



**2024/0017(COD)**

4.2.2025

# **AMENDMENTS**

## **329 - 655**

**Draft report**  
**Raphaël Glucksmann**  
(PE767.951v01-00)

on the 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  
(COM(2024)0023 – C9-0011/2024 – 2024/0017(COD))



## Amendment 329

Markéta Gregorová, Anna Cavazzini

### Proposal for a regulation

#### Article 5 – paragraph 1 – introductory part

*Text proposed by the Commission*

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:

*Amendment*

1. Member States shall notify the Commission and the other Member States through the cooperation mechanism of any foreign investment in **respect of** a Union target **established or to be** established in their territory that:

Or. en

## Amendment 330

Francesco Torselli, Daniele Polato

### Proposal for a regulation

#### Article 5 – paragraph 1 – point b – introductory part

*Text proposed by the Commission*

(b) meets the conditions set out in Article 4(4) point (b) and any of the following conditions:

*Amendment*

(b) **subject to screening mechanisms in several Member States**, meets the conditions set out in Article 4(4) point (b) and any of the following conditions:

Or. it

## Amendment 331

Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Svenja Hahn, Petras Auštrevičius, Ľubica Karvašová

### Proposal for a regulation

#### Article 5 – paragraph 1 – point b – point i

*Text proposed by the Commission*

(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, significant

*Amendment*

(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, significant

funding, special rights or state-appointed directors or managers;

funding, special rights or state-appointed directors or managers. ***In case where the ownership structure is opaque or unclear, the investment shall be notified as a precaution;***

Or. en

### **Amendment 332**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 1 – point b – point i**

##### *Text proposed by the Commission*

(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, significant funding, special rights or state-appointed directors or managers;

##### *Amendment*

(i) the foreign investor or the foreign investor's subsidiary in the Union is directly or indirectly controlled, ***influenced or subsidised*** by the 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 kinds of structures aimed at influencing management decisions;***

Or. en

### **Amendment 333**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 1 – point b – point i**

##### *Text proposed by the Commission*

(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, significant funding, special rights or state-appointed directors or managers;

##### *Amendment*

(i) the foreign investor 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 funding, special rights or state-appointed directors or managers;

Or. it

## Amendment 334

Francesco Torselli, Daniele Polato

### Proposal for a regulation

#### Article 5 – paragraph 1 – point b – point iii

*Text proposed by the Commission*

(iii) the foreign investor or any of its subsidiaries was involved in a foreign 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.***

*Amendment*

(iii) the foreign investor or any of its subsidiaries was involved in a foreign investment ***that the notifying Member State*** previously ***did not authorise*** or authorised with conditions.

Or. it

## Amendment 335

Markéta Gregorová, Anna Cavazzini

### Proposal for a regulation

#### Article 5 – paragraph 1 – point b – point iii a (new)

*Text proposed by the Commission*

*Amendment*

***(iiia) the Union target established or to be established is a recipient of funds as defined in Article 2 paragraph 53 of Regulation 2018/1046, or of any other relevant Union funds.***

Or. en

## Amendment 336

Christophe Bay, Thierry Mariani, Aleksandar Nikolic  
on behalf of the PfiE Group

### Proposal for a regulation

#### Article 5 – paragraph 1 – subparagraph 1 (new)

*Text proposed by the Commission*

*Amendment*

***The Member State may refrain from notifying a foreign investment where its transmission is likely to compromise the protection of classified information relating to national security and defence, in accordance with the rules applicable at national level.***

Or. fr

**Amendment 337**  
**Sunčana Glavak**

**Proposal for a regulation**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. ***Member States shall notify the Commission and the 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.***

2. ***Any investment involving a foreign state-controlled enterprise must be automatically notified to the Commission and subject to a mandatory assessment of potential security and economic risks. Such enterprises include, but are not limited to, those where a foreign government holds a majority stake or exercises significant influence over decision-making.***

Or. en

**Amendment 338**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Member States shall notify the Commission and the other Member States of any foreign investment in a Union target

2. ***For investments that meet the conditions set out in Article 4(4) point (b),*** Member States shall notify the

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.*

Commission and the other Member States of any foreign investment in a Union target established in their territory where they *could* impose a mitigating measure or prohibit the transaction.

Or. it

### Amendment 339

Markéta Gregorová, Anna Cavazzini

#### Proposal for a regulation

##### Article 5 – paragraph 2

*Text proposed by the Commission*

2. Member States shall notify the Commission and the 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.

*Amendment*

2. Member States shall notify the Commission and the 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 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 *or to be established* in their territory where they intend to impose a mitigating measure or to prohibit the transaction without an in-depth investigation.

Or. en

### Amendment 340

Lídia Pereira

#### Proposal for a regulation

##### Article 5 – paragraph 2

*Text proposed by the Commission*

2. Member States shall notify the Commission and the other Member

*Amendment*

2. Member States shall notify, *at the earliest possible*, the Commission and the

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 where they initiate an in-depth investigation under their screening procedures. Furthermore, Member States shall notify, ***at the earliest possible***, 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.

Or. en

**Amendment 341**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Article 5 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. Member States shall notify the Commission and other Member States of any foreign investment in their territory where, in exceptional cases, they intend to impose a mitigating measure or prohibit the transaction without conducting an in-depth investigation, providing a justification for such a decision.***

Or. en

**Amendment 342**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 5 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

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

Member States ***shall*** 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 or to be*** established considers that a foreign



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.

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 ***or where other Member States have relevant undertakings operating in areas listed in Annex II. The Commission and the Member States shall regularly share information with each other on which undertakings may be relevant for security and public order.***

Or. en

### **Amendment 343**

**Daniel Caspary, Céline Imart**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 3 – subparagraph 1**

##### *Text proposed by the Commission*

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.

##### *Amendment*

Member States ***shall*** 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.

Or. en

### **Amendment 344**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**  
**Article 5 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

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.

*Amendment*

Member States 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.

