



TEXTS ADOPTED

P8_TA(2019)0109

Streamlining measures for advancing the realisation of the trans-European transport network *I**

European Parliament legislative resolution of 13 February 2019 on the 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 (COM(2018)0277 – C8-0192/2018 – 2018/0138(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0277),
 - having regard to Article 294(2) and Article 172 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0192/2018),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Czech Senate, the German Bundestag, the Irish Parliament and the Swedish Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism and the opinion of the Committee on Regional Development (A8-0015/2019),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Position of the European Parliament adopted at first reading on 13 February 2019 with a view to the adoption of Regulation (EU) 2019/... 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 Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure³,

¹ Opinion of 17 October 2018 (not yet published in the Official Journal).

² Opinion of 7 February 2019 (not yet published in the Official Journal).

³ Position of the European Parliament of 13 February 2019 (not yet published in the Official Journal).

Whereas:

- (1) Regulation (EU) No 1315/2013 of the European Parliament and of the Council¹ sets out a common framework for the creation of interoperable networks comprising a dual-level ***structure, in the Union, at the service of citizens***, for the development of the internal market ***and for the social, economic and territorial cohesion of the Union***. The trans-European transport networks (TEN-T) have a dual layer structure: the ***core network comprises those parts of the network which have the greatest strategic significance for the Union, and the comprehensive network ensures connectivity of between all regions in the Union***. ~~of the Union whereas The core network consists of those elements of the network which are of the highest strategic importance for the Union~~ ***should serve as cross-border and multimodal accelerators for a single European transport and mobility area***. 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. ***Furthermore, Regulation (EU) No 1315/2013 focuses on cross-border connections that will improve interoperability between the different modes of transport and contribute to the multimodal integration of Union transport, and should also take into account the development dynamics of the transport sector and of new technologies in the future.*** [Am. 1]

¹ 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).

- (2) Notwithstanding the necessity and binding timelines, experience has shown that many investments aiming to complete the TEN-T are confronted with ***multiple, slow, unclear and*** complex permit granting procedures, cross-border procurement procedures and other procedures. This situation jeopardises the ***on-time*** implementation of projects, ~~and~~ in many cases results in significant delays and increased costs, ~~In order to address~~ ***gives rise to uncertainty for project promoters and potential private investors, and can even lead to projects being abandoned in the middle of the process. Given these issues and make conditions, the*** synchronised TEN-T completion possible, ***of the TEN-T by the deadline set out in Regulation (EU) No 1315/2013 requires*** harmonised action is necessary at Union level. ***Moreover, Member States should decide on their national infrastructure plans in accordance with the TEN-T objectives.*** [Am. 2]
- (2a) ***This Regulation applies only to Union projects which are recognised as projects of common interest under Regulation (EU) No 1315/2013 on the core network of the trans-European transport network. A Member State can also decide to broaden the scope to the comprehensive network.*** [Am. 3]

- (3) In the legal ~~frameworks~~ **systems** of many Member States priority treatment is given to certain project categories based on their strategic importance for the ~~economy~~ **Union**. Priority treatment is characterised by shorter timelines, simultaneous **and/or simplified** procedures or limited timeframes **for the completion of the permitting procedure or** for appeals while ensuring that the objectives of other horizontal policies are also reached. When such a ~~framework exists within~~ **rules on priority treatment exist in** a national legal framework, ~~it~~ **they** should automatically apply to Union projects recognised as projects of common interest under Regulation (EU) No 1315/2013. **Member States that do not have such rules on priority treatment should adopt them.** [Am. 4]

- (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 of the European Parliament and of the Council¹, as amended by Directive 2014/52/EU of the European Parliament and of the Council², and from other Union legislation such as Council Directive 92/43/EEC³, Directives 2009/147/EC⁴, 2000/60/EC⁵, 2008/98/EC⁶, 2010/75/EU⁷ and 2012/18/EU⁸ of the European Parliament and of the Council, and Commission Implementing Directive 2011/42/EU⁹, Member States should ensure that a joint procedure fulfilling the requirements of these Directives is provided. ***Moreover, early scoping of environmental impacts and early discussion with the competent authority about the content of the environmental assessments may reduce delays during the permitting stage and generally improve the quality of assessments.*** [Am. 5]

¹ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

² Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (OJ L 124, 25.4.2014, p. 1).

³ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

⁴ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

⁵ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

⁶ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

⁷ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

⁸ Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (OJ L 197, 24.7.2012, p. 1).

