing Regulation (Euratom) 2018/1563 (OJ L 167I, 12.5.2021, p. 81, ELI: http://data.europa.eu/eli/reg/2021/765/oj).		Council Regulation (Euratom) 2021/765 of 10 May 2021 establishing the Research and Training Programme of the European Atomic Energy Community for the period 2021-25 complementing Horizon Europe – the Framework Programme for Research and Innovation and repealing Regulation (Euratom) 2018/1563 (OJ L 167I, 12.5.2021, p. 81, ELI: http://data.europa.eu/eli/reg/2021/765/oj).		Council Regulation (Euratom) 2021/765 of 10 May 2021 establishing the Research and Training Programme of the European Atomic Energy Community for the period 2021-25 complementing Horizon Europe – the Framework Programme for Research and Innovation and repealing Regulation (Euratom) 2018/1563 (OJ L 167I, 12.5.2021, p. 81, ELI: http://data.europa.eu/eli/reg/2021/765/oj).		Council Regulation (Euratom) 2021/765 of 10 May 2021 establishing the Research and Training Programme of the European Atomic Energy Community for the period 2021-25 complementing Horizon Europe – the Framework Programme for Research and Innovation and repealing Regulation (Euratom) 2018/1563 (OJ L 167I, 12.5.2021, p. 81, ELI: http://data.europa.eu/eli/reg/2021/765/oj).
Annex I, point 7., first subparagraph										
310		7.Trans-European Networks for Transport (TEN-T)		7.Trans-European Networks for Transport (TEN-T)		7.Trans-European Networks for Transport (TEN-T)		7.Trans-European Networks for Transport (TEN-T) Text Origin: Commission Proposal		7.Trans-European Networks for Transport (TEN-T)
Annex I, point 7., second subparagraph										

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
311		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, ELI: http://data.europa.eu/eli/reg/2013/1315/oj).		Regulation (EU) ~~No 1315/2013~~ 2024/1679 of the European Parliament and of the Council of ~~11 December 2013~~ June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing ~~Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1, ELI: http://data.europa.eu/eli/reg/2013/1315/oj)~~ Regulation (EU) No 1315/2013 (OJ L 1679, 28.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1679/oj) .		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, ELI: http://data.europa.eu/eli/reg/2013/1315/oj).		Regulation (EU) ~~No 1315/2013~~ 2024/1679 of the European Parliament and of the Council of ~~11 December 2013~~ June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing ~~Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1, ELI: http://data.europa.eu/eli/reg/2013/1315/oj)~~ Regulation (EU) No 1315/2013 (OJ L 1679, 28.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1679/oj) .		Regulation (EU) ~~No 1315/2013~~ 2024/1679 of the European Parliament and of the Council of ~~11 December 2013~~ June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing ~~Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1, ELI: http://data.europa.eu/eli/reg/2013/1315/oj)~~ Regulation (EU) No 1315/2013 (OJ L 1679, 28.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1679/oj) .
Annex I, point 8., first subparagraph										
312		8.Trans-European Networks for Energy (TEN-E)		8.Trans-European Networks for Energy (TEN-E)		8.Trans-European Networks for Energy (TEN-E)		8.Trans-European Networks for Energy (TEN-E)		8.Trans-European Networks for Energy (TEN-E)
Annex I, point 8., second subparagraph										
313		Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing		Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing		Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing		Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing		Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
		Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009 (OJ L 115, 25.4.2013, p. 39, ELI: http://data.europa.eu/eli/reg/2013/347/oj).		Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009 (OJ L 115, 25.4.2013, p. 39, ELI: http://data.europa.eu/eli/reg/2013/347/oj).		Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009 (OJ L 115, 25.4.2013, p. 39, ELI: http://data.europa.eu/eli/reg/2013/347/oj).		Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009 (OJ L 115, 25.4.2013, p. 39, ELI: http://data.europa.eu/eli/reg/2013/347/oj).		Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009 (OJ L 115, 25.4.2013, p. 39, ELI: http://data.europa.eu/eli/reg/2013/347/oj).
								Text Origin: Commission Proposal		
Annex I, point 9., first subparagraph										
314		9.Trans-European Networks for Telecommunications ¹ 1. Regulation (EU) No 283/2014 is maintained in this Annex in view of Article 27(2) of Regulation (EU) 2021/1153 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014.		9.Trans-European Networks for Telecommunications ¹ 1. Regulation (EU) No 283/2014 is maintained in this Annex in view of Article 27(2) of Regulation (EU) 2021/1153 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014.		9.Trans-European Networks for Telecommunications ¹ 1. Regulation (EU) No 283/2014 is maintained in this Annex in view of Article 27(2) of Regulation (EU) 2021/1153 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014.		9.Trans-European Networks for Telecommunications ¹ 1. Regulation (EU) No 283/2014 is maintained in this Annex in view of Article 27(2) of Regulation (EU) 2021/1153 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014.		9.Trans-European Networks for Telecommunications ¹ 1. Regulation (EU) No 283/2014 is maintained in this Annex in view of Article 27(2) of Regulation (EU) 2021/1153 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014.
								Text Origin: Commission Proposal		
Annex I, point 9., second subparagraph										
315		Regulation (EU) No 283/2014 of the European Parliament and of the Council of 11 March 2014 on guidelines for trans-European networks in the area of telecommunications infrastructure and repealing Decision No 1336/97/EC (OJ L 86, 21.3.2014, p. 14, ELI:		Regulation (EU) No 283/2014 of the European Parliament and of the Council of 11 March 2014 on guidelines for trans-European networks in the area of telecommunications infrastructure and repealing Decision No 1336/97/EC (OJ L 86, 21.3.2014, p. 14, ELI:		Regulation (EU) No 283/2014 of the European Parliament and of the Council of 11 March 2014 on guidelines for trans-European networks in the area of telecommunications infrastructure and repealing Decision No 1336/97/EC (OJ L 86, 21.3.2014, p. 14, ELI:		Regulation (EU) No 283/2014 of the European Parliament and of the Council of 11 March 2014 on guidelines for trans-European networks in the area of telecommunications infrastructure and repealing Decision No 1336/97/EC (OJ L 86, 21.3.2014, p. 14, ELI:		Regulation (EU) No 283/2014 of the European Parliament and of the Council of 11 March 2014 on guidelines for trans-European networks in the area of telecommunications infrastructure and repealing Decision No 1336/97/EC (OJ L 86, 21.3.2014, p. 14, ELI:

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
	http://data.europa.eu/eli/reg/2014/283/oj).	http://data.europa.eu/eli/reg/2014/283/oj).	http://data.europa.eu/eli/reg/2014/283/oj).	http://data.europa.eu/eli/reg/2014/283/oj). Text Origin: Commission Proposal	http://data.europa.eu/eli/reg/2014/283/oj).
Annex I, point 10., first subparagraph					
316	10. Connecting Europe Facility	10. Connecting Europe Facility	10. Connecting Europe Facility	10. Connecting Europe Facility Text Origin: Commission Proposal	10. Connecting Europe Facility
Annex I, point 10., second subparagraph					
317	Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38, ELI: http://data.europa.eu/eli/reg/2021/1153/oj).	Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38, ELI: http://data.europa.eu/eli/reg/2021/1153/oj).	Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38, ELI: http://data.europa.eu/eli/reg/2021/1153/oj).	Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38, ELI: http://data.europa.eu/eli/reg/2021/1153/oj). Text Origin: Commission Proposal	Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38, ELI: http://data.europa.eu/eli/reg/2021/1153/oj).
Annex I, point 11., first subparagraph					
318	11. Digital Europe Programme	11. Digital Europe Programme	11. ~~Digital Europe Programme~~	11. Digital Europe Programme Text Origin: Commission Proposal	11. Digital Europe Programme
Annex I, point 11., second subparagraph					
319	Regulation (EU) 2021/694 of the European Parliament	Regulation (EU) 2021/694 of the European Parliament	~~Regulation (EU) 2021/694 of the European Parliament~~	Regulation (EU) 2021/694 of the European Parliament	Regulation (EU) 2021/694 of the European Parliament