Or. en

**Amendment 345**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 5 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

*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.*

*Amendment*

*deleted*

Or. it

**Amendment 346**  
**Marina Mesure**

**Proposal for a regulation**  
**Article 5 – paragraph 3 – subparagraph 2 – point 1 (new)**

*Text proposed by the Commission*

*Amendment*

**(1) Member States shall ensure that trade unions and workers' representative bodies may require the competent authorities of the Member States and the Commission to activate screening mechanisms.**

Or. en

**Amendment 347**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**

**Article 6 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

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 ***in a secure and encrypted manner, to ensure the strict confidentiality of the information communicated***:

Or. fr

**Amendment 348**

**Raphaël Glucksmann**

**Proposal for a regulation**

**Article 6 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(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 request for authorisation for foreign investments meeting any of the conditions set out in Article 5(1), ***2(a)*** or (3);

Or. en

**Amendment 349**  
**Sunčana Glavak**

**Proposal for a regulation**  
**Article 6 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. The following procedures shall apply to multi-country transactions:** **deleted**

**(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;**

**(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;**

**(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;**

**(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.**

Or. en

**Amendment 350**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**  
**Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

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;

*Amendment*

a) applicants requesting an authorisation shall file their requests for authorisation in all relevant Member States **within a maximum of three calendar days, starting from the date of submission of the first request**, and each request for authorisation shall make reference to the other requests;

Or. fr

**Amendment 351**  
**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**  
**Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

(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;

*Amendment*

(a) applicants requesting an authorisation shall file their requests for authorisation in all relevant Member States **within 3 calendar days**, and each request for authorisation shall make reference to the other requests;

Or. en

**Amendment 352**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

(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;

*Amendment*

(a) applicants requesting an authorisation shall **try to** 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;

Or. it

**Amendment 353**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 6 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

**(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**

Or. it

**Amendment 354**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Article 6 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

**(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;**

**(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 *coordinates*;**

Or. en

**Amendment 355**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 6 – paragraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

**(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**

Or. it

### **Amendment 356**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

#### **Proposal for a regulation**

##### **Article 6 – paragraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

(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;

(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 **after the last Member State received its request for authorisation** and within the deadline laid down in point (a) of paragraph 1 of this Article;

Or. en

### **Amendment 357**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

##### **Article 6 – paragraph 2 – point d**

*Text proposed by the Commission*

*Amendment*

**(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** **deleted**

*cooperation mechanism on the same day.*

Or. it

**Amendment 358**  
**Sunčana Glavak**

**Proposal for a regulation**  
**Article 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 6a***

***Specific rules applicable to multi-country transactions***

***1. Applicants requesting an authorisation for an investment in several Member States shall file their requests for authorisation in all relevant Member States within 5 calendar days of the first request for authorisation, and each request for authorisation shall make reference to the other requests.***

***2. Where a Member State receives a request for authorisation that meets the conditions set out in paragraph 1, it shall coordinate with the other Member States concerned, inter alia, to determine whether the investment is notifiable; the Commission may participate in such coordination upon request from one or more Member States.***

***3. 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 Article 6, point (a).***

***4. If the requests for authorisation concern a foreign investment meeting the conditions set out in Article 5(2), the Member States concerned shall endeavour to send their notifications to the cooperation mechanism on the same***



day.

***5. 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.***

Or. en

**Amendment 359**  
**Sunčana Glavak**

**Proposal for a regulation**  
**Article 6 b (new)**

*Text proposed by the Commission*

*Amendment*

***Article 6b***

***Investments originating from companies based in EU Member States and NATO allies should be subject to a simplified screening procedure, reflecting their alignment with the Union's security and economic interests. This fast-track process shall ensure minimal administrative burden while maintaining security and economic stability.***

Or. en

**Amendment 360**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Article 7 – title**

*Text proposed by the Commission*

*Amendment*

Comments by Member States and ***opinions*** by the Commission on notified foreign investments

Comments by Member States and by the Commission on notified foreign investments

Or. en

### Amendment 361

Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri  
on behalf of the PfiE Group

#### Proposal for a regulation

##### Article 7 – paragraph 1 – subparagraph 1 – introductory part

*Text proposed by the Commission*

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:

*Amendment*

Any Member State may issue duly motivated comments to the notifying Member State via *a* secure and encrypted system. A Member State may issue such comments if it:

Or. fr

### Amendment 362

Francesco Torselli, Daniele Polato

#### Proposal for a regulation

##### Article 7 – paragraph 1 – subparagraph 1 – point b

*Text proposed by the Commission*

(b) has information relevant for the screening of that foreign investment.

*Amendment*

(b) has information relevant for the screening of that foreign investment. *The Member State issuing comments on a multi-country transaction shall simultaneously send its comments to the Commission and inform through the cooperation mechanism the Member States involved that comments have been provided.*

Or. it

### Amendment 363

Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri  
on behalf of the PfiE Group

#### Proposal for a regulation

##### Article 7 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

The Member State issuing comments *shall* simultaneously send its comments to the

*Amendment*

The Member State issuing comments *may* simultaneously send its comments to the

Commission and inform through the cooperation mechanism all other Member States that comments have been provided.

Commission and inform through the cooperation mechanism all other Member States that comments have been provided.

Or. fr

#### **Amendment 364**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – subparagraph 1 – introductory part**

##### *Text proposed by the Commission*

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:

##### *Amendment*

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 *shall* issue such an opinion if:

Or. en

#### **Amendment 365**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

#### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – subparagraph 1 – introductory part**

##### *Text proposed by the Commission*

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:

##### *Amendment*

The Commission may issue a duly motivated opinion addressed to the notifying Member State via *a* secure and encrypted system. The Commission may issue such an opinion if:

Or. fr

#### **Amendment 366**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the P/E Group

#### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

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 **has evidence** that such a foreign investment is likely to **seriously undermine** the security or public order of more than one Member State;

Or. fr

#### **Amendment 367**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the P/E Group

#### **Proposal for a regulation**

**Article 7 – paragraph 2 – subparagraph 1 – point b – paragraph 1**

*Text proposed by the Commission*

*Amendment*

it **considers** that such a foreign investment **is likely to negatively affect** projects or programmes of Union interest on grounds of security or public order; or

it **has evidence** that such a foreign investment **seriously undermines** projects or programmes of Union interest on grounds of security or public order;

Or. fr

#### **Amendment 368**

**Svenja Hahn, Lubica Karvašová, Dan Barna, Marie-Pierre Vedrenne**

#### **Proposal for a regulation**

**Article 7 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

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. ***In cases where the investment has been notified pursuant to Article 5(2) due to the ownership structure being opaque or unclear, the Commission shall issue an opinion.***

Or. en

#### **Amendment 369**

**Svenja Hahn, Lubica Karvašová, Dan Barna, Marie-Pierre Vedrenne**

#### **Proposal for a regulation**

**Article 7 – paragraph 2 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***In order to ensure transparency and predictability, opinions of the Commission shall be based on specific and documented risks and shall follow set issuance criteria, including documented security risks or cross-border concerns.***

Or. en

### **Amendment 370**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

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 **shall** issue a duly motivated opinion addressed to all Member States if it considers that **one or** several foreign investments or other similar investments if they were to be made, taken together **or individually**, and having regard to their characteristics could affect the security or public order of the Union. After a Commission opinion is issued, the Commission **shall**, as appropriate, discuss with Member States **the measures** to address the identified risks.