⁹ Commission Implementing Directive 2011/42/EU of 11 April 2011 amending Council Directive 91/414/EEC to include flutriafol as active substance and amending Commission Decision 2008/934/EC (OJ L 97, 12.4.2011, p. 42).

- (4a) *Given the large number of environmental assessments arising from various European Directives and national rules which are necessary for granting permits to projects of common interest in the TEN-T core network, the Union should put in place a common, simplified and centralised procedure which fulfils the requirements of those Directives in order to help achieve the objectives set out in this Regulation aimed at increasing the streamlining of measures. [Am. 6]*
- (5) ~~Core network projects should be supported by integrated permit granting procedures to make clear management of the overall procedure possible and to provide a single entry point for investors.~~ Member States should designate a **single** competent authority in accordance with their national legal frameworks and administrative set-ups *so that projects concerning the core network will benefit from the integration of permit granting procedures and having a single contact point for investors, thereby enabling clear and effective management of the comprehensive procedure. Where necessary, the single competent authority can delegate its responsibilities, obligations and tasks to another authority at the appropriate regional, local or other administrative level. [Am. 7]*

- (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 *coordination and* increase the transparency *and the speed* of the procedures *and of the adoption of the decisions*. 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. [Am. 8]
- (6a) *Where projects of common interest are considered to be Union priority projects, a joint competent authority agreed between the single competent authorities from two or more Member States or Member States and third countries could be established, in order fulfil the duties arising from this Regulation.* [Am. 9]

- (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 **by 2030**, the simplification of permit granting procedures should be accompanied by a time limit within which competent authorities responsible should make a comprehensive decision regarding the construction of the project. This time limit should ~~stimulate~~ **ensure** a more efficient handling of procedures and should, under no circumstances, compromise the Union's high standards for environmental protection, **transparency**, and public participation. ***Projects should be evaluated in terms of the project selection maturity criteria established by the Connecting Europe Facility. Compliance with the deadlines set out in this Regulation should be taken into account when carrying out such evaluations.*** [Am. 10]
- (9) Member States should endeavour to ensure that appeals challenging the substantive or procedural legality of a comprehensive decision are handled in the most efficient way possible.

- (10) Cross-border TEN-T infrastructure projects face particular challenges as regards the coordination of permit granting procedures. The European Coordinators *referred to in Article 45 of Regulation (EU) No 1315/2013* should be empowered to monitor these procedures and facilitate their synchronisation and completion *to ensure compliance with the deadlines set by this Regulation*. [Am. 11]
- (11) Public procurement in cross-border projects of common interest should be conducted in accordance with the Treaty and Directives 2014/25/EU¹ and/or 2014/24/EU² of the European Parliament and of the Council. In order to ensure the efficient completion of the cross-border core network projects of common interest, public procurement carried out by a joint entity should be subject to a single national legislation. By way of derogation from the Union public procurement legislation, the applicable national rules should in principle be those of the Member State 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. *Without prejudice to the deadlines set out in this Regulation and* in line with the Best Practice Code for the conduct of State aid control procedures, Member States *should be able to* 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. [Am. 12]

¹ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).

² Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

- (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 economy¹ 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 *minimising of external costs and the* best value for public money². 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. **[Am. 13]**
- (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, *unless otherwise decided with the agreement of those concerned.* **[Am. 14]**

HAVE ADOPTED THIS REGULATION:

¹ COM(2017)0198.

² COM(2017)0573.

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter and scope

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 *relating to Regulation (EU) No 1315/2013, including the pre-selected projects listed in Part III of the Annex to the Regulation establishing the ‘Connecting Europe Facility’ 2021-2027*. [Am. 15]

Member States may decide to extend the application of all provisions of this Regulation, as a block, to projects of common interest on the comprehensive network of the trans-European transport network. [Am. 16]

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 decision" means the decision or set of decisions taken by *the single competent authority of* a Member State, *and where applicable, the joint competent authority or authorities, but* 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; [Am. 17]
- (b) "permit granting procedures" means every procedure that has to be followed or step that has to be taken before the *competent* authorities of a Member State, under Union or national law, before the project promoter can implement the project *and starting from the date on which the acceptance of the file notification is signed by the single competent authority of the Member State*; [Am. 18]
- (c) "Project promoter" means ~~the applicant~~ *any natural person or public or private legal person applying* for authorisation ~~for a private project or the public authority which initiates~~ *to initiate* a project"; [Am. 19]