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		and of the Council of 29 April 2021 establishing the Digital Europe Programme and repealing Decision (EU) 2015/2240 (OJ L 166, 11.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/694/oj).		and of the Council of 29 April 2021 establishing the Digital Europe Programme and repealing Decision (EU) 2015/2240 (OJ L 166, 11.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/694/oj).		~~and of the Council of 29 April 2021 establishing the Digital Europe Programme and repealing Decision (EU) 2015/2240 (OJ L 166, 11.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/694/oj).~~		and of the Council of 29 April 2021 establishing the Digital Europe Programme and repealing Decision (EU) 2015/2240 (OJ L 166, 11.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/694/oj).		
								Text Origin: Commission Proposal		
Annex I, point 12., first subparagraph										
320		12. European Defence Industrial Development Programme		12. European Defence Industrial Development Programme		12. European Defence Industrial Development Programme		12. European Defence Industrial Development Programme		12. European Defence Industrial Development Programme
								Text Origin: Commission Proposal		
Annex I, point 12., second subparagraph										
321		Regulation (EU) 2018/1092 of the European Parliament and of the Council of 18 July 2018 establishing the European Defence Industrial Development Programme aiming at supporting the competitiveness and innovation capacity of the Union's defence industry (OJ L 200, 7.8.2018, p. 30, ELI: http://data.europa.eu/eli/reg/2018/1092/oj).		Regulation (EU) 2018/1092 of the European Parliament and of the Council of 18 July 2018 establishing the European Defence Industrial Development Programme aiming at supporting the competitiveness and innovation capacity of the Union's defence industry (OJ L 200, 7.8.2018, p. 30, ELI: http://data.europa.eu/eli/reg/2018/1092/oj).		Regulation (EU) 2018/1092 of the European Parliament and of the Council of 18 July 2018 establishing the European Defence Industrial Development Programme aiming at supporting the competitiveness and innovation capacity of the Union's defence industry (OJ L 200, 7.8.2018, p. 30, ELI: http://data.europa.eu/eli/reg/2018/1092/oj).		Regulation (EU) 2018/1092 of the European Parliament and of the Council of 18 July 2018 establishing the European Defence Industrial Development Programme aiming at supporting the competitiveness and innovation capacity of the Union's defence industry (OJ L 200, 7.8.2018, p. 30, ELI: http://data.europa.eu/eli/reg/2018/1092/oj).		Regulation (EU) 2018/1092 of the European Parliament and of the Council of 18 July 2018 establishing the European Defence Industrial Development Programme aiming at supporting the competitiveness and innovation capacity of the Union's defence industry (OJ L 200, 7.8.2018, p. 30, ELI: http://data.europa.eu/eli/reg/2018/1092/oj).
								Text Origin: Commission Proposal		

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
Annex I, point 13., first subparagraph										
322		13. Preparatory Action on Defence Research		13. Preparatory Action on Defence Research		13. Preparatory Action on Defence Research		13. Preparatory Action on Defence Research Text Origin: Commission Proposal		13. Preparatory Action on Defence Research
Annex I, point 13., second subparagraph										
323		Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 58(2) point (b) thereof (OJ L 193, 30.7.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/1046/oj).		Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 58(2) point (b) thereof (OJ L 193, 30.7.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/1046/oj).		Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 58(2) point (b) thereof (OJ L 193, 30.7.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/1046/oj).		Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 58(2) point (b) thereof (OJ L 193, 30.7.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/1046/oj).		Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 58(2) point (b) thereof (OJ L 193, 30.7.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/1046/oj).
Annex I, point 14., first subparagraph										

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement- new structure	VS.EC Draft Agreement- old structure
324	14. European Defence Fund	14. European Defence Fund	14. European Defence Fund	14. European Defence Fund Text Origin: Commission Proposal	14. European Defence Fund
Annex I, point 14., second subparagraph					
325	Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149, ELI: http://data.europa.eu/eli/reg/2021/697/oj).	Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149, ELI: http://data.europa.eu/eli/reg/2021/697/oj).	Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149, ELI: http://data.europa.eu/eli/reg/2021/697/oj).	Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149, ELI: http://data.europa.eu/eli/reg/2021/697/oj).	Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149, ELI: http://data.europa.eu/eli/reg/2021/697/oj).
Annex I, point 15., first subparagraph					
326	15. Act in Support of Ammunition Production (ASAP)	15. Act in Support of Ammunition Production (ASAP)	15. Act in Support of Ammunition Production (ASAP)	15. Act in Support of Ammunition Production (ASAP) Text Origin: Commission Proposal	15. Act in Support of Ammunition Production (ASAP)
Annex I, point 15., second subparagraph					
327	Regulation (EU) 2023/1525 of the European Parliament and of the Council of 20 July 2023 on supporting ammunition production (ASAP) (OJ L 185, 24.7.2023, p.7, ELI: http://data.europa.eu/eli/reg/2023/1525/oj).	Regulation (EU) 2023/1525 of the European Parliament and of the Council of 20 July 2023 on supporting ammunition production (ASAP) (OJ L 185, 24.7.2023, p.7, ELI: http://data.europa.eu/eli/reg/2023/1525/oj).	Regulation (EU) 2023/1525 of the European Parliament and of the Council of 20 July 2023 on supporting ammunition production (ASAP) (OJ L 185, 24.7.2023, p.7, ELI: http://data.europa.eu/eli/reg/2023/1525/oj).	Regulation (EU) 2023/1525 of the European Parliament and of the Council of 20 July 2023 on supporting ammunition production (ASAP) (OJ L 185, 24.7.2023, p.7, ELI: http://data.europa.eu/eli/reg/2023/1525/oj).	Regulation (EU) 2023/1525 of the European Parliament and of the Council of 20 July 2023 on supporting ammunition production (ASAP) (OJ L 185, 24.7.2023, p.7, ELI: http://data.europa.eu/eli/reg/2023/1525/oj).

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
								Text Origin: Commission Proposal		
Annex I, point 16., first subparagraph										
328		16. European Defence Industry Reinforcement through common Procurement Act (EDIRPA)		16. European Defence Industry Reinforcement through common Procurement Act (EDIRPA)		16. European Defence Industry Reinforcement through common Procurement Act (EDIRPA)		16. European Defence Industry Reinforcement through common Procurement Act (EDIRPA) Text Origin: Commission Proposal		16. European Defence Industry Reinforcement through common Procurement Act (EDIRPA)
Annex I, point 16., second subparagraph										
329		Regulation (EU) 2023/2418 of the European Parliament and of the Council of 18 October 2023 on establishing an instrument for the reinforcement of the European defence industry through common procurement (EDIRPA) (OJ L 2023/2418, 26.10.2023, ELI: http://data.europa.eu/eli/reg/2023/2418/oj).		Regulation (EU) 2023/2418 of the European Parliament and of the Council of 18 October 2023 on establishing an instrument for the reinforcement of the European defence industry through common procurement (EDIRPA) (OJ L 2023/2418, 26.10.2023, ELI: http://data.europa.eu/eli/reg/2023/2418/oj).		Regulation (EU) 2023/2418 of the European Parliament and of the Council of 18 October 2023 on establishing an instrument for the reinforcement of the European defence industry through common procurement (EDIRPA) (OJ L 2023/2418, 26.10.2023, ELI: http://data.europa.eu/eli/reg/2023/2418/oj).		Regulation (EU) 2023/2418 of the European Parliament and of the Council of 18 October 2023 on establishing an instrument for the reinforcement of the European defence industry through common procurement (EDIRPA) (OJ L 2023/2418, 26.10.2023, ELI: http://data.europa.eu/eli/reg/2023/2418/oj).		Regulation (EU) 2023/2418 of the European Parliament and of the Council of 18 October 2023 on establishing an instrument for the reinforcement of the European defence industry through common procurement (EDIRPA) (OJ L 2023/2418, 26.10.2023, ELI: http://data.europa.eu/eli/reg/2023/2418/oj).
Annex I, point 17., first subparagraph										
330		17. Permanent structured cooperation (PESCO)		17. Permanent structured cooperation (PESCO)		17. Permanent structured cooperation (PESCO)		17. Permanent structured cooperation (PESCO) Text Origin: Commission Proposal		17. Permanent structured cooperation (PESCO)
Annex I, point 17., second subparagraph										