Or. en

### **Amendment 371**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

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

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.

affect security or public order *in more than one Member State*. After a Commission opinion is issued, the Commission may, as appropriate, discuss with Member States how to address the identified risks.

Or. it

#### **Amendment 372**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the P/E Group

#### **Proposal for a regulation** **Article 7 – paragraph 3**

*Text proposed by the Commission*

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.

*Amendment*

3. The Commission may issue a duly motivated opinion addressed to all Member States if it *has evidence* that several foreign investments or other similar investments if they were to be made, taken together, and having regard to their characteristics *seriously undermine* 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.

Or. fr

#### **Amendment 373**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

#### **Proposal for a regulation** **Article 7 – paragraph 4 – point a**

*Text proposed by the Commission*

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)*;

*Amendment*

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 *a* secure and encrypted system;

### **Amendment 374**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

##### **Article 7 – paragraph 4 – point a**

*Text proposed by the Commission*

(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);

*Amendment*

(a) send opinions meeting the conditions set out in points (a) and (c) of paragraph 2 to **the States involved in the transaction** and notify the other Member States that an opinion was issued via the secure and encrypted system referred to in Article 12(4);

Or. it

### **Amendment 375**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

##### **Article 7 – paragraph 4 – point b**

*Text proposed by the Commission*

(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).

*Amendment*

(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). ***A Member State which duly considers that a foreign direct investment in its territory is likely to affect its security or public order may request the Commission to issue an opinion or other Member States to provide comments.***

Or. it

### **Amendment 376**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

#### **Proposal for a regulation**

##### **Article 7 – paragraph 4 – point b**

*Text proposed by the Commission*

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)**.

*Amendment*

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 **a** secure and encrypted system.

Or. fr

**Amendment 377**

**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**

**Article 7 – paragraph 5**

*Text proposed by the Commission*

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.

*Amendment*

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 consideration to such a comment or opinion. **The final decision shall remain the sole responsibility of the Member State where the investment is planned or completed.**

Or. it

**Amendment 378**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the P/E Group

**Proposal for a regulation**

**Article 7 – paragraph 5**

*Text proposed by the Commission*

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

*Amendment*

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 **take note of** such



opinion.

a comment or opinion.

Or. fr

### Amendment 379

Francesco Torselli, Daniele Polato

#### Proposal for a regulation

#### Article 7 – paragraph 6

*Text proposed by the Commission*

*Amendment*

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 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.*

*deleted*

Or. it

### Amendment 380

Daniel Caspary, Céline Imart

#### Proposal for a regulation

#### Article 7 – paragraph 6

*Text proposed by the Commission*

*Amendment*

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

6. Following the receipt of a comment pursuant to paragraph 1, the Member State shall **consult** with the Member States **that** issued comments, **where applicable, and the Commission** to discuss how to best

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**.

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 **and the Commission** 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 **consulted** 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 **consultation**.

Or. en

### **Amendment 381**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

#### **Proposal for a regulation** **Article 7 – paragraph 6**

##### *Text proposed by the Commission*

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 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

##### *Amendment*

6. Following the receipt of a comment pursuant to paragraph 1, the Member State shall **consult** the Member States who issued comments 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 the extent possible**, 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 **may** be invited to any such

*meetings.*

*consultations.*

Or. fr

**Amendment 382**

**Enikő Győri**

**Proposal for a regulation**

**Article 7 – paragraph 6**

*Text proposed by the Commission*

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 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.

*Amendment*

6. Following the receipt of a comment pursuant to paragraph 1, the Member State **may** set up a meeting with the Member States who issued comments 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 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.

Or. en

**Amendment 383**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Lúbia Karvašová**

**Proposal for a regulation**

**Article 7 – paragraph 6**

*Text proposed by the Commission*

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

*Amendment*

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 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.

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 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.

Or. en

#### **Amendment 384**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 6**

##### *Text proposed by the Commission*

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 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***

##### *Amendment*

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 ***and the 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 ***and the Commission*** 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.

*meetings.*

Or. en

**Amendment 385**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the PfiE Group

**Proposal for a regulation**  
**Article 7 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

**7. Following the receipt of an ~~deleted~~  
opinion pursuant to paragraph 2 or 3, the  
procedure set out in paragraph 6 shall  
apply mutatis mutandis.**

Or. fr

*Justification*

*Where the Commission issues a motivated opinion under paragraph 2 or 3, the procedure described in paragraph 6 must be followed by analogy (namely, applying the same principles with adjustments where necessary). This means that: a meeting must be organised to discuss the risks identified by the Commission. The Member States and the Commission must work together to identify and implement appropriate solutions. A deletion therefore makes it possible to avoid organising a meeting with the Commission.*

**Amendment 386**

**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 7 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

**7. Following the receipt of an ~~deleted~~  
opinion pursuant to paragraph 2 or 3, the  
procedure set out in paragraph 6 shall  
apply mutatis mutandis.**

Or. it

**Amendment 387**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras  
Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**  
**Article 7 – paragraph 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7 a. If no alternative solution is reached pursuant to paragraph 6, the Commission may alert the Member State where the foreign investment is planned of its concern that the foreign investment is likely to negatively affect the security and public order of another Member State.**

**The Commission may only alert upon approval of the affected other Member State.**

**Upon receipt of such an alert, the Member State where the foreign investment is planned shall not adopt the intended screening decision for a period of 30 calendar days, unless the Member States involved and the Commission agree on new conditions to reach an alternative solution.**

