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RELAZIONE

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Oggetto:	Proposta di regolamento del Parlamento europeo e del Consiglio sulla razionalizzazione delle misure per promuovere la realizzazione della rete transeuropea dei trasporti – Relazione sullo stato dei lavori

I. INTRODUZIONE

Il 17 maggio 2018 la Commissione ha presentato al Parlamento europeo e al Consiglio la proposta in oggetto che fa parte del terzo pacchetto "L'Europa in movimento" ed è volta a rendere la mobilità europea più sicura, più pulita, più efficiente e più accessibile.

La proposta è tesa principalmente a semplificare le norme sul rilascio delle autorizzazioni e altre procedure normative al fine di facilitare il completamento della rete TEN-T. Mira altresì a rendere più chiare le procedure che i promotori del progetto sono tenuti a seguire, in particolare in materia di rilascio delle autorizzazioni, appalti pubblici e altre procedure.

La proposta intende raggiungere il suo obiettivo principale:

- istituendo un'unica autorità competente a livello nazionale (sportello unico) responsabile dell'intera procedura, che funga da unico punto di ingresso per promotori del progetto e altri investitori;
- stabilendo procedure integrate che portino all'assunzione di una decisione globale;
- definendo termini temporali per una procedura a due fasi, con un limite massimo di tre anni.

II. LAVORI NELLE ALTRE ISTITUZIONI

Al Parlamento europeo la commissione per i trasporti e il turismo è stata designata quale commissione competente per il merito su questo fascicolo e Dominique Riquet (ALDE, FR) è stato nominato relatore. Il progetto di relazione è disponibile. Adotteranno un parere sulla proposta la commissione per l'ambiente, la sanità pubblica e la sicurezza alimentare (ENVI), la commissione per il mercato interno e la protezione dei consumatori (IMCO) e la commissione per lo sviluppo regionale (REGI).

Il Comitato economico e sociale europeo ha adottato un parere nella plenaria del 17 ottobre 2018. Si prevede che il Comitato delle regioni adotti il proprio parere nel febbraio 2019.

III. LAVORI NELL'AMBITO DEGLI ORGANI PREPARATORI DEL CONSIGLIO

La presentazione della proposta e l'esame della valutazione d'impatto hanno avuto luogo durante due riunioni del Gruppo "Trasporti intermodali e reti" tenutesi nel giugno 2018. La presidenza ha dedicato due riunioni in luglio all'esame della proposta articolo per articolo.

Il 5 ottobre 2018 è stata presentata al Gruppo una prima proposta di compromesso della presidenza, che figura nell'allegato della presente relazione. Il compromesso della presidenza intende innanzitutto allineare questa proposta con talune disposizioni analoghe contenute nel regolamento sugli orientamenti per le infrastrutture energetiche transeuropee¹. Sebbene sia stata accolta dagli Stati membri come un primo passo nella giusta direzione, la proposta della presidenza non è stata in grado di rispondere a tutte le preoccupazioni espresse in sede di Gruppo.

IV. OSSERVAZIONI DELL'ESAME

Osservazioni generali

Nel corso delle prime discussioni la proposta è stata oggetto di reazioni contrastanti da parte degli Stati membri. Tutti gli Stati membri hanno salutato con favore l'obiettivo della proposta, ossia superare i ritardi dovuti alle procedure di rilascio delle autorizzazioni e attuare la rete TEN-T senza inutili ritardi entro il 2030. Alcuni di essi, tuttavia, hanno evidenziato che le misure proposte nel progetto di regolamento non contribuiscono in misura sufficiente al raggiungimento dell'obiettivo principale della proposta e in taluni casi potrebbero persino comportare un ulteriore rallentamento dei progressi.