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
G	331	Council Decision (CFSP) 2018/340 of 6 March 2018 establishing the list of projects to be developed under PESCO (OJ L 65, 8.3.2018, p. 24, ELI: http://data.europa.eu/eli/dec/2018/340/oj).		Council Decision (CFSP) 2018/340 of 6 March 2018 establishing the list of projects to be developed under PESCO (OJ L 65, 8.3.2018, p. 24, ELI: http://data.europa.eu/eli/dec/2018/340/oj).		Council Decision (CFSP) 2018/340 of 6 March 2018 establishing the list of projects to be developed under PESCO (OJ L 65, 8.3.2018, p. 24, ELI: http://data.europa.eu/eli/dec/2018/340/oj).		Council Decision (CFSP) 2018/340 of 6 March 2018 establishing the list of projects to be developed under PESCO (OJ L 65, 8.3.2018, p. 24, ELI: http://data.europa.eu/eli/dec/2018/340/oj).		
	Annex I, point 17., third subparagraph									
G	332	Council Decision (CFSP) 2023/995 of 22 May 2023 amending and updating Decision (CFSP) 2018/340 establishing the list of projects to be developed under PESCO (OJ L135, 23.5.2023, p. 123, ELI: http://data.europa.eu/eli/dec/2023/995/oj).		Council Decision (CFSP) 2023/995 of 22 May 2023 amending and updating Decision (CFSP) 2018/340 establishing the list of projects to be developed under PESCO (OJ L135, 23.5.2023, p. 123, ELI: http://data.europa.eu/eli/dec/2023/995/oj).		Council Decision (CFSP) 2023/995 of 22 May 2023 amending and updating Decision (CFSP) 2018/340 establishing the list of projects to be developed under PESCO (OJ L135, 23.5.2023, p. 123, ELI: http://data.europa.eu/eli/dec/2023/995/oj).		Council Decision (CFSP) 2023/995 of 22 May 2023 amending and updating Decision (CFSP) 2018/340 establishing the list of projects to be developed under PESCO (OJ L135, 23.5.2023, p. 123, ELI: http://data.europa.eu/eli/dec/2023/995/oj).		
	Annex I, point 18., first subparagraph -a									
G	332a			18. European Defence Industry Programme (EDIP)				18. European Defence Industry Programme (EDIP)		18. European Defence Industry Programme (EDIP)
	Annex I, point 18., first subparagraph -b									
G	332b			[Reference to be added once the Regulation has been adopted.]				[Reference to be added once the Regulation has been adopted.]		[Reference to be added once the Regulation has been adopted.]

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
								Text Origin: EP Mandate		
Annex I, point 18., first subparagraph										
333		18. European Joint Undertaking for ITER		18. European Joint Undertaking for ITER		~~18. European Joint Undertaking for ITER~~		18. European Joint Undertaking for ITER Text Origin: EP Mandate		18. European Joint Undertaking for ITER
Annex I, point 18., second subparagraph										
334		Council Decision 2007/198/Euratom of 27 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it (OJ L 90, 30.3.2007, p. 58, ELI: http://data.europa.eu/eli/dec/2007/198/oj).		Council Decision 2007/198/Euratom of 27 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it (OJ L 90, 30.3.2007, p. 58, ELI: http://data.europa.eu/eli/dec/2007/198/oj).		~~Council Decision 2007/198/Euratom of 27 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it (OJ L 90, 30.3.2007, p. 58, ELI: http://data.europa.eu/eli/dec/2007/198/oj).~~		Council Decision 2007/198/Euratom of 27 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it (OJ L 90, 30.3.2007, p. 58, ELI: http://data.europa.eu/eli/dec/2007/198/oj).		Council Decision 2007/198/Euratom of 27 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it (OJ L 90, 30.3.2007, p. 58, ELI: http://data.europa.eu/eli/dec/2007/198/oj).
Annex I, point 19., first subparagraph										
335		19. EU4Health Programme		19. EU4Health Programme		~~19. EU4Health Programme~~		19. EU4Health Programme Text Origin: Commission Proposal		19. EU4Health Programme
Annex I, point 19., second subparagraph										
336		Regulation (EU) 2021/522 of the European Parliament and of the Council of 24March 2021 establishing a Programme for the Union's action in the field of health ('EU4Health Programme')		Regulation (EU) 2021/522 of the European Parliament and of the Council of 24March 2021 establishing a Programme for the Union's action in the field of health ('EU4Health Programme')		~~Regulation (EU) 2021/522 of the European Parliament and of the Council of 24March 2021 establishing a Programme for the Union's action in the field of health ('EU4Health~~		Regulation (EU) 2021/522 of the European Parliament and of the Council of 24March 2021 establishing a Programme for the Union's action in the field of health ('EU4Health Programme')		Regulation (EU) 2021/522 of the European Parliament and of the Council of 24March 2021 establishing a Programme for the Union's action in the field of health ('EU4Health Programme')

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
		for the period 2021-27, and repealing Regulation (EU) No 282/2014 (OJ L 107, 26.3.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/522/oj).		for the period 2021-27, and repealing Regulation (EU) No 282/2014 (OJ L 107, 26.3.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/522/oj).		~~Programme') for the period 2021-27, and repealing Regulation (EU) No 282/2014 (OJ L 107, 26.3.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/522/oj).~~		for the period 2021-27, and repealing Regulation (EU) No 282/2014 (OJ L 107, 26.3.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/522/oj).		for the period 2021-27, and repealing Regulation (EU) No 282/2014 (OJ L 107, 26.3.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/522/oj).
								Text Origin: Commission Proposal		
	Annex I, point 20., first subparagraph									
337		20. Important Projects of Common European Interest (IPCEI)		20. Important Projects of Common European Interest (IPCEI)		~~20. Important Projects of Common European Interest (IPCEI)~~		20. Important Projects of Common European Interest (IPCEI)		20. Important Projects of Common European Interest (IPCEI)
								Text Origin: Commission Proposal		
	Annex I, point 20., second subparagraph									
338		Described in the Communication from the Commission - Criteria for the analysis of the compatibility with the internal market of State aid to promote the execution of important projects of common European interest (2021/C 528/02) (OJ C 528/10, 30.12.2021, p.10) as referred to on the website of the Commission services. ¹ 1. https://competition-policy.ec.europa.eu/state-aid/ipcei/approved-ipceis_en		Described in the Communication from the Commission - Criteria for the analysis of the compatibility with the internal market of State aid to promote the execution of important projects of common European interest (2021/C 528/02) (OJ C 528/10, 30.12.2021, p.10) as referred to on the website of the Commission services. ¹ 1. https://competition-policy.ec.europa.eu/state-aid/ipcei/approved-ipceis_en		~~Described in the Communication from the Commission - Criteria for the analysis of the compatibility with the internal market of State aid to promote the execution of important projects of common European interest (2021/C 528/02) (OJ C 528/10, 30.12.2021, p.10) as referred to on the website of the Commission services.¹~~ ~~1. https://competition-policy.ec.europa.eu/state-aid/ipcei/approved-ipceis_en~~		~~Described in the Communication from the Commission - Criteria for the analysis of the compatibility with the internal market of State aid to promote the execution of important projects of common European interest (2021/C 528/02) (OJ C 528/10, 30.12.2021, p.10) as referred to on the website of the Commission~~ ~~ofhas considered, in a decision adopted pursuant to Article 108 TFEU, to constitute an important project of common European interest (2021/C 528/02) (OJ C 528/10, 30.12.2021, p.10) as referred to on the website of the Commission~~		~~Described in the Communication from the Commission - Criteria for the analysis of the compatibility with the internal market of State aid to promote the execution of important projects of common European interest (2021/C 528/02) (OJ C 528/10, 30.12.2021, p.10) as referred to on the website of the Commission~~ ~~ofhas considered, in a decision adopted pursuant to Article 108 TFEU, to constitute an important project of common European interest (2021/C 528/02) (OJ C 528/10, 30.12.2021, p.10) as referred to on the website of the Commission~~