Or. en

*Justification*

*The Alert procedure should be seen in conjunction with our next amendment introducing the Decision procedure that goes beyond mere opinion or comment. The alert may be issued by the Commission when a screening decision from a Member State harms the security and public order of another Member State, and no solution is found during the meeting in paragraph 6. The Commission is in charge of issuing an alert, upon approval of the other affected Member State, to avoid Member States hijacking each other's process based on unsubstantiated grounds. Note that this would only happen in very exceptional cases, and a phased approach is introduced to the deadlines in Article 8 to avoid unnecessary delays. This amendment is based on language of the Commission proposal of the Notifications Directive, intended to enforce the Services directive, which has the same legal basis as the FDI screening revision.*

**Amendment 388**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**  
**Article 7 – paragraph 7 b (new)**

**7b. Where the Commission has issued an alert in accordance with Paragraph 7a and no alternative solution is reached after 30 calendar days, it may, within a period of 30 calendar days, adopt a decision finding the intended screening decision to be incompatible with this Regulation and requiring the Member State concerned to refrain from adopting it, and if such measure has been adopted, to repeal it. Such a decision may only be adopted if the Commission can show that the intended screening decision negatively affects the security and public order of another Member State, and upon the latter's approval.**

Or. en

*Justification*

*The Decision procedure should be seen in conjunction with our previous amendment introducing the Alert procedure that goes beyond mere opinion or comment. If no solution (e.g. mitigation measures) is found following the alert, the Commission may decide a screening decision from a Member State harms the security and public order of another Member State. The Commission is in charge of issuing a decision, upon approval of the other affected Member State, to avoid Member States hijacking each other's process based on unsubstantiated grounds. Note that this would only happen in very exceptional cases, and a phased approach is introduced to the deadlines in Article 8 to avoid unnecessary delays. This amendment is based on language of the Commission proposal of the Notifications Directive, intended to enforce the Services directive, which has the same legal basis as the FDI screening revision.*

**Amendment 389**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**

**Article 7 – paragraph 8 – introductory part**

*Text proposed by the Commission*

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:***

*Amendment*

8. Following the ***consultation referred to in*** paragraph 6 of this article, the host Member State ***shall transmit its intended screening decision to the***

*respective Member States and the Commission, along with a written explanation that includes:*

*(i) the extent to which it has given the comments of the Member States and the Commission's opinion the utmost consideration; and*

*(ii) where applicable, the reasons for any disagreement with the comments of the Member States or the Commission's opinion.*

Or. en

### **Amendment 390**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 8 – introductory part**

*Text proposed by the Commission*

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:*

*Amendment*

8. *In multi-country transactions, each Member State where the foreign investment is planned or completed shall notify the outcome of its screening decision to the Member States involved and to the Commission.*

Or. it

### **Amendment 391**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 8 – point a**

*Text proposed by the Commission*

*(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;*

*Amendment*

*deleted*

Or. it



## Amendment 392

Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri  
on behalf of the PfiE Group

### Proposal for a regulation

#### Article 7 – paragraph 8 – point a

*Text proposed by the Commission*

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;

*Amendment*

a) notify its screening decision to the respective Member States **in a secure and encrypted manner** no later than 3 calendar days after it was sent to the respective parties to the foreign investment, **and may notify the Commission, under the same confidentiality conditions, of the screening decision;**

Or. fr

## Amendment 393

Enikő Győri

### Proposal for a regulation

#### Article 7 – paragraph 8 – point a

*Text proposed by the Commission*

(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;**

*Amendment*

(a) notify **the operative part of** its screening decision to the respective Member States and to the Commission no later than 3 calendar days after **the screening decision entered into force;**

Or. en

## Amendment 394

Markéta Gregorová, Anna Cavazzini

### Proposal for a regulation

#### Article 7 – paragraph 8 – point a

*Text proposed by the Commission*

(a) notify its screening decision to the respective Member States and to the Commission via the secure and encrypted

*Amendment*

(a) notify its **intended** screening decision to the respective Member States and to the Commission via the secure and

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;

encrypted system referred to in Article 12(4) no later than **7** calendar days *before sending it* to the respective parties to the foreign investment, *and*;

Or. en

#### **Amendment 395**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 8 – point a**

*Text proposed by the Commission*

(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;

*Amendment*

(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) ***before*** it was sent to the respective parties to the foreign investment;

Or. en

#### **Amendment 396**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 8 – point b**

*Text proposed by the Commission*

***(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) the extent to which it gave the Member States' comments or the Commission opinion utmost consideration; or***

***(ii) the reason for its disagreement with the Member States' comments or the***

*Amendment*

***deleted***

*Commission opinion.*

Or. it

**Amendment 397**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**

**Article 7 – paragraph 8 – point b – introductory part**

*Text proposed by the Commission*

*Amendment*

(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:

(b) provide a written explanation on:

Or. en

**Amendment 398**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**

**Article 7 – paragraph 8 – point b – introductory part**

*Text proposed by the Commission*

*Amendment*

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*:

b) provide a written explanation to the respective Member States *in a secure and encrypted manner* no later than 7 calendar days after the screening decision was notified pursuant to paragraph (a), *and may notify the Commission, under the same confidentiality conditions, of the screening decision*:

Or. fr

**Amendment 399**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**

**Article 7 – paragraph 8 – point b – introductory part**

*Text proposed by the Commission*

*Amendment*

(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:

(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) ***before*** the screening decision was notified pursuant to paragraph (a) on:

Or. en

#### **Amendment 400**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the P/E Group

#### **Proposal for a regulation**

**Article 7 – paragraph 8 – point b – point i**

*Text proposed by the Commission*

*Amendment*

(i) ***the extent to which it gave the Member States' comments or the Commission opinion utmost consideration; or***

***deleted***

Or. fr

#### *Justification*

*Reduced administrative burden for Member States, who would be required to justify each filtering decision in writing to multiple parties. This deletion preserves a certain flexibility in the written explanations. Paragraph 9 is sufficient.*

#### **Amendment 401**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

**Article 7 – paragraph 8 – point b – point i**

*Text proposed by the Commission*

*Amendment*

(i) ***the extent to which it gave the Member States' comments or the Commission opinion utmost consideration; or***

***deleted***

Or. it

**Amendment 402**

**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**

**Article 7 – paragraph 8 – point b – point ii**

*Text proposed by the Commission*

*Amendment*

**(ii) the reason for its disagreement with the Member States' comments or the Commission opinion.** **deleted**

Or. it

**Amendment 403**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the P/E Group

**Proposal for a regulation**

**Article 7 – paragraph 8 – point b – point ii**

*Text proposed by the Commission*

*Amendment*

**(ii) the reason for its disagreement with the Member States' comments or the Commission opinion.** **deleted**

Or. fr

*Justification*

*Reduced administrative burden for Member States, who would be required to justify each filtering decision in writing to multiple parties. This deletion preserves a certain flexibility in the written explanations. Paragraph 9 is sufficient.*