- (d) "single competent authority" means the authority which the Member State designates, *in accordance with its national law*, as responsible for performing the duties arising from this Regulation; [Am. 20]
- (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;
- (ea) *“Joint competent authority” means an authority established by mutual agreement between the single competent authorities from two or more Member States or from one or more Member States and one or more third countries which is in charge of facilitating the permit-granting procedures related to cross-border projects of common interest.* [Am. 21]

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, ***including the pre-selected sections in Part III of the Annex to the Regulation establishing the Connecting Europe Facility***, shall be subject to an integrated permit granting procedure managed by a single competent authority designated by each Member State in accordance with Articles 5 and 6.
[Am. 22]
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 ***and effective*** administrative procedures related to projects of common interest, project promoters and all authorities concerned shall ensure that the most rapid treatment legally possible is given to these projects, including as regards the ***evaluation of the project-selection maturity criteria and the*** resources allocated. [Am. 23]

Article 4

Integration 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 completion of projects of common interest, all the administrative ***permit granting*** procedures resulting from the applicable law, ~~both~~ ***including the relevant environmental assessments, both at*** national and ~~of the~~ Union ***level***, shall be integrated and result in only one comprehensive decision, ***without prejudice to transparency, public participation, environmental and safety requirements under Union law.*** [Am. 24]
2. ***Without prejudice to the deadlines set out in Article 6 of this Regulation,*** in the case of projects of common interest for which the obligation to carry out assessments of the effects on the environment arises simultaneously from Directive 2011/92/EU and other Union law, Member States shall ensure that joint procedures within the meaning of Article 2(3) of Directive 2011/92/EU are provided for. [Am. 25]

Article 5

Single competent permit granting authority

1. By ... [one year after the date of entry into force of this Regulation] ***and in any event no later than 31 December 2020***, each Member State shall designate one single competent authority which shall be responsible for facilitating the permit granting ~~process including~~ ***procedures necessary*** for making the comprehensive decision, ***in accordance with paragraph 3 of this Article***. [Am. 26]
2. ~~The responsibility~~ ***On the initiative*** of the single competent authority ~~referred to in paragraph 1~~, ***its responsibilities, obligations*** and/or the tasks related to it, ~~may as referred to in paragraph 1, may, with the agreement of the Member State,~~ be delegated to, ~~or~~ ***and*** carried out by, another authority at the appropriate ***regional, local or other*** administrative level, per project of common interest or per particular category of projects of common interest, ***with the exception of the taking of the comprehensive decision referred to in paragraph 3 of this Article***, under the following conditions: [Am. 27]
 - (a) only one ***competent*** authority is responsible ~~per~~ ***for each*** project of common interest; [Am. 28]

- (b) the **competent** authority is the sole point of contact for the project promoter in the procedure leading to the comprehensive decision for a given project of common interest, and [Am. 29]
- (c) the **competent** authority coordinates the submission of all relevant documents and information. [Am. 30]

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. ***Without prejudice to the deadlines set out in Article 6 of this Regulation,*** 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 ***is required to take such opinions into account, particularly if they concern the requirements laid down in Directives 2014/52/EU and 92/43/EEC.*** [Am. 31]

4. When taking the comprehensive decision, the single competent authority shall ensure that the relevant requirements under international and Union law are respected and shall duly justify its decision *on the basis of the applicable legal provisions*. [Am. 32]
5. If *Where* a project of common interest requires decisions to be taken in two or more Member States, *or in one or more Member States and one or more third countries*, the respective competent authorities shall take all the necessary steps for efficient and effective cooperation and coordination among themselves, *or may establish a joint competent authority, without prejudice to the deadlines set out in Article 6, in charge of facilitating the permit granting procedure*. Without prejudice to obligations arising under applicable international and Union law, Member States shall endeavour to provide for joint procedures, particularly with regard to the assessment of environmental impacts. [Am. 33]
- 5a. *To ensure effective implementation of this Regulation and in particular of its Article 6a, the single competent authority shall inform the Commission of the start date of the permit granting procedure and the comprehensive decision, as set out in Article 6.* [Am. 34]

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~~ **18 months**. [Am. 35]
3. In order to launch the permit granting procedure, the project promoter shall notify *in writing* the single competent authority of the Member States concerned *or, where appropriate, the joint competent authority*, about the project ~~in writing~~, and shall include a detailed description of the project. No later than ~~two months~~ **one month** following the receipt of the above notification, the single competent authority shall either ~~acknowledge~~ **accept** 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. [Am. 36]

4. Within ~~three~~ *two* months of the start of the permit granting procedure, the single competent authority, *or where appropriate, the joint 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 the project promoter a detailed application outline, containing: [Am. 37]