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								<i>services within the meaning of Article 107(3), point (b), TFEU.¹</i> ~~^{1.} https://competition-policy.ec.europa.eu/state-aid/ipcei/approved-ipceis_en~~		<i>services within the meaning of Article 107(3), point (b), TFEU.¹</i> ~~^{1.} https://competition-policy.ec.europa.eu/state-aid/ipcei/approved-ipceis_en~~
Annex I, first paragraph a, point (a)										
G	338a			<i>It. Projects of common interest and projects of mutual interest</i>				<i>21. Projects of common interest and projects of mutual interest</i> Text Origin: EP Mandate		<i>21. Projects of common interest and projects of mutual interest</i>
Annex I, first paragraph a, point (b)										
G	338b			<i>Commission Delegated Regulation (EU) 2024/1041 of 28 November 2023, amending Regulation (EU) 2022/869 of the European Parliament and of the Council as regards the Union list of projects of common interest and projects of mutual interest. (OJ L 107, 26.3.2021, p. 1, ELI: http://data.europa.eu/eli/reg_del/2024/1041/oj).</i>				<i>Commission Delegated Regulation (EU) 2024/1041 of 28 November 2023, amending Regulation (EU) 2022/869 of the European Parliament and of the Council as regards the Union list of projects of common interest and projects of mutual interest. (OJ L 107, 26.3.2021, p. 1, ELI: http://data.europa.eu/eli/reg_del/2024/1041/oj).</i> Text Origin: EP Mandate		<i>Commission Delegated Regulation (EU) 2024/1041 of 28 November 2023, amending Regulation (EU) 2022/869 of the European Parliament and of the Council as regards the Union list of projects of common interest and projects of mutual interest. (OJ L 107, 26.3.2021, p. 1, ELI: http://data.europa.eu/eli/reg_del/2024/1041/oj).</i>
Annex II										
G	339	Annex II		Annex II		Annex II		<i>Annex ~~II~~ Particularly critical technologies for security and public order</i>		<i>Annex ~~II~~ Particularly critical technologies for security and public order</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
							Text Origin: Commission Proposal			
Annex II, Section 1										
G	340	List of technologies, assets, facilities, equipment, networks, systems, services and economic activities of particular importance for the security or public order interests of the Union		List of technologies, materials , assets, facilities, equipment, networks, systems, services and economic activities of particular importance for the security or public order interests of the Union		~~List of technologies, assets, facilities, equipment, networks, systems, services and economic activities~~ Technology areas of particular importance for ~~the~~ security or public order ~~interests of the Union~~				G
Annex II, point 1.										
G	341	1.Items listed in Annex I to Regulation (EU) 2021/821 of the European Parliament and of the Council (common list of dual-use items subject to export controls)		1.Items listed in Annex I to Regulation (EU) 2021/821 of the European Parliament and of the Council (common list of dual-use items subject to export controls)		~~1.Items listed in Annex I to Regulation (EU) 2021/821 of the European Parliament and of the Council (common list of dual-use items subject to export controls)~~				G
Annex II, point 2.										
G	342	2.Equipment covered by Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment (Common Military List of the European Union)		2.Equipment covered by Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment (Common Military List of the European Union)		~~2.Equipment covered by Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment (Common Military List of the European Union)~~				G
Annex II, point 3										
G	343	3.The following critical technology areas for the EU's economic security annexed to Commission Recommendation (EU)		3.The following critical technology areas for the EU's economic security annexed to Commission Recommendation (EU)		3.The following critical technology areas for the EU's economic security ~~annexed to Commission Recommendation (EU)~~				G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		2023/2113 of 3 October 2023 on critical technology areas for the EU's economic security for further risk assessment with Member States:		2023/2113 of 3 October 2023 on critical technology areas for the EU's economic security for further risk assessment with Member States:		~~2023/2113 of 3 October 2023 on critical technology areas for the EU's economic security for further risk assessment with Member States:~~				
Annex II, point 2.(a), second subparagraph										
G	344	a. Advanced semiconductors technologies:		a. ~~Advanced~~ Semiconductors technologies:		a. ~~Advanced~~ Semiconductors technologies:		~~a1. Advanced~~ Semiconductors technologies, meaning any technology or know-how related to:		~~a1. Advanced~~ Semiconductors technologies, meaning any technology or know-how related to:
Annex II, point 2.(a), second subparagraph, point (i)										
G	345	- microelectroics, including processors		- ~~microelectroics~~ design of integrated circuits and other semiconductors , including microprocessors, graphic processors, microcontrollers, logic chips, memory chips, radio frequency chips, photonic chips, analog chips, quantum chips, optical semiconductors, power semiconductors, discretcs and sensors / microsystem, as well as related semiconductor intellectual property core		- ~~microelectroics~~ , including processors		- ~~microelectroics~~ , including processors		- ~~microelectroics~~ , including processors
Annex II, point 2.(a), second subparagraph, point (ii)										
G	346	- photonics (including high energy laser) technologies		- ~~photonics (including high energy laser)~~ technologieselectronic		- ~~photonics (including high energy laser)~~ technologies		- ~~photonics (including high energy laser)~~ technologies		- ~~photonics (including high energy laser)~~ technologies

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>design automation software for the design of integrated circuits and other semiconductors, or for the design of advanced packaging</i>						
Annex II, point 2.(a), second subparagraph, point (iii)										
347		- high frequency chips		~~- high frequency chips~~ <i>front-end fabrication of integrated circuits and other semiconductors</i>		~~- high frequency chips~~ <i>i. design of integrated circuits and other semiconductors¹, including related semiconductor intellectual property core;</i> <i>1. The concept of “integrated circuits and other semiconductors” includes but is not limited to microprocessors, graphic processors, microcontrollers, logic chips, memory chips, radio frequency chips, photonic chips, analog chips, quantum chips, optical semiconductors, power semiconductors, discret es and sensors / microsystems.</i>		~~-(i) high~~ <i>the design of integrated circuits and other semiconductors, including microprocessors, cryogenic components, graphic processors, microcontrollers, logic chips, memory chips, radio frequency chips, photonic chips, analog chips, quantum chips, optical semiconductors, power semiconductors, discret es, micro-electro-mechanical systems (MEMS), sensors and microsystems, as well as related semiconductor intellectual property core;</i>		~~-(i) high~~ <i>the design of integrated circuits and other semiconductors, including microprocessors, cryogenic components, graphic processors, microcontrollers, logic chips, memory chips, radio frequency chips, photonic chips, analog chips, quantum chips, optical semiconductors, power semiconductors, discret es, micro-electro-mechanical systems (MEMS), sensors and microsystems, as well as related semiconductor intellectual property core;</i>
Annex II, point 2.(a), second subparagraph, point (iv)										
348		- semiconductor manufacturing equipment at very advanced node sizes		~~- semiconductor manufacturing equipment at very~~ <i>assembly, testing and packaging of integrated circuits and other semiconductors, including advanced node sizes</i> <i>printed circuit boards and</i>		~~- semiconductor manufacturing equipment at very~~ <i>ii. electronic design automation software for the design of integrated circuits and other semiconductors, or for the design of advanced node</i>		~~-(ii) semiconductor manufacturing equipment at very~~ <i>electronic design automation (EDA) software used for the design of integrated circuits and other semiconductors, or for the design of advanced node</i>		~~-(ii) semiconductor manufacturing equipment at very~~ <i>electronic design automation (EDA) software used for the design of integrated circuits and other semiconductors, or for the design of advanced node</i>

	CLEAN	Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement-new structure	vs.EC Draft Agreement-old structure
			<i>packaging</i>	<i>sizespackaging;</i>	<i>sizespackaging;</i>	<i>sizespackaging;</i>
	Annex II, point 2.(a), second subparagraph, point (v)					
G	348a			<i>iii. front-end fabrication of integrated circuits and other semiconductors;</i>	<i>(iii)front-end fabrication of integrated circuits and other semiconductors;</i>	<i>(iii)front-end fabrication of integrated circuits and other semiconductors;</i>
	Annex II, point 2.(a), second subparagraph, point (vi)					
G	348b			<i>iv. assembly, testing and packaging of integrated circuits and other semiconductors, including advanced printed circuit boards and packaging;</i>	<i>(iv) the assembly, testing and packaging of integrated circuits and other semiconductors, including advanced printed circuit boards and advanced packaging technologies;</i>	<i>(iv) the assembly, testing and packaging of integrated circuits and other semiconductors, including advanced printed circuit boards and advanced packaging technologies;</i>
	Annex II, point 2.(a), second subparagraph, point (vii)					
G	348c			<i>v. semiconductor manufacturing equipment, both for the front-end and back-end fabrication of integrated circuits and other semiconductors, including etching, deposition, epitaxy, lithography, advanced packaging, testing or metrology tools;</i>	<i>(v) semiconductor manufacturing equipment, both for the front-end and back-end fabrication of integrated circuits and other semiconductors, including etching, deposition, epitaxy, lithography, advanced packaging, testing or metrology tools</i>	<i>(v) semiconductor manufacturing equipment, both for the front-end and back-end fabrication of integrated circuits and other semiconductors, including etching, deposition, epitaxy, lithography, advanced packaging, testing or metrology tools</i>
	Annex II, point 2.(a), second subparagraph, point (viii)					
G	348d			<i>vi. core components or software of semiconductor manufacturing equipment;</i>	<i>(vi) core components or software of semiconductor manufacturing equipment;</i>	<i>(vi) core components or software of semiconductor manufacturing equipment;</i>
	Annex II, point 2.(a), second subparagraph, point (ix)					
G	348e			<i>vii. materials used in the fabrication of integrated</i>	<i>(vii) materials used in the fabrication of integrated</i>	<i>(vii) materials used in the fabrication of integrated</i>