**Amendment 404**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**

**Article 7 – paragraph 8 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(ba) The comments and opinions received by other Member States or the**

*Commission as well as the written explanation from the Member State where the foreign investment is planned, will be enclosed in the secure database set up pursuant to Article 7(10). If certain information may not be shared according to Paragraph 11, the database shall at least include a reference to the comments, opinions and written explanations, and the involved parties.*

Or. en

**Amendment 405**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 7 – paragraph 9**

*Text proposed by the Commission*

*Amendment*

**9. Where the Member States or the Commission indicate that the screening decision referred to in paragraph 8, subparagraph (a), of this Article does not give utmost consideration to their comments provided 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.**

**deleted**

Or. it

**Amendment 406**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 7 – paragraph 9**

*Text proposed by the Commission*

9. Where the Member States or the Commission indicate that the screening decision referred to in paragraph 8, subparagraph (a), of this Article does not give utmost consideration to their comments provided 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.

*Amendment*

9. Where the Member States or the Commission indicate that the ***intended*** screening decision referred to in paragraph 8, subparagraph (a), of this Article does not give utmost consideration to their comments provided 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 ***immediately*** organise a meeting to explain the obstacles encountered or the reasons for disagreement and shall endeavour to ***ultimately find a solution that takes such comments and opinions into account.*** 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.

***When a solution is found, the Member State where the investment is planned or completed will send its final screening decision to the respective parties to the foreign investment.***

***When a solution is not found, and the Member States and the Commission have reasons to believe that the foreign investment is likely to affect security or public order, they shall inform, once again, the Member State where the investment is planned or completed via the secure and encrypted system referred to in Article 12, paragraph 4, which shall subsequently suspend its screening decision until Article 7a is applied.***

Or. en

**Amendment 407**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**

on behalf of the PfE Group

**Proposal for a regulation**  
**Article 7 – paragraph 9**

*Text proposed by the Commission*

9. Where the Member States **or the Commission** indicate that the screening decision referred to in paragraph 8, subparagraph (a), of this Article does not give **utmost** consideration to their comments provided pursuant to paragraph 1 **or the opinion provided pursuant to paragraph 2 or 3**, the Member State where the investment is planned or completed **may organise a meeting to explain** the obstacles encountered or the reasons for disagreement and **may 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**.

*Amendment*

9. Where the Member States indicate that the screening decision referred to in paragraph 8, subparagraph (a), of this Article does not give **reasonable** consideration to their comments provided pursuant to paragraph 1, **they may ask** the Member State where the investment is planned or completed **for an explanation, in a secure and encrypted manner, as to** the obstacles encountered or the reasons for disagreement and **shall endeavour to the extent possible** 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 **consulted**. The Commission **may be informed of the outcome of the consultations**.

Or. fr

**Amendment 408**  
**Raphaël Glucksmann**

**Proposal for a regulation**  
**Article 7 – paragraph 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**9a. Where, following the meeting referred to in paragraph 9 of this Article, a Member State or the Commission considers that an intended decision based on Article 14 (1) point (a) or Article 14 (2) does not adequately address or mitigate risks to security or public order, it shall inform the host Member State and the Commission within 7 calendar days of the meeting. The host Member State shall**



*suspend its screening procedure until the Commission has taken a decision pursuant to Article 9b(2). The deadline pursuant to Article 8(7a), first subparagraph, shall not be applicable.*

*Following the Commission's decision pursuant to Article 9b(2), the host Member State shall take its screening decision within 5 calendar days.*

Or. en

#### **Amendment 409**

**Daniel Caspary, Céline Imart, Jörgen Warborn**

#### **Proposal for a regulation**

**Article 7 – paragraph 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**9a.** *If, following the consultation referred to in paragraph 9 of this Article, a Member State or the Commission believes that the foreign investment may impact security or public order, including economic security, it shall notify the host Member State and the Commission within 7 calendar days of the meeting. The host Member State shall suspend its screening process until the Commission has made a decision in accordance with Article 9b(2). The deadline specified in Article 8(7a), first subparagraph, shall not apply during this period.*

*After the Commission's decision under Article 9b(2), the host Member State shall make its screening decision within 5 calendar days.*

Or. en

#### **Amendment 410**

**Daniel Caspary, Céline Imart, Jörgen Warborn**

#### **Proposal for a regulation**

**Article 7 – paragraph 9 b (new)**

*Text proposed by the Commission*

*Amendment*

**9b.** *The host Member State shall notify its screening decision to the Member States that provided comments, if applicable, and to the Commission no later than 3 calendar days after it has been communicated to the relevant parties involved in the foreign investment.*

Or. en

#### **Amendment 411**

**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**

**Article 7 – paragraph 10**

*Text proposed by the Commission*

*Amendment*

**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.*

*deleted*

Or. it

#### **Amendment 412**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**

**Article 7 – paragraph 10 a (new)**

*Text proposed by the Commission*

*Amendment*

**10a.** *The Commission shall develop a business intelligence capability to inform the Member State screening authorities, develop coordinated risk assessments and, in consultation with the FDI Expert Group, support a Union FDI capacity-building programme to offer best practices, lessons learned and common training programmes for officials of the Member States. This requires the Commission to have the appropriate technical and human resources.*

Or. en

**Amendment 413**  
**Sunčana Glavak**

**Proposal for a regulation**  
**Article 7 – paragraph 10 a (new)**

*Text proposed by the Commission*

*Amendment*

**10a.** *The shipbuilding industry is a sector of strategic importance to several Member States. Any foreign investment in shipbuilding facilities, ports, or maritime infrastructure must undergo a detailed security assessment, ensuring that it does not undermine the Union's naval and industrial interests.*

Or. en

**Amendment 414**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 7 – paragraph 11**

*Text proposed by the Commission*

*Amendment*

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

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.

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.