Più nello specifico, vari Stati membri hanno espresso preoccupazione riguardo all'introduzione di un'unica autorità competente a livello nazionale responsabile delle procedure di rilascio delle autorizzazioni, chiedendosi come si potrebbe attuare nella pratica tale disposizione negli Stati membri e quale impatto avrebbe sulle autorità locali e regionali in termini di finanziamenti e carico di lavoro. Il testo di compromesso della presidenza, che consente alle autorità esistenti al livello amministrativo appropriato di divenire un'unica autorità competente, è stato considerato un passo nella giusta direzione.

¹ Regolamento (UE) n. 347/2013 del Parlamento europeo e del Consiglio, del 17 aprile 2013, sugli orientamenti per le infrastrutture energetiche transeuropee e che abroga la decisione n. 1364/2006/CE e che modifica i regolamenti (CE) n. 713/2009, (CE) n. 714/2009 e (CE) n. 715/2009 (GU L 115 del 25.4.2013, pag. 39).

Vari Stati membri, inoltre, hanno messo in dubbio la compatibilità della proposta con il principio di sussidiarietà, sottolineando che l'introduzione di una procedura integrata di rilascio delle autorizzazioni e di un'unica autorità responsabile delle procedure di autorizzazione limita la competenza nazionale degli Stati membri di strutturare e organizzare le autorità e le procedure nazionali e limita pertanto il processo decisionale nazionale. Alcuni Stati membri hanno evidenziato altresì che le procedure integrate proposte in materia di pianificazione e rilascio delle autorizzazioni potrebbero essere controproducenti: potrebbero infatti rallentare ancora di più i progressi invece di favorirli e potrebbero portare a decisioni meno efficaci sotto il profilo dei costi poiché verrebbero prese in minore considerazione le circostanze e le opportunità di finanziamento a livello locale e regionale.

Nel corso dell'esame della valutazione d'impatto, vari Stati membri hanno chiesto se il tipo di strumento giuridico scelto in relazione all'opzione strategica 2 raccomandata fosse appropriato, argomentando che per l'ottenimento di norme uniformi in tutta Europa potrebbe essere proposto anche un altro tipo di strumento giuridico, ad esempio una direttiva o degli orientamenti, che lascerebbe agli Stati membri una flessibilità sufficiente nell'attuazione delle misure.

Infine alcuni Stati membri hanno ritenuto che i fattori riconducibili ai ritardi più rilevanti nell'attuazione dei progetti infrastrutturali – ad esempio acquisizione dei terreni, valutazioni d'impatto ambientale, ricorsi da parte di ONG e questioni di ordine tecnico e finanziario – non fossero stati sufficientemente esaminati nella valutazione d'impatto.

Osservazioni su questioni specifiche

a) Ambito di applicazione (articolo 1)

Alcuni Stati membri hanno espresso il parere che l'ambito di applicazione del progetto di regolamento sia troppo ampio e non sufficientemente specifico e hanno manifestato il desiderio di limitarlo ai progetti transfrontalieri o ai progetti con una soglia finanziaria definita. Alcuni altri Stati membri hanno chiesto invece un ulteriore ampliamento dell'ambito di applicazione, al fine di includervi progetti di interesse comune per la rete globale TEN-T, al quale si è opposta una serie di altri Stati membri. Inoltre alcuni Stati membri hanno chiesto di estendere l'ambito di applicazione ai progetti transfrontalieri con paesi terzi.

È stato accolto con favore il testo di compromesso della presidenza che consente agli Stati membri di estendere a titolo facoltativo l'ambito di applicazione a progetti di interesse comune per la rete globale TEN-T.

b) Integrazione delle procedure di rilascio delle autorizzazioni (articolo 4)

Molti Stati membri hanno espresso preoccupazione in merito al concetto di "decisione globale" proposto dalla Commissione. A parere di molti sembra essere una decisione eccessivamente complessa che sarebbe molto difficile razionalizzare tra le diverse autorità coinvolte nel rilascio delle autorizzazioni. Sono stati chiesti inoltre chiarimenti in merito agli esatti elementi che sarebbero compresi nella decisione globale, come ad esempio le valutazioni ambientali o la pianificazione territoriale.