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
						<i>circuits and other semiconductors, in particular specialty chemicals, rare gases, semiconductor materials, substrates or wafers.</i>		<i>circuits and other semiconductors, in particular specialty chemicals, rare gases, substrates or wafers.</i>		<i>circuits and other semiconductors, in particular specialty chemicals, rare gases, substrates or wafers.</i>
Annex II, fifth paragraph a										
G	348f			<i>semiconductor manufacturing equipment, both for the front-end and back-end fabrication of integrated circuits and other semiconductors, including etching, deposition, epitaxy, lithography, advanced packaging, testing or metrology tools</i>						G
Annex II, fifth paragraph b										
G	348g			<i>core components or software of semiconductor manufacturing equipment</i>						G
Annex II, fifth paragraph c										
G	348h			<i>materials used in the fabrication of integrated circuits and other semiconductors, in particular specialty chemicals, rare gases, semiconductor materials, substrates or wafers</i>						G
Annex II, fifth paragraph d										
G	348i			<i>data storage and processing</i>						G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				<i>equipment and facilities</i>						
Annex II, 2.										
349		b.Artificial intelligence technologies:		b.Artificial intelligence technologies, <i>meaning any technology or know-how related to a machine-based system that is designed to operate with varying levels of autonomy and that may exhibit adaptiveness after deployment, and that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments ('AI system'), used for the following applications:</i>		b.Artificial intelligence technologies, <i>meaning any technology related to a machine-based system that is designed to operate with varying levels of autonomy and that may exhibit adaptiveness after deployment, and that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments ('AI system'), used for the following applications:</i>		b2. Artificial intelligence ('AI') technologies, <i>meaning any technology or know-how related to a machine-based system that is designed to operate with varying levels of autonomy and that may exhibit adaptiveness after deployment, and that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments ('AI system'), with either of the following technical properties:</i>		b2. Artificial intelligence ('AI') technologies, <i>meaning any technology or know-how related to a machine-based system that is designed to operate with varying levels of autonomy and that may exhibit adaptiveness after deployment, and that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments ('AI system'), with either of the following technical properties:</i>
Annex II, 2., point (a)										
349a						(a) i. <i>generative AI systems trained using more than 10²⁵ FLOPS (floating point operations);</i>		(a) <i>generative AI systems trained using more than 10²⁵ FLOPS (floating point operations);</i>		(a) <i>generative AI systems trained using more than 10²⁵ FLOPS (floating point operations);</i>
Annex II, 2., point (b)										
349b						(b) ii. <i>generative AI systems trained in a significant part on biological/ genomic data, or</i>		(b) <i>generative AI systems trained in a significant part on biological / genomic data, or designed to be used</i>		(b) <i>generative AI systems trained in a significant part on biological / genomic data, or designed to be used</i>

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
						<i>designed to be used in a biotechnological, space or defence context.</i>		<i>for biotechnological, space or defence applications or development thereof;</i>		<i>for biotechnological, space or defence applications or development thereof;</i>
	Annex II, c paragraph									
G	350	- high performance computing		~~- high performance computing~~ <i>generative AI systems trained using more than 10²⁵ FLOPS (floating point operations)</i>		~~- high performance computing~~				
	Annex II, first paragraph									
G	351	- cloud and edge computing		~~- cloud and edge computing~~ <i>generative AI systems trained in a significant part on biological/ genomic data, or designed to be used in a biotechnological, space or defence context</i>		~~- cloud and edge computing~~				
	Annex II, second paragraph									
G	352	- data analytics technologies		<i>deleted</i>		~~- data analytics technologies~~				
	Annex II, third paragraph									
G	353	- computer vision, language processing, object recognition		<i>deleted</i>		~~- computer vision, language processing, object recognition~~				
	Annex II, eleventh paragraph									
G	354	c. Quantum technologies:		c. Quantum technologies:		c. Quantum technologies:		~~€3.~~ Quantum technologies, <i>meaning any technology or know-how related to:</i>		~~€3.~~ Quantum technologies, <i>meaning any technology or know-how related to:</i>
	Annex II, twelfth paragraph									

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure	
G	355	- quantum computing	-	quantum computing	-i.	quantum computing;	-i.	quantum computing; Text Origin: Council Mandate	-i.	quantum computing;	G
Annex II, first paragraph											
G	356	- quantum cryptography	-	quantum cryptography	-	~~quantum cryptography~~	-	~~quantum cryptography~~ Text Origin: EP Mandate	-	~~quantum cryptography~~	G
Annex II, fourteenth paragraph											
G	357	- quantum communications	-	quantum communications	-ii.	quantum communications;	-ii.	quantum communications; Text Origin: Council Mandate	-ii.	quantum communications;	G
Annex II, fifteenth paragraph											
G	358	- quantum sensing and radar	-	quantum sensing and radar	-iii.	quantum sensing ~~and radar.~~	-iii.	quantum sensing ~~and radar.~~ Text Origin: Council Mandate	-iii.	quantum sensing ~~and radar.~~	G
Annex III											
G	358a							Annex III Technology areas of importance for security and public order		Annex III Technology areas of importance for security and public order	G
Annex II, fourth paragraph											
G	359	d.Biotechnologies:	d.	Biotechnologies:	d.	Biotechnologies:	d.	Biotechnologies: Text Origin: Commission Proposal	d.	Biotechnologies:	G
Annex II, DI paragraph											
G	360	- techniques of genetic modification	-	techniques of genetic modification	-i.	techniques of genetic modification	-	techniques of genetic modification Text Origin: Commission	-	techniques of genetic modification	G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
							Proposal			
Annex II, first paragraph										
361		- new genomic techniques		- new genomic techniques		-ii. new genomic techniques		- new genomic techniques Text Origin: Commission Proposal		- new genomic techniques
Annex II, second paragraph										
362		- gene-drive		- gene-drive		-iii. gene-drive		- gene-drive Text Origin: Commission Proposal		- gene-drive
Annex II, third paragraph										
363		- synthetic biology		- synthetic biology		-iv. synthetic biology		- synthetic biology Text Origin: Commission Proposal		- synthetic biology
Annex II, fourth paragraph										
364		e.Advanced connectivity, navigation and digital technologies:		e.Advanced connectivity, navigation and digital technologies:		e.Advanced connectivity, navigation and digital technologies:		e.Advanced connectivity, navigation and digital technologies: Text Origin: Commission Proposal		e.Advanced connectivity, navigation and digital technologies:
Annex II, f paragraph										
365		- Secure digital communications and connectivity, such as RAN & Open RAN (Radio Access Network) and 6G		- Secure digital communications and connectivity, such as RAN & Open RAN (Radio Access Network), 5G and 6G, laser and light communication		-i. Secure digital communications and connectivity, such as RAN & Open RAN (Radio Access Network) and 6G		- Secure digital communications and connectivity, such as RAN & Open RAN (Radio Access Network) and 6G Text Origin: Council Mandate		- Secure digital communications and connectivity, such as RAN & Open RAN (Radio Access Network) and 6G
Annex II, first paragraph										
366		- Cyber security		- Cyber security		-ii. Cyber security		- Cyber security		- Cyber security

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
		technologies incl. cyber-surveillance, security and intrusion systems, digital forensics		technologies incl. cyber-surveillance, encryption , security and intrusion prevention and detection systems, digital forensics		technologies incl. cyber-surveillance, security and intrusion systems, digital forensics		technologies incl. cyber-surveillance, encryption , security and intrusion prevention and detection systems, digital forensics Text Origin: EP Mandate		technologies incl. cyber-surveillance, encryption , security and intrusion prevention and detection systems, digital forensics
Annex II, second paragraph										
G	367	- Internet of Things and Virtual Reality		- Internet of Things and Virtual Reality		-iii. Internet of Things and Virtual Reality		- Internet of Things and Virtual Reality Text Origin: Commission Proposal		- Internet of Things and Virtual Reality
Annex II, third paragraph										
G	368	- Distributed ledger and digital identity technologies		- Distributed ledger and digital identity technologies		-iv. Distributed ledger and digital identity technologies		- Distributed ledger and digital identity technologies Text Origin: Commission Proposal		- Distributed ledger and digital identity technologies
Annex II, fourth paragraph										
G	369	- Guidance, navigation and control technologies, including avionics and marine positioning		- Guidance, navigation and control technologies, including avionics and marine positioning		-v. Advanced guidance, navigation and control technologies, including avionics and marine positioning		- Advanced guidance, navigation and control technologies, including avionics and marine positioning Text Origin: Council Mandate		- Advanced guidance, navigation and control technologies, including avionics and marine positioning
Annex II, fourth paragraph a										
G	369a			Submarine fibre-optic cables				ea. Submarine fibre-optic cables Text Origin: EP Mandate		ea. Submarine fibre-optic cables
Annex II, fifth paragraph										