***This provision is without prejudice to Article 346(1) point (a) TFEU.***

Or. it

## **Amendment 415**

**Markéta Gregorová, Anna Cavazzini**

### **Proposal for a regulation**

#### **Article 7 a (new)**

*Text proposed by the Commission*

*Amendment*

#### ***Article 7a***

***Decisions by the Commission applying to the screening decisions of Member States***

***Following the suspension of a screening decision pursuant to article 7 paragraph 9, the Commission shall issue a Decision to:***

***(a) Authorise the intended screening decision of a Member State if it concludes that the foreign investment is not likely to affect security or public order or if the screening decision adequately mitigates the risks;***

***(b) Authorise the foreign investment subject to certain mitigating measures;***

***(c) Prohibit the foreign investment.***

***The Commission shall issue its Decision within 20 calendar days following the suspension of the screening decision pursuant to in Article 7 paragraph 9. The Commission shall inform the Member States of its Decision via the secure and encrypted system referred to in article 12 paragraph 4.***

Or. en

#### **Amendment 416**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the PfiE Group

#### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point a**

*Text proposed by the Commission*

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;

*Amendment*

a) Member States shall inform the notifying Member State via **a** secure and encrypted system that they reserve their right to issue comments no later than 15 calendar days following the receipt of the notification pursuant to Article 5;

Or. fr

#### **Amendment 417**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the PfiE Group

#### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point b**

*Text proposed by the Commission*

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** working days following the receipt of the notification pursuant to Article 5.

*Amendment*

b) the Commission shall inform the notifying Member State via **a** secure and encrypted system that it reserves its right to issue an opinion no later than **15** calendar days following the receipt of the notification pursuant to Article 5.

Or. fr

#### **Amendment 418**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the PfiE Group

#### **Proposal for a regulation**

#### **Article 8 – paragraph 2**

*Text proposed by the Commission*

2. When reserving their right to issue comments **or an opinion**, Member States

*Amendment*

2. When reserving their right to issue comments, Member States may request

*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.

additional information from the notifying Member State. Any request for additional information shall be duly justified, *strictly* limited to the information necessary for the Member States to provide comments, proportionate to the purpose of the request, and not burdensome for the notifying Member State. Where a Member State requests additional information from the notifying Member State, it *may* send such requests to the Commission simultaneously.

Or. fr

**Amendment 419**  
**Lídia Pereira**

**Proposal for a regulation**  
**Article 8 – paragraph 3 – subparagraph 1 – point a**

*Text proposed by the Commission*

(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 days following receipt of the complete notification of the foreign investment;

*Amendment*

(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 **30** calendar days following receipt of the complete notification of the foreign investment;

Or. en

**Amendment 420**  
**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**  
**Article 8 – paragraph 3 – subparagraph 1 – point a**

*Text proposed by the Commission*

a) where a Member State reserves its

*Amendment*

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 days following receipt of the complete notification of the foreign investment;

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 *a* secure and encrypted system no later than 35 calendar days following receipt of the complete notification of the foreign investment;

Or. fr

#### **Amendment 421**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the Pfi Group

#### **Proposal for a regulation**

#### **Article 8 – paragraph 3 – subparagraph 1 – point b**

##### *Text proposed by the Commission*

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;

##### *Amendment*

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 *a* secure and encrypted system no later than 45 calendar days following receipt of the complete notification of the foreign investment;

Or. fr

#### **Amendment 422**

**Lídia Pereira**

#### **Proposal for a regulation**

#### **Article 8 – paragraph 3 – subparagraph 1 – point c**

##### *Text proposed by the Commission*

(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

##### *Amendment*

(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;

addressed to the notifying Member State via the secure and encrypted system referred to in Article 12(4) no later than **15** calendar days following receipt of the complete additional information;

Or. en

#### **Amendment 423**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

#### **Proposal for a regulation**

#### **Article 8 – paragraph 3 – subparagraph 1 – point c**

##### *Text proposed by the Commission*

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;

##### *Amendment*

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 **a** secure and encrypted system no later than 20 calendar days following receipt of the complete additional information;

Or. fr

#### **Amendment 424**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

#### **Proposal for a regulation**

#### **Article 8 – paragraph 3 – subparagraph 1 – point d**

##### *Text proposed by the Commission*

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 information.

##### *Amendment*

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 **a** secure and encrypted system no later than 20 calendar days following receipt of the complete additional information.



**Amendment 425**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**

**Article 8 – paragraph 3 – subparagraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

*(da) the meeting referred to in Article 7(6) shall occur within 30 calendar days following the opinion or comment.*

Or. en

**Amendment 426**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**

**Article 8 – paragraph 3 – subparagraph 1 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

*(db) where the Commission reserves the right to issue an alert referred to in Article 7(7a), the respective alert shall be sent to the notifying Member State via the secure and encrypted system referred to in Article 12(4) no later than 15 days following the meeting referred to in Article 7(6).*

Or. en

**Amendment 427**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**

**Article 8 – paragraph 3 – subparagraph 1 – point d c (new)**

*Text proposed by the Commission*

*Amendment*

*(dc) Upon receipt of an alert, the Member State where the foreign*

*investment is planned shall not adopt the intended screening decision for a period of 30 calendar days, unless the Member States involved and the Commission agree on new conditions to reach an alternative solution.*

Or. en

**Amendment 428**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**

**Article 8 – paragraph 3 – subparagraph 1 – point d d (new)**

*Text proposed by the Commission*

*Amendment*

*(dd) where the Commission reserves the right to issue a Decision referred to in Article 7(7b), the respective decision shall be sent to the notifying Member State via the secure and encrypted system referred to in Article 12(4) no later than 30 calendar days following the period referred to in Paragraph (dc).*

Or. en

**Amendment 429**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**

**Article 8 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*The notifying Member State shall take their screening decision only after the deadlines referred to in points (a)-(d) have expired.*

*deleted*

Or. en

**Amendment 430**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**  
**Article 8 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

The notifying Member State shall take their screening decision only after the deadlines referred to in points (a)-(d) have expired.

*Amendment*

The notifying Member State shall take their screening decision only after the deadlines referred to in points (a)-(d) have expired. ***If the Commission reserves the right to issue an alert or Decision, the notifying Member State shall take their screening decision only after the deadlines in points (dc) and (dd) have expired.***

Or. en

**Amendment 431**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**  
**Article 8 – paragraph 4**

*Text proposed by the Commission*

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 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.

*Amendment*

4. The notifying Member State shall notify the Commission and the other Member States via ***a*** secure and encrypted system 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 Member States shall endeavour, ***to the extent possible***, 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.