(-a) the competent authority, at the appropriate administrative level, in charge, in case of delegation by the single competent authority in accordance with Article 5(2);
[Am. 38]

- (a) the material scope and level of detail of information to be submitted by the project promoter, as part of the application file for the comprehensive decision;
- (b) a schedule for the permit granting process, identifying at least the following:
- (i) the decisions, ~~and permits~~, opinions *and assessments* to be obtained; [Am. 39]
 - (ii) the authorities, stakeholders, and the public likely to be concerned *and/or consulted*; [Am. 40]

- (iii) the individual stages of the procedure and their duration;
- (iv) major milestones to be accomplished and their deadlines in view of the comprehensive decision to be taken, ***and the overall scheduled timeframe;***
[Am. 41]

(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 ~~24~~ **15** months from the receipt of that detailed application outline. After the expiry of that period, the detailed application outline is no longer considered applicable, unless the single competent authority decides, ***on its own initiative,*** to prolong that period ***by a maximum of 6 months***, on the basis of a justified request from the project promoter. [Am. 42]

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 ***binding*** decision within the period of ~~one year~~ **6 months** from the date of submission of the complete application file in accordance with paragraph 7, ***unless the single competent authority decides, on its own initiative, to extend this period, by a maximum of 3 months, substantiating its decision.*** Member States may set an earlier time-limit, where appropriate. [Am. 43]
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 6a

Permit granting procedure and financial assistance from the Union

1. *In accordance with the procedure set out in Article 6 of this Regulation, the state of progress of the project shall be taken into account when evaluating projects according to the selection maturity criteria of projects set out in Article 13 of Regulation (EU) .../... [establishing the Connecting Europe Facility].*
2. *Delays occurring with regard to the stages and deadlines set out in Article 6 will justify an investigation of the state of progress of the project and a revision of the financial assistance received by the Union under the Connecting Europe Facility, as provided for in Article 17(1) of Regulation (EU) .../... [CEF] and might result in a reduction or the withdrawal of the financial assistance. [Am. 44]*

Article 7

Coordination of cross-border permit granting procedure

1. For projects that involve two or more Member States *or one or more Member States and one or more third countries*, the competent authorities of the Member States concerned shall align their timetables and agree on a joint schedule. [Am. 45]

- 1a. *In such cases, in order to facilitate the permit granting procedure, single competent authorities from two or more Member States or one or more Member States and one or more third countries may, by mutual agreement, establish a joint competent authority, as provided for under Article 5(5). [Am. 46]*
2. The European Coordinator referred to in Article 45 of Regulation (EU) No 1315/2013 shall be empowered to follow the permit granting procedure for cross-border projects of common interest and to facilitate contacts *and cooperation* between the involved competent authorities *or where appropriate, with the joint competent authority.* [Am. 47]
3. Without prejudice to the obligation to comply with the time limits under this Regulation, if the time-limit for the comprehensive decision is not observed, the *single* competent authority shall immediately inform *the Commission, and where appropriate,* the European Coordinator concerned about the measures taken or to be taken to conclude the permit granting procedure with the least possible delay. The *Commission, and where appropriate, the* European Coordinator may request the *single* competent authority to regularly report on progress achieved. [Am. 48]

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, *together with its subsidiaries, where appropriate*, shall apply the national provisions of one of those Member States and, by way of derogation from these Directives, those provisions shall be the provisions determined in accordance with point (a) of Article 57(5) of Directive 2014/25/EU or point (a) of Article 39(5) of Directive 2014/24/EU, as applicable, unless an agreement between the participating Member States provides otherwise. Such an agreement shall in any case provide for the application of a single national legislation ~~in case of~~ *for* the procurement procedures conducted by a joint entity *and, where appropriate, its subsidiaries, across the whole of the project.* [Am. 49]

CHAPTER IV

TECHNICAL ASSISTANCE

Article 9

Technical assistance

~~On~~ *At* 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, *advisory and financial* assistance for the implementation of this Regulation and the facilitation of the implementation of projects of common interest *at each stage of the process*. [Am. 50]

CHAPTER V

FINAL PROVISIONS

Article 10

Transitional provisions

This Regulation shall not apply to the administrative 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*.

However, Articles 4, 5, 6 and 7 shall apply in a given Member State from the date when the single competent authority has been designated by that Member State in accordance with Article 5(1).

The Commission will publish in the Official Journal a notice when those provisions become applicable in a Member State. [Am. 51]

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

Done at ...,

For the European Parliament

The President

For the Council

The President