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement- new structure	vs.EC Draft Agreement- old structure
370	f. Advanced sensing technologies:	f. Advanced sensing technologies:	f. Advanced sensing technologies:	f. Advanced sensing technologies: Text Origin: Commission Proposal	f. Advanced sensing technologies:
Annex II, g paragraph					
371	- Electro-optical, radar, chemical, biological, radiation and distributed sensing	- Electro-optical, radar, chemical, biological, radiation and distributed sensing	-i. Electro-optical, radar, chemical, biological, radiation and distributed sensing	- Electro-optical, radar, chemical, biological, radiation and ~~distributed~~ distributed sensing Text Origin: Commission Proposal	- Electro-optical, radar, chemical, biological, radiation and ~~distributed~~ distributed sensing
Annex II, first paragraph					
372	- Magnetometers, magnetic gradiometers	- Magnetometers, magnetic gradiometers	-ii. Magnetometers, magnetic gradiometers	- Magnetometers, magnetic gradiometers Text Origin: Commission Proposal	- Magnetometers, magnetic gradiometers
Annex II, second paragraph					
373	- Underwater electric field sensors	- Underwater electric field sensors	-iii. Underwater electric field sensors	- Underwater electric field sensors Text Origin: Commission Proposal	- Underwater electric field sensors
Annex II, third paragraph					
374	- Gravity meters and gradiometers	- Gravity meters and gradiometers	-iv. Gravity meters and gradiometers	- Gravity meters and gradiometers Text Origin: Commission Proposal	- Gravity meters and gradiometers
Annex II, fourth paragraph					
375	g.Space & propulsion technologies:	g.Space & propulsion technologies:	g.Space ~~&amp;~~ propulsion technologies:	g.Space ~~&~~ and propulsion technologies:	g.Space ~~&~~ and propulsion technologies:

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
							Text Origin: Commission Proposal			
Annex II, h paragraph										
376		- Dedicated space-focused technologies, ranging from component to system level		- Dedicated space-focused technologies, ranging from component to system level		-i. Dedicated space-focused technologies, ranging from component to system level		- Dedicated space-focused technologies, ranging from component to system level Text Origin: Commission Proposal		- Dedicated space-focused technologies, ranging from component to system level
Annex II, first paragraph										
377		- Space surveillance and Earth observation technologies		- Space surveillance and Earth observation technologies		-ii. Space surveillance and Earth observation technologies		- Space surveillance and Earth observation technologies Text Origin: Commission Proposal		- Space surveillance and Earth observation technologies
Annex II, second paragraph										
378		- Space positioning, navigation and timing (PNT)		- Space positioning, navigation and timing (PNT)		-iii. Space positioning, navigation and timing (PNT)		- Space positioning, navigation and timing (PNT) Text Origin: Commission Proposal		- Space positioning, navigation and timing (PNT)
Annex II, third paragraph										
379		- Secure communications including Low Earth Orbit (LEO) connectivity		- Secure communications including Low Earth Orbit (LEO) connectivity		-iv. Secure communications including Low Earth Orbit (LEO) ~~connectivity~~ connectivity		- Secure communications including Low Earth Orbit (LEO) connectivity Text Origin: Commission Proposal		- Secure communications including Low Earth Orbit (LEO) connectivity
Annex II, fourth paragraph										
380		- Propulsion technologies, including hypersonics and components for military use		- Propulsion technologies, including hypersonics and components for military use		-v. Propulsion technologies, including hypersonics and components for military use		- Propulsion technologies, including hypersonics and components for military use Text Origin: Commission Proposal		- Propulsion technologies, including hypersonics and components for military use

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
							Proposal			
	Annex II, thirty-seventh paragraph a									
G	380a			<i>Operational technologies for all transport modes, such as signalling systems, traffic management systems and safety-related technologies</i>						G
	Annex II, fourth paragraph a									
G	380b						ga. aerospace technologies	ga. aerospace technologies		G
	Annex II, fifth paragraph									
G	381	h.Energy technologies:		h.Energy technologies, <i>services and infrastructure</i> :		h.Energy technologies:	h.Energy technologies: Text Origin: Council Mandate	h.Energy technologies:		G
	Annex II, i paragraph									
G	382	- Nuclear fusion technologies, reactors and power generation, radiological conversion/enrichment/recycling technologies		- Nuclear ~~fusion~~ technologies, reactors and power generation, ~~radiological~~ <i>radiological</i> conversion/enrichment/recycling technologies, <i>nuclear storage and disposal of radioactive waste</i>		-i. Nuclear fusion technologies, reactors and power generation, radiological conversion/enrichment/recycling technologies	- Nuclear fusion technologies, reactors and power generation, ~~radiological~~ <i>radiological</i> conversion/enrichment/recycling technologies Text Origin: Commission Proposal	- Nuclear fusion technologies, reactors and power generation, ~~radiological~~ <i>radiological</i> conversion/enrichment/recycling technologies		G
	Annex II, first paragraph									
G	383	- Hydrogen and new fuels		- Hydrogen and new fuels		-ii. Hydrogen and new fuels	- Hydrogen and new fuels Text Origin: Commission Proposal	- Hydrogen and new fuels		G
	Annex II, second paragraph									
G	384	- Net-zero technologies,		- Net-zero technologies,		-iii. Net-zero technologies,	- Net-zero technologies,	- Net-zero technologies,		G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure	
		including photovoltaics		including photovoltaics <i>and solar thermal infrastructure, as well as onshore and offshore renewable energy technologies</i>		including photovoltaics		including photovoltaics Text Origin: Commission Proposal		including photovoltaics	
Annex II, forty-first paragraph a											
G	384a			Grid operators (TSOs and DSOs)							G
Annex II, third paragraph											
G	385	- Smart grids and energy storage, batteries		- European and cross-border grids, including smart grids and energy storage solutions, batteries, battery technologies for grid applications and renewable energy integration		-iv. Smart grids and energy storage, batteries		- Smart grids and energy storage, batteries Text Origin: Commission Proposal		- Smart grids and energy storage, batteries	G
Annex II, fourth paragraph											
G	386	i. Robotics and autonomous systems:		i. Robotics and autonomous systems:		iv. Robotics and autonomous systems:		i. Robotics and autonomous systems: Text Origin: Commission Proposal		i. Robotics and autonomous systems:	G
Annex II, II paragraph											
G	387	- Drones and vehicles (air, land, surface and underwater)		- Drones and vehicles (air, land, surface and underwater)		-vi. Drones and vehicles (air, land, surface and underwater)		- Drones and vehicles (air, land, surface and underwater) Text Origin: Commission Proposal		- Drones and vehicles (air, land, surface and underwater)	G
Annex II, first paragraph											
G	388	- Robots and robot-controlled precision systems		- Robots and robot-controlled precision systems		-vii. Robots and robot-controlled precision systems		- Robots and robot-controlled precision systems		- Robots and robot-controlled precision systems	G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
								Text Origin: Commission Proposal		
Annex II, second paragraph										
389		- Exoskeletons		- Exoskeletons		-viii. Exoskeletons		- Exoskeletons Text Origin: Commission Proposal		- Exoskeletons
Annex II, third paragraph										
390		- AI-enabled systems		- AI-enabled systems		-ix. AI-enabled systems		- AI-enabled systems Text Origin: Commission Proposal		- AI-enabled systems
Annex II, fourth paragraph										
391		j. Advanced materials, manufacturing and recycling technologies:		j. Advanced materials, manufacturing and recycling technologies:		j. Advanced materials, manufacturing and recycling technologies:		j. Advanced materials, manufacturing and recycling technologies: Text Origin: Commission Proposal		j. Advanced materials, manufacturing and recycling technologies:
Annex II, k paragraph										
392		- Technologies for nanomaterials, smart materials, advanced ceramic materials, stealth materials, safe and sustainable by design materials		- Technologies for nanomaterials, smart materials, advanced ceramic materials, stealth materials, safe and sustainable by design materials		-i. Technologies for nanomaterials, smart materials, advanced ceramic materials, stealth materials, safe and sustainable by design materials		- Technologies for nanomaterials, smart materials, advanced ceramic materials, stealth materials, safe and sustainable by design materials Text Origin: Commission Proposal		- Technologies for nanomaterials, smart materials, advanced ceramic materials, stealth materials, safe and sustainable by design materials
Annex II, first paragraph										
393		- Additive manufacturing, including in the field		- Additive manufacturing, including in the field		-ii. Additive manufacturing, including in the field		- Additive manufacturing, including in the field Text Origin: Commission Proposal		- Additive manufacturing, including in the field