Or. fr

**Amendment 432**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 8 – paragraph 4**

*Text proposed by the Commission*

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 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.

*Amendment*

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 Member States shall 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.

Or. en

**Amendment 433**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 8 – paragraph 5**

*Text proposed by the Commission*

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.

*Amendment*

5. The notifying Member State shall provide the complete additional information requested by the Commission or other Member States pursuant to paragraph 2 ***expeditiously*** 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.

Or. en

**Amendment 434**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 8 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

**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.**

**deleted**

Or. it

**Amendment 435**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 8 – paragraph 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7a. The notifying Member State shall take its screening decision only after receipt of comments or opinions pursuant to paragraph 3 and within 30 calendar days thereafter. Where the adoption of screening decisions has been suspended pursuant to Article 7 paragraph 9, screening decisions shall be taken only after the procedure pursuant to Article 7a has been completed.**

Or. en

**Amendment 436**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 8 – paragraph 8**

*Text proposed by the Commission*

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 commercial interests of the applicant requesting the authorisation.

*Amendment*

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 commercial interests of the applicant requesting the authorisation.  
***Article 7 paragraphs 6 to 9 and Article 7a apply in this case.***

Or. en

**Amendment 437**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the P/E Group

**Proposal for a regulation**  
**Article 8 – paragraph 8**

*Text proposed by the Commission*

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 commercial interests of the applicant requesting the authorisation.

*Amendment*

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 shall provide comments, and the Commission ***may*** issue an opinion, expeditiously. This procedure shall not be invoked to serve purely the commercial interests of the applicant requesting the authorisation.

Or. fr

**Amendment 438**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 9 – paragraph 1**

*Text proposed by the Commission*

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**.

*Amendment*

1. A Member State that considers that a foreign investment in the territory of another Member State, which has not been notified to the **screening authority**, 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 **has not received a request for authorisation, or that the investment does not require authorisation under the national mechanism**.

Or. it

**Amendment 439**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 9 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

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, **because the parties to that foreign investment have not requested an authorisation**, 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.

Or. en

**Amendment 440**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Article 9 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

1. ***If the Commission or*** a Member State 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, ***the Member State or the Commission*** may open an own initiative procedure in relation to that foreign investment. Before opening the procedure, the Member State ***or 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.

Or. en

**Amendment 441**  
**Marina Mesure**

**Proposal for a regulation**  
**Article 9 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

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, ***its sovereignty and essential interests, good working conditions, preservation of its economic and territorial cohesion, protection of environmental standards and the fight against tax evasion***, 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.

Or. en

#### **Amendment 442**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 9 – paragraph 2**

##### *Text proposed by the Commission*

2. Member States shall be granted **at least 15** months, after the foreign investment 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.

##### *Amendment*

2. Member States shall be granted **up to 24** months, after the foreign investment 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.

Or. en

#### **Amendment 443**

**Lídia Pereira**

#### **Proposal for a regulation**

#### **Article 9 – paragraph 2**

##### *Text proposed by the Commission*

2. Member States shall be granted at least **15** months, after the foreign investment 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.

##### *Amendment*

2. Member States shall be granted at least **18** months, after the foreign investment 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.

Or. en

#### **Amendment 444**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

#### **Article 9 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall be granted **at least** 15 months, after the foreign investment 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.

*Amendment*

2. Member States shall be granted **no more than** 15 months, after the foreign investment 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.

Or. it

**Amendment 445**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Svenja Hahn, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation  
Article 9 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall be granted **at least** 15 months, after the foreign investment 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.

*Amendment*

2. Member States shall be granted **up to** 15 months, after the foreign investment 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.

Or. en

**Amendment 446**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Isabella Tovaglieri**  
on behalf of the P/E Group

**Proposal for a regulation  
Article 9 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall be granted **at least 15** months, after the foreign investment 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.

*Amendment*

2. Member States shall be granted **up to 12** months, after the foreign investment 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.

Or. fr

## Amendment 447

Enikő Győri

### Proposal for a regulation

#### Article 9 – paragraph 2

*Text proposed by the Commission*

2. Member States shall be granted **at least 15** months, after the foreign investment 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.

*Amendment*

2. Member States shall be granted **up to 12** months, after the foreign investment 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.

Or. en

## Amendment 448

Daniel Caspary, Céline Imart

### Proposal for a regulation

#### Article 9 – paragraph 2

*Text proposed by the Commission*

2. Member States shall be granted at least 15 months, after the foreign investment 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.

*Amendment*

2. Member States **and the Commission** shall be granted at least 15 months, after the foreign investment 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.

Or. en

## Amendment 449

Francesco Torselli, Daniele Polato

### Proposal for a regulation

#### Article 9 – paragraph 3

*Text proposed by the Commission*

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

*Amendment*

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 **screening authority** 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.

Article 7(2). Before opening the procedure, the Commission shall check that the Member State where the investment is planned or completed **has not received a request for authorisation, or that the investment does not require authorisation under the national** mechanism.

Or. it

#### **Amendment 450**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the P/E Group

#### **Proposal for a regulation** **Article 9 – paragraph 3**

*Text proposed by the Commission*

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.

*Amendment*

3. The Commission may **issue a duly motivated opinion** when it **has evidence** 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 **issuing this duly motivated opinion**, 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.

Or. fr

#### **Amendment 451**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the P/E Group

#### **Proposal for a regulation** **Article 9 – paragraph 4**

*Text proposed by the Commission*

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

*Amendment*

4. The Commission shall be granted **the right to issue a duly motivated opinion, as promptly as possible, and no later than 6** months, after the foreign investment has been completed, **in accordance with** paragraph 3, provided the respective foreign investment has not been

mechanism in the meantime.

notified to the cooperation mechanism in the meantime.

Or. fr

#### **Amendment 452**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation Article 9 – paragraph 4**

*Text proposed by the Commission*

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.

*Amendment*

4. The Commission shall be granted **up to 24** 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.

Or. en

#### **Amendment 453**

**Lídia Pereira**

#### **Proposal for a regulation Article 9 – paragraph 4**

*Text proposed by the Commission*

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.

*Amendment*

4. The Commission shall be granted at least **18** 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.

Or. en

#### **Amendment 454**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation Article 9 – paragraph 4**

*Text proposed by the Commission*

4. The Commission shall be granted **at**

*Amendment*

4. The Commission shall be granted

*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.