Il testo di compromesso della presidenza che adegua la decisione globale affinché rispetti un approccio coordinato è stato accolto con favore da alcuni Stati membri ma ritenuto insufficiente da altri.

c) Unica autorità competente per il rilascio delle autorizzazioni (articolo 5)

In linea generale gli Stati membri si sono detti dubbiosi riguardo alla designazione di un'unica entità "di livello più elevato" che sarebbe dotata di maggiore autorità e potere decisionale rispetto alle altre entità coinvolte nella procedura. Poiché i progetti nel settore dei trasporti differiscono ampiamente per dimensioni, tipologia e ubicazione, le autorità competenti per ciascuno di essi dipenderanno dalla particolare autorizzazione richiesta e dall'ubicazione, in quanto le conoscenze specialistiche e le competenze sono detenute da autorità differenti. Pertanto la struttura proposta rischia di condurre a conflitti di giurisdizione nei casi in cui siano coinvolti più di un ministero e/o livello decisionale a livello locale o nazionale. Gli Stati membri hanno quindi chiesto maggiore flessibilità. Alcuni si sono detti disposti a discutere della funzione svolta da un unico organismo competente, che potrebbe assumere il ruolo di un coordinatore che raccoglie le varie autorizzazioni presso le diverse autorità nazionali con differenti competenze.

Il testo di compromesso della presidenza che trasforma l'unica autorità competente in uno sportello unico basato su un approccio coordinato, piuttosto che integrato, ha trovato il sostegno di pochi Stati membri, mentre altri hanno chiesto esplicitamente maggiore flessibilità.

d) Durata e attuazione della procedura di rilascio delle autorizzazioni (articolo 6)

La maggior parte degli Stati membri ha ritenuto troppo brevi i termini proposti per lo svolgimento delle procedure, in particolare per quanto riguarda i limiti temporali della fase che precede la domanda (due anni). Inoltre, secondo molti Stati membri, l'articolo è troppo dettagliato e sono state espresse perplessità su come un limite temporale universale possa funzionare efficacemente alla luce della complessità e della varietà dei progetti nel settore dei trasporti.

Alcuni Stati membri hanno collegato la questione dei termini con quella relativa alle procedure incluse nel processo per l'ottenimento delle autorizzazioni nel quadro di un'unica entità. A tale riguardo alcuni hanno appoggiato l'esclusione di talune procedure connesse alla preparazione dei fascicoli di domanda per i progetti (ad esempio pianificazione territoriale e valutazioni ambientali, ecc.) dall'ambito di applicazione delle procedure di autorizzazione, trattandosi di procedure molto lunghe che con ogni probabilità causerebbero ritardi e renderebbero il rispetto del limite temporale proposto molto difficile, se non impossibile.

È risultato evidente che per compiere progressi in relazione a questo fascicolo sono necessari ulteriori lavori volti a chiarire e semplificare, in particolare, gli articoli 5 e 6.

V. CONCLUSIONE

Le questioni sopra delineate appaiono centrali per la proposta e hanno quindi dato origine a lunghe discussioni in sede di Gruppo. Questi aspetti dovranno essere ulteriormente esaminati nel corso della prossima presidenza al fine di compiere ulteriori progressi e raggiungere un accordo sul fascicolo.

Alla luce di quanto precede, si invitano il Comitato dei rappresentanti permanenti e il Consiglio a prendere atto dei progressi compiuti nell'esame della proposta di regolamento.

Proposal for a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on streamlining measures for advancing the realisation of the trans-European transport
network

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 172 thereof,

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Economic and Social Committee²,

Having regard to the opinion of the Committee of the Regions³,

Acting in accordance with the ordinary legislative procedure,

Whereas:

² OJ C , , p. .

³ OJ C , , p. .