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
							Proposal			
Annex II, second paragraph										
394		- Digital controlled micro-precision manufacturing and small-scale laser machining/welding		- Digital controlled micro-precision manufacturing and small-scale laser machining/welding		~~iii.~~ Digital controlled micro-precision manufacturing and small-scale laser machining/welding		- Digital controlled micro-precision manufacturing and small-scale laser machining/welding Text Origin: Commission Proposal		- Digital controlled micro-precision manufacturing and small-scale laser machining/welding
Annex II, third paragraph										
395		- Technologies for extraction, processing and recycling of critical raw materials (including hydrometallurgical extraction, bioleaching, nanotechnology-based filtration, electrochemical processing and black mass)		- Technologies for extraction, processing and recycling of critical raw materials (including hydrometallurgical extraction, bioleaching, nanotechnology-based filtration, electrochemical processing and black mass)		~~iv.~~ Technologies for extraction, processing and recycling of critical raw materials (including hydrometallurgical extraction, bioleaching, nanotechnology-based filtration, electrochemical processing and black mass)				
Annex II, point 4.										
396		4.Listed critical medicines: Medicines for human use that are essential for the proper functioning of the EU healthcare system and whose shortage would lead to an interruption in treatment and thus serious harm to patients, as listed in the Union list for critical medicines ¹ . ¹ . Union list of critical medicines https://www.ema.europa.eu/en/human-regulatory-overview/post-authorisation/medicine-shortages-		4.Listed critical medicines: Medicines for human use that are essential for the proper functioning of the EU healthcare system and whose shortage would lead to an interruption in treatment and thus serious harm to patients, as listed in the Union list for critical medicines ¹ . ¹ . Union list of critical medicines https://www.ema.europa.eu/en/human-regulatory-overview/post-authorisation/medicine-shortages-		~~4. Listed critical medicines: Medicines for human use that are essential for the proper functioning of the EU healthcare system and whose shortage would lead to an interruption in treatment and thus serious harm to patients, as listed in the Union list for critical medicines ¹.~~ ~~¹. Union list of critical medicines https://www.ema.europa.eu/en/human-regulatory-overview/post-~~				

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement- new structure	VS.EC	Draft Agreement- old structure
		and-availability-issues/availability-critical-medicines#ema-inpage-item-64278		and-availability-issues/availability-critical-medicines#ema-inpage-item-64278		~~authorisation/medicine shortages and availability issues/availability critical medicines#ema inpage item 64278~~				
Annex II, point 5.										
397		5.The following critical entities and activities in the Union’s financial system: central counterparties¹, payment systems and payment institutions², electronic money institutions³, market operators and investment firms that operate a multilateral trading facility or an organised trading facility⁴, central securities depositories⁵, significant issuers of asset-referenced tokens or e-money tokens and crypto asset service providers operating trading platforms for crypto-assets⁶, large institutions⁷, global providers of specialised financial messaging services and designated critical ICT third-party service providers⁸. 1. Article 2(1) of Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories (OJ L 201, 27.7.2012,		5.The following critical entities and activities in the Union’s financial system: (a) central counterparties or CCPs as defined in Article 2, point (1), of Regulation (EU) No 648/2012¹; (b) ¹, payment systems and payment institutions as defined in Article 4, points (7) and (4) respectively, of Directive (EU) 2015/2366 of the European Parliament and of the Council²; (c) ², electronic money institutions as defined in Article 2, point (1), of Directive 2009/110/EC of the European Parliament and of the Council³; (d) ³, market operators as defined in Article 4(1), point (18), of Directive 2014/65/EU of the European Parliament and of the Council⁴ and investment firms that operate a multilateral trading facility or an organised trading facility⁴;		~~5.The following critical entities and activities in the Union’s financial system: central counterparties¹, payment systems and payment institutions², electronic money institutions³, market operators and investment firms that operate a multilateral trading facility or an organised trading facility⁴, central securities depositories⁵, significant issuers of asset-referenced tokens or e-money tokens and crypto asset service providers operating trading platforms for crypto-assets⁶, large institutions⁷, global providers of specialised financial messaging services and designated critical ICT third-party service providers⁸.~~ ~~1. Article 2(1) of Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories (OJ L 201, 27.7.2012,~~		Text Origin: Commission Proposal		

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement-new structure	VS.EC	Draft Agreement-old structure
		p.1, ELI: http://data.europa.eu/eli/reg/2012/648/oj. 2. Article 4(7) and Art 4(4) of Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35, ELI: http://data.europa.eu/eli/dir/2015/2366/oj . 3. Article 2(1) of Directive 2009/110/EC of the European Parliament and of the Council of 16 September 2009 on the taking up, pursuit and prudential supervision of the business of electronic money institutions amending Directives 2005/60/EC and 2006/48/EC and repealing Directive 2000/46/EC (OJ L 267, 10.10.2009, p.7, ELI: http://data.europa.eu/eli/dir/2009/110/oj. 4. Article 4(1)(18) of Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349, ELI: http://data.europa.eu/eli/dir/2014/65/oj. 5. Article 2(1)(1) of Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the		(e) central securities depositories as defined in Article 2(1), point (1), of Regulation (EU) No 909/2014 of the European Parliament and of the Council⁵; (f) ⁵,-significant issuers of asset-referenced tokens or e-money tokens and crypto asset service providers operating trading platforms for crypto-assets as defined in Article 3(1), points (10), (6), (7), (15) and (18), respectively, of Regulation (EU) 2023/1114 of the European Parliament and of the Council⁶; (g) ⁶,-large institutions as defined in Article 4(1), point (146), of Regulation (EU) No 575/2013 of the European Parliament and of the Council⁷; (h) ⁷,-global providers of specialised financial messaging services and designated critical ICT third-party service providers as defined in Article 3, point (23), of Regulation (EU) 2022/2554 of the European Parliament and of the Council⁸; (i) systemically		~~p.1, ELI: http://data.europa.eu/eli/reg/2012/648/oj.~~ ~~2. Article 4(7) and Art 4(4) of Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35, ELI: http://data.europa.eu/eli/dir/2015/2366/oj.~~ ~~3. Article 2(1) of Directive 2009/110/EC of the European Parliament and of the Council of 16 September 2009 on the taking up, pursuit and prudential supervision of the business of electronic money institutions amending Directives 2005/60/EC and 2006/48/EC and repealing Directive 2000/46/EC (OJ L 267, 10.10.2009, p.7, ELI: http://data.europa.eu/eli/dir/2009/110/oj.~~ ~~4. Article 4(1)(18) of Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349, ELI: http://data.europa.eu/eli/dir/2014/65/oj.~~ ~~5. Article 2(1)(1) of Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the~~				