- (1) Regulation (EU) No 1315/2013 of the European Parliament and of the Council⁴ sets out a common framework for the creation of state-of-the-art, interoperable networks for the development of the internal market. The trans-European transport networks (TEN-T) have a dual layer structure: the comprehensive network ensures connectivity of all regions of the Union whereas the core network consists of those elements of the network which are of the highest strategic importance for the Union. Regulation (EU) No 1315/2013 defines binding completion targets for implementation, with the core network to be completed by 2030 and the comprehensive network by 2050.
- (2) Notwithstanding the necessity and binding timelines, experience has shown that many investments aiming to complete the TEN-T are confronted with complex permit granting procedures, cross-border procurement procedures and other procedures. This situation jeopardises the on time implementation of projects and in many cases results in significant delays and increased costs. In order to address these issues and make synchronised TEN-T completion possible,, harmonised action is necessary at Union level.
- (3) In the legal frameworks of many Member States priority treatment is given to certain project categories based on their strategic importance for the economy. Priority treatment is characterised by shorter timelines, simultaneous procedures or limited timeframes for appeals while ensuring that the objectives of other horizontal policies are also reached. When such a framework exists within a national legal framework, it should automatically apply to Union projects recognised as projects of common interest under Regulation (EU) No 1315/2013.

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

- (4) In order to improve the effectiveness of the environmental assessments and streamline the decision-making process , where the obligation to carry out assessments related to environmental issues of core network projects arises simultaneously from Directive 2011/92/EU, as amended by Directive 2014/52/EU, and from other Union legislation such as Directive 92/43/EEC, Directive 2009/147/EC, Directive 2000/60/EC, Directive 2008/98/EC, Directive 2010/75/EU, Directive 2012/18/EU and Directive 2011/42/EC, Member States should ensure that a joint procedure fulfilling the requirements of these Directives is provided.
- (5) Core network projects should be supported by integrated permit granting procedures to make clear management of the overall procedure possible and to provide a single entry point for investors. Member States should designate a competent authority in accordance with their national legal frameworks and administrative set-ups.
- (6) The establishment of a single competent authority at national level integrating all permit granting procedures (one-stop shop) should reduce the complexity, improve the efficiency and increase the transparency of the procedures. It should also enhance the cooperation between Member States where appropriate. The procedures should promote a real cooperation between investors and the single competent authority and should therefore allow for the scoping in the pre-application phase of the permit granting procedure. Such scoping should be integrated in the detailed application outline and follow the procedure set out in Article 5(2) of 2011/92/EU, as amended by Directive 2014/52/EU.
- (7) The procedure set out by this Regulation should be without prejudice to the fulfilment of the requirements defined in the international and Union law, including provisions to protect the environment and human health.
- (8) Given the urgency to complete the TEN-T core network, the simplification of permit granting procedures should be accompanied by a time limit within which competent authorities responsible should make a ~~comprehensive~~ **consolidated** decision regarding the construction of the project. This time limit should stimulate a more efficient handling of procedures and should, under no circumstances, compromise the Union's high standards for environmental protection and public participation.

- (9) Member States should endeavour to ensure that appeals challenging the substantive or procedural legality of a ~~comprehensive~~ **consolidated** decision are handled in the most efficient way possible.
- (10) Cross-border TEN-T infrastructure projects face particular challenges as regards the coordination of permit granting procedures. The European Coordinators should be empowered to monitor these procedures and facilitate their synchronisation and completion.
- (11) Public procurement in cross-border projects of common interest should be conducted in accordance with the Treaty and Directives 2014/25/EU and/or 2014/24/EU. In order to ensure the efficient completion of the cross-border core network projects of common interest, public procurement carried out by a joint entity should be subject to a single national legislation. By way of derogation from the Union public procurement legislation, the applicable national rules should in principle be those of the Member State where the joint entity has its registered office. It should remain possible to define the applicable legislation in an intergovernmental agreement.
- (12) The Commission is not systematically involved in the authorisation of individual projects. However, in some cases, certain aspects of the project preparation are subject to clearance at Union level. Where the Commission is involved in the procedures, it will give priority treatment to the Union projects of common interest and ensure certainty for project promoters. In some cases State aid approval might be required. In line with the Best Practice Code for the conduct of State aid control procedures, Member States may ask the Commission to deal with projects of common interest on the core network of the TEN-T they consider to be of priority with more predictable timelines under the case portfolio approach or the mutually agreed planning.