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement-new structure	vs.EC Draft Agreement-old structure
	European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p.1, ELI: http://data.europa.eu/eli/reg/2014/909/oj. 6. Articles 3(1)(6), 3(1)(7) and 3(1)(10), 3(1)(15) and Article 3(1)(18) of Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023 on markets in crypto-assets, and amending Regulations (EU) No 1093/2010 and (EU) No 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937 (OJ L 150, 9.6.2023, p.40, ELI: http://data.europa.eu/eli/reg/2023/1114/oj. 7. Article 4(1)(146) of Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p.1, ELI: http://data.europa.eu/eli/reg/2013/575/oj. 8. Article 3(23) of Regulation (EU) 2022/2554 of the European Parliament and of the Council of 14 December 2022 on digital operational resilience for the financial sector and amending Regulations (EC) No 1060/2009, (EU) No 648/2012, (EU) No 600/2014, (EU) No 909/2014 and (EU) 2016/1011 (OJ L 333, 27.12.2022, p.1, ELI: http://data.europa.eu/eli/reg/2022/2554/oj.	<i>important payment systems pursuant to an ECB decision based on Article 1(2) of Regulation (EU) No 795/2014 of the European Central Bank^{8a};</i> <i>(j) insurance undertakings and reinsurance undertakings as defined in Article 13, points (1) and (4), of Directive 2009/138/EC of the European Parliament and of the Council^{8b} with gross written premium income exceeding EUR 25 000 000 000 on average in the three calendar years prior to the year that the foreign investment has been notified⁸.</i> 1. ~~Article 2(1) of Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories (OJ L 201, 27.7.2012, p.1, ELI: http://data.europa.eu/eli/reg/2012/648/oj.~~ 2. ~~Article 4(7) and Art 4(4) of Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU)~~	~~European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p.1, ELI: http://data.europa.eu/eli/reg/2014/909/oj.~~ ~~6. Articles 3(1)(6), 3(1)(7) and 3(1)(10), 3(1)(15) and Article 3(1)(18) of Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023 on markets in crypto-assets, and amending Regulations (EU) No 1093/2010 and (EU) No 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937 (OJ L 150, 9.6.2023, p.40, ELI: http://data.europa.eu/eli/reg/2023/1114/oj.~~ ~~7. Article 4(1)(146) of Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p.1, ELI: http://data.europa.eu/eli/reg/2013/575/oj.~~ ~~8. Article 3(23) of Regulation (EU) 2022/2554 of the European Parliament and of the Council of 14 December 2022 on digital operational resilience for the financial sector and amending Regulations (EC) No 1060/2009, (EU) No 648/2012, (EU) No 600/2014, (EU) No 909/2014 and (EU) 2016/1011 (OJ L 333, 27.12.2022, p.1, ELI: http://data.europa.eu/eli/reg/2022/2554/oj.~~		

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35, ELI: http://data.europa.eu/eli/dir/2015/2366/oj . 3. ~~Article 2(1)~~ of Directive 2009/110/EC of the European Parliament and of the Council of 16 September 2009 on the taking up, pursuit and prudential supervision of the business of electronic money institutions amending Directives 2005/60/EC and 2006/48/EC and repealing Directive 2000/46/EC (OJ L 267, 10.10.2009, p.7, ELI: http://data.europa.eu/eli/dir/2009/110/oj . 4. ~~Article 4(1)(18)~~ of Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349, ELI: http://data.europa.eu/eli/dir/2014/65/oj . 5. ~~Article 2(1)(1)~~ of Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p.1, ELI: http://data.europa.eu/eli/reg/2014/909/oj . 6. ~~Articles 3(1)(6), 3(1)(7) and 3(1)(10), 3(1)(15) and Article 3(1)(18)~~ of Regulation (EU)						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				2023/1114 of the European Parliament and of the Council of 31 May 2023 on markets in crypto-assets, and amending Regulations (EU) No 1093/2010 and (EU) No 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937 (OJ L 150, 9.6.2023, p.40, ELI: http://data.europa.eu/eli/reg/2023/1114/oj). 7. ~~Article 4(1)(146)~~ of Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p.1, ELI: http://data.europa.eu/eli/reg/2013/575/oj). 8. ~~Article 3(23)~~ of Regulation (EU) 2022/2554 of the European Parliament and of the Council of 14 December 2022 on digital operational resilience for the financial sector and amending Regulations (EC) No 1060/2009, (EU) No 648/2012, (EU) No 600/2014, (EU) No 909/2014 and (EU) 2016/1011 (OJ L 333, 27.12.2022, p.1, ELI: http://data.europa.eu/eli/reg/2022/2554/oj). 8a. Regulation of the European Central Bank (EU) No 795/2014 of 3 July 2014 on oversight requirements for systemically important payment systems (OJ L 217, 23.7.2014, p. 16, ELI: http://data.europa.eu/eli/reg/2014/795/oj). 8b. Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on						

	CLEAN	Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement-new structure	vs.EC Draft Agreement-old structure
			<i>the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 335, 17.12.2009, p. 1, ELI: http://data.europa.eu/eli/dir/2009/138/oj).</i>			
Annex II, point 5a.						
397a			5a. Transport industries, technologies and infrastructure components of critical importance:			
Annex II, point 5a.(a)						
397b			(a) Aerospace manufacturing industry, including the production, maintenance and operation of aircraft, as well as their engines, propellers, parts, non-installed equipment and equipment^{1a} 1a. Article 2.1 (a) (b) Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation			

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement-new structure	vs.EC	Draft Agreement-old structure
				(EEC) No 3922/91.						
Annex II, point 5a.(b)										
G	397c			(b) Maritime technology industry, including, production, maintenance and conversion of all types of ships^{1b} and equipment^{1c} ^{1b} Article 12 (a, b, c) Framework of State Aid to Shipbuilding O2011/C 364/06). ^{1c} Article 2 (1) Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC.						G
Annex II, point 5a.(c)										
G	397d			(c) Rail industry, including all aspects of design, manufacturing, maintenance and refurbishment of rail transport systems, subsystems and related equipment^{1d} ^{1d} Annex II Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union Industries responsible for the production of all categories of self-propelled road-vehicles (including passenger cars, buses, motor cycles, vans, trucks),						G

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>together with their equipment and parts, falling inter alia under Chapters 40, 84, 85, 87, 90 and 94 of the Harmonised System Nomenclature issued by the World Custom Organisation (HS 2017).</i>						
Annex II, point 5a.(d)										
397e				<i>(d) Automotive industry, including automotive suppliers^{1e}, refuelling infrastructure, including electric charging infrastructure^{1f} and intelligent transport systems (ITS)^{1g}</i> <i>1e. Industries responsible for the production of all categories of self-propelled road-vehicles (including passenger cars, buses, motor cycles, vans, trucks), together with their equipment and parts, falling inter alia under Chapters 40, 84, 85, 87, 90 and 94 of the Harmonised System Nomenclature issued by the World Custom Organisation (HS 2017).</i> <i>1f. Article 2 (17) (21) (48) (49) (50) (51) (52) (53) (56) (59) of Regulation (EU) 2023/1804 of the European Parliament and of the Council of 13 September 2023 on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU.</i> <i>1g. Article 4 (1) of Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of</i>						

	CLEAN	Commission Proposal	vs.EC	EP Mandate	vs.EC	Council Mandate	vs.EC	Draft Agreement- new structure	vs.EC	Draft Agreement- old structure
				<i>road transport and for interfaces with other modes of transport.</i>						
Annex II, point 5b.										
G	397f			<i>5b. Media services as defined in Article 2, point (1), of Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act) that contribute to public opinion formation and are characterised by particular topicality and broad impact.</i>						G
Annex II, point 5c.										
G	397g			<i>5c. Electoral infrastructure: the physical and digital systems, processes, and facilities necessary for the organisation and conduct of elections, including voting systems, voter registration databases and other technological systems ensuring the integrity, accessibility, and security of electoral processes.</i>						G
Annex II, point 5d.										

	CLEAN	Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement-new structure	vs.EC Draft Agreement-old structure
G	397h		5d. Critical raw materials as listed in Annexes I and II of Regulation (EU) 2024/1252^{1a}: <i>1a. Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020.</i>			
Annex II, point 5d.(a)						
G	397i		<i>(a) extraction and refining of critical raw materials</i>			
Annex II, point 5d.(b)						
G	397j		<i>(b) recycling and recovery technologies for critical raw materials, particularly from batteries and electronic waste</i>			
Annex II, point 5d.(c)						
G	397k		<i>(c) strategic stockpiling and storage facilities for critical raw materials</i>			
Annex II, point 5d.(d)						
G	397l		<i>(d) supply chain infrastructure for the secure transport and distribution of critical raw materials</i>			
Annex II, point 5d.(e)						

	CLEAN	Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement-new structure	vs.EC Draft Agreement-old structure
G 397m			<i>(e) research and development into material substitution, processing innovations, and advanced recycling methods</i>			
Annex II, point 5e.						
G 397n			<i>5e. Farming, when the Union target possesses or operates more than 10,000 hectares of farmland.</i>			
Annex IV						
397o					<i>Annex II List of critical medicines</i>	<i>Annex II List of critical medicines</i>