- (13) The implementation of infrastructure projects on the TEN-T core network should be also supported by Commission guidelines that bring more clarity as regards the implementation of certain types of projects while respecting the Union acquis. For example the Action Plan for nature, people and the economy⁵ foresees such guidance to bring more clarity in view of respecting the Birds and Habitats Directives. Direct support related to public procurement should be made available for projects of common interests to ensure the best value for public money⁶. Additionally, appropriate technical assistance should be made available under the mechanisms developed for the Multi-Annual Financial Framework 2021-2027, with the aim of providing financial support for TEN-T projects of common interest.
- (14) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States and can therefore, by reason of the need for coordination of those objectives, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (15) For reasons of legal certainty, the administrative procedures which started prior to the entry into force of this Regulation should not be subject to the provisions of this Regulation.

HAVE ADOPTED THIS REGULATION:

⁵ COM(2017) 198 final.

⁶ COM(2017) 573 final

CHAPTER I GENERAL PROVISIONS

Article 1

Subject matter and scope

- 1.** This Regulation sets out requirements applicable to the administrative procedures followed by the competent authorities of Member States in relation to the authorisation and implementation of all projects of common interest on the core network of the trans-European transport network.
- 2. Member States may decide to extend the application of this regulation to projects of common interest on the comprehensive network of the trans-European transport network.**

Article 2

Definitions

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

- (a) "~~comprehensive~~ **consolidated** decision" means the decision ~~or set of decisions taken by~~ a Member State authority or authorities **adopted accordingly to its national legal or administrative system**, not including courts or tribunals, that determines whether or not a project promoter is to be granted authorisation to build the transport infrastructure needed to complete a project without prejudice to any decision taken in the context of an administrative appeal procedure;
- (b) "permit granting procedures" means every procedure that has to be followed or step that has to be taken ~~before~~ **as required by** the authorities of a Member State, under Union or national law, before the project promoter can implement the project, **not including procedures for the award of public procurements**;

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

- (c) "Project promoter" means the applicant for authorisation for a ~~private~~ project or the public authority which initiates a project";
- (d) "single competent authority" means **an existing or newly established** ~~the~~ authority, **identified by a Member State at the appropriate administrative level for each project or category of projects of common interest,** which ~~the Member State~~ designates **acts as a "one-stop shop" and is** ~~as~~-responsible for performing the duties arising from this Regulation;
- (e) "Cross-border project of common interest" means a project of common interest according to Article 7 of Regulation (EU) No 1315/2013 covering a cross-border section as defined in point (m) Article 3 of that Regulation which is implemented by a joint entity.

CHAPTER II – PERMIT GRANTING

Article 3

‘Priority status’ of projects of common interest

1. Each project of common interest on the TEN-T core network shall be subject to an integrated permit granting procedure ~~managed~~ **run** by a single competent authority ~~designated~~ **identified** by each Member State in accordance with Articles 5 and 6.
2. Where priority status exists under national law, projects of common interest shall be granted the status with the highest national significance possible, and be treated as such in permit granting procedures, where and in the manner such treatment is provided for in national legislation applicable to the corresponding types of transport infrastructure.
3. To ensure efficient ~~administrative~~ **permit granting** procedures related to projects of common interest, project promoters and all authorities concerned shall ensure that the most rapid treatment legally possible is given to these projects, including as regards the resources allocated.

Article 4

Integration Coordination of permit granting procedures

1. In order to meet the time limits set out in Article 6 and reduce the administrative burden related to **the authorisation and the** completion of projects of common interest, all the ~~administrative~~ **permit granting** procedures resulting from the applicable law, both national and of the Union, shall be ~~integrated~~ **coordinated** and result in ~~only one comprehensive~~ **consolidated** decision.
2. In the case of projects of common interest for which the obligation to carry out assessments of the effects on the environment arises simultaneously from Directive 2011/92/EU of the European Parliament and of the Council and other Union law, Member States shall ensure that joint procedures within the meaning of Article 2(3) of Directive 2011/92/EU are provided for.

Article 5

Single competent Organisation of the permit granting authority process

1. ~~By ... (OP please insert the date one year of the entry into force of this Regulation),~~ Each Member State shall ~~designate~~ **ensure that a** one-single competent authority ~~which shall be~~ **is** responsible for facilitating the permit granting process **procedures for a project of common interest** including for making the comprehensive **consolidated** decision.
2. **Each Member State may entrust** ~~The responsibility of the single competent authority referred to in paragraph 1 and/or the tasks related to it may be delegated to, or carried out by,~~ to an **existing or newly established** ~~other~~ authority at the appropriate administrative level, per project of common interest, **per geographical area** or per particular category of projects of common interest, ~~under the following conditions~~ **provided that:**
 - (a) ~~only one authority is responsible per project of common interest,~~
 - (b) ~~the authority is the sole point of contact for the project promoter in the procedure leading to the comprehensive~~ **consolidated** decision for a given project of common interest, and
 - (c) ~~the authority coordinates the submission of all relevant documents and information.~~

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

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

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

- 3. By 1 January 2021, each Member State shall take the suitable measures in accordance with its national legal system to identify the single competent authority, where relevant at the appropriate administrative level and per category of projects of common interests. This information shall be made available to project promoters, to the neighbouring Member States and to the European Commission.**
- 3(a) The single competent authority shall issue the consolidated decision within the time limits specified in Article 6.**
- 3(b) The consolidated decision comprises multiple individual legally binding decisions issued simultaneously or successively by several authorities concerned, including the decision resulting from the joint procedures referred to in Article 4(2), which shall be coordinated by the single competent authority.**
- 3(c) The single competent authority shall, in consultation with the other authorities concerned, where applicable in accordance with national law, and without prejudice to time limits set in accordance with Article 6, establish on a case-by-case basis a reasonable time limit within which the individual decisions shall be issued.**
- 3(d) The single competent authority may take an individual decision on behalf of another national authority concerned, if the decision by that authority is not delivered within the time limit and if the delay cannot be adequately justified; or, where provided under national law, and to the extent that this is compatible with Union law, the competent authority may consider that another national authority concerned has either given its approval or refusal for the project if the decision by that authority is not delivered within the time limit. Where provided under national law, the competent authority may disregard an individual decision of another national authority concerned if it considers that the decision is not sufficiently substantiated with regard to the underlying evidence presented by the national authority concerned.**
4. When taking the comprehensive **consolidated** decision, the single competent authority shall ensure that the relevant requirements under **national**, international and Union law are respected and shall duly justify its decision.

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

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

Article 6

Duration and implementation of the permit granting procedure

1. The permit granting procedure shall consist of the pre-application phase and the phase of the assessment of the application and the decision-making by the single competent authority.
2. The pre-application phase, covering the period from the start of the permit granting procedure to the submission of the complete application file to the single competent authority, shall in principle not exceed [two] years.

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

3. In order to launch the permit granting procedure, the project promoter shall notify the single competent authority of the Member States concerned about the project in writing, and shall include a detailed description of the project. No later than ~~two~~ **three** months following the receipt of the above notification, the single competent authority shall either acknowledge it or, if it considers that the project is not mature enough to enter the permit granting procedure, reject the notification in writing. If the single competent authority decides to reject the notification, it shall justify its decision. The date of signature of the acknowledgement of the notification by the competent authority shall serve as the start of the permit granting procedure. If two or more Member States are concerned, the date of the acceptance of the last notification by the competent authority concerned shall serve as the date of the start of the permit granting procedure.
4. Within three months of the start of the permit granting procedure, the single competent authority, in close cooperation with the project promoter and other authorities concerned and taking into account the information submitted by the project promoter on the basis of the notification referred to in paragraph 3, shall ~~establish and communicate to~~ **provide** the project promoter **with** a detailed application outline, containing:
- (a) the material scope and level of detail of information to be submitted by the project promoter, as part of the application file for the ~~comprehensive~~ **consolidated** decision
 - (b) a schedule for the permit granting process, identifying at least the following:
 - (i) the **permits**, decisions and opinions to be obtained;
 - (ii) the authorities, **and** stakeholders, ~~and the public likely~~ to be concerned, **including the formal phase of the public consultation**;
 - (iii) the individual stages of the procedure and their ~~duration~~ **expected time limits**;
 - (iv) major milestones to be accomplished and their deadlines in view of the ~~comprehensive~~ **consolidated** decision to be taken;
 - (v) the resources planned by the authorities and possible additional resource needs.

5. In order to ensure that the application file is complete and of adequate quality, the project promoter shall seek the single competent authority's opinion on its application as early as possible during the pre-application procedure. The project promoter shall cooperate fully with the single competent authority to meet deadlines and comply with the detailed application outline as defined in paragraph 4.
6. The project promoter shall submit the application file based on the detailed application outline within the period of ~~21~~ **24** months from the receipt of that detailed application outline. **The single competent authority, based on the characteristics of the project, analyses to be made or public to be consulted, in duly justified cases can determine a longer period for the submission of the application file.** After the expiry of ~~that~~ **the period for the submission of the application file**, the detailed application outline is no longer considered applicable, unless the single competent authority decides to prolong that period, on the basis of a justified request from the project promoter.
7. At the latest within the period of two months from the date of submission of the complete application file, the competent authority shall acknowledge in writing the completeness of the application file and communicate it to the project promoter. The application file submitted by the project promoter shall be considered as being complete, unless, within the period of two months from the date of submission, the competent authority makes a request regarding missing information to be submitted by the project promoter. That request shall be limited, as regards the material scope and level of detail, to the elements identified in the detailed application outline. Any additional request for information shall only result from exceptional and unforeseen new circumstances and shall be duly justified by the single competent authority.
8. The single competent authority shall assess the application and adopt a ~~comprehensive~~ **consolidated** decision within the period of one year from the date of submission of the complete application file in accordance with paragraph 7. Member States may set an earlier time-limit, where appropriate.

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

Article 7

Coordination of cross-border permit granting procedure

1. For projects that involve two or more Member States, the competent authorities of the Member States concerned shall align their timetables and agree on a joint schedule.
2. The European Coordinator referred to in Article 45 of Regulation (EU)² No 1315/2013 shall be empowered to ~~closely follow the permit granting procedure for cross-border projects of common interest and to~~ facilitate contacts between the involved competent authorities **in the context of the permit granting procedure for cross-border projects of common interest.**
3. Without prejudice to the obligation to comply with the time limits under this Regulation, if the time-limit for the ~~comprehensive~~ **consolidated** decision is not observed, ~~the competent authority shall immediately inform the European Coordinator~~ **the European Coordinator concerned shall be informed by the Member States** concerned about the measures taken or to be taken to conclude the permit granting procedure with the least possible delay. The European Coordinator may request the competent authority to regularly report on progress achieved.

CHAPTER III PUBLIC PROCUREMENT

Article 8

Public Procurement in cross-border projects of common interest

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

CHAPTER IV TECHNICAL ASSISTANCE

Article 9

Technical assistance

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

CHAPTER V FINAL PROVISIONS

Article 10

Transitional provisions

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

Article 11

Entry into force

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

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

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

Done at Brussels,

For the European Parliament

The President

For the Council

The President