*no more than* 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.

Or. it

#### **Amendment 455**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

#### **Proposal for a regulation** **Article 9 – paragraph 5**

*Text proposed by the Commission*

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 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.

*Amendment*

5. The Member States *in accordance with* paragraph 1, *and where applicable, the Commission, in accordance with paragraph 3, may open their own initiative procedure* by sending a duly motivated request for information, *in a secure and encrypted manner*, to 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 burdensome for the notifying Member State. Where the request for information is submitted by a Member State, that Member State *may notify* the Commission simultaneously, *under the same confidentiality conditions*.

Or. fr

#### **Amendment 456**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

#### **Proposal for a regulation** **Article 9 – paragraph 6**

*Text proposed by the Commission*

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 simultaneously.

*Amendment*

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 *a* secure and encrypted system. Where the notifying Member State provides additional information to a Member State, such additional information shall be sent to the Commission simultaneously.

Or. fr

**Amendment 457**

**Daniel Caspary, Céline Imart, Jörgen Warborn**

**Proposal for a regulation**

**Article 9 – paragraph 7 – introductory part**

*Text proposed by the Commission*

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:*

*Amendment*

7. *After receiving the* information referred to in paragraph 6, Member States may *submit* comments, and the Commission may *issue* an opinion to the *host Member State, no later than 30 calendar days after receiving the complete information requested in paragraph 5. In cases where the procedure was initiated by a Member State, the Commission shall have an additional 15 calendar days to provide its opinion. The host Member State shall give the highest consideration to such comments or the opinion.*

Or. en

**Amendment 458**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**

**Article 9 – paragraph 7 – introductory part**

*Text proposed by the Commission*

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*:

**Amendment 459**  
**Marina Mesure**

**Proposal for a regulation**  
**Article 9 – paragraph 7 – introductory part**

*Text proposed by the Commission*

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:

**Amendment 460**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 9 – paragraph 7 – introductory part**

*Amendment*

7. Following receipt of information referred to in paragraph 6, Member States may provide *new* comments and the Commission may provide *a new duly motivated* 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 *modification*:

Or. fr

*Amendment*

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 *opinion of the Commission shall simultaneously be communicated to the other Member States and to the European Parliament, and this advice should be considered.* The rules and procedures laid down in Article 7 and 8 shall apply mutatis mutandis, subject to the following modifications:

Or. en



*Text proposed by the Commission*

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:

*Amendment*

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, **7a** and 8 shall apply mutatis mutandis, subject to the following modifications:

Or. en

**Amendment 461**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**

**Article 9 – paragraph 7 – point a**

*Text proposed by the Commission*

(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.*

*Amendment*

(a) *Upon receiving a comment or opinion pursuant to paragraph 7 of this Article, the host Member State shall arrange a meeting with the Member States that submitted comments, where applicable, and the Commission, to discuss the identified risks and how to address them effectively. If the host Member State disagrees with the identified risks or the proposed measures in the comment or opinion, the Member States and the Commission shall collaborate to assess alternative mitigation measures and agree on a suitable course of action to manage the risks in question.*

Or. en

**Amendment 462**

**Lídia Pereira**

**Proposal for a regulation**

**Article 9 – paragraph 7 – point a**

*Text proposed by the Commission*

(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.

*Amendment*

(a) the comments by Member States or the opinion by the Commission shall be sent no later than **30** calendar days following receipt of the complete information requested pursuant to paragraph 5.

Or. en

**Amendment 463**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**

**Article 9 – paragraph 7 – point a**

*Text proposed by the Commission*

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.

*Amendment*

a) the comments by Member States or the ***duly motivated*** opinion by the Commission shall be sent no later than 35 calendar days following receipt of the complete information requested pursuant to paragraph 5.

Or. fr

**Amendment 464**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**

**Article 9 – paragraph 7 – point b**

*Text proposed by the Commission*

(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.***

*Amendment*

(b) ***After the consultation mentioned in paragraph 7a, the host Member State shall notify the Commission and, where applicable, the Member State that provided the comment, of its decision on whether it intends to proceed with screening the investment.***

Or. en

**Amendment 465**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Article 9 – paragraph 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7a. If the host Member State decides not to proceed with the screening of the foreign investment, it shall provide a written explanation to the relevant Member States and the Commission, outlining the reasons for its disagreement with the comments from the Member States or the opinion of the Commission.**

Or. en

**Amendment 466**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Article 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 9a**

***Investigative powers of the Commission***

**1. Upon a duly justified request by a Member State or on its own initiative, and provided the host Member State has been notified and raises no objection, the Commission may request information in accordance with this Article.**

**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, including economic security. 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, and customers. Moreover the Commission shall be**

*granted investigation power.*

*3. The Commission shall inform a Member State before seeking such information on its territory.*

*4. A request for information pursuant to paragraph 2 shall:*

*(a) state its legal basis and purpose, specify the required information, and set an appropriate time limit for its provision;*

*(b) be duly justified and limited to the information strictly necessary for assessing the potential impact of a transaction on security or public order, including economic security;*

*(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;*

*(d) include a statement that a lack of cooperation may allow the Commission to take a decision based on the facts available.*

*5. The deadlines established under the cooperation mechanism provided for in this Regulation shall be automatically suspended for the time required to provide the information requested by the Commission. 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 Commission shall promptly notify the relevant Member States of both the suspension and its lifting.*

*6. In the event of unjustified lack of compliance with the Commission's information requests, the Commission may impose, by decision:*

*(a) fines not exceeding 1 % of the aggregate turnover of the party or entity concerned in the preceding financial year; or*

*(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.*

*7. Before imposing periodic penalty payments, the party or entity concerned shall be given the opportunity to be heard.*

*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.*

Or. en

**Amendment 467**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Article 9 b (new)**

*Text proposed by the Commission*

*Amendment*

*Article9b*

*Power of Decision of the Commission*

*1. Following the suspension of a screening procedure pursuant to Article 7(9a) and without prejudice to Article 346(1) point (a) TFEU, the Commission shall request the host Member State to transmit all documents and information on which the intended decision is based. The host Member State shall transmit the requested information no later than 10 calendar days following the request. Moreover, the Commission should be granted investigation power to further*

*investigate information on this case.*

*2. After examination of the information provided the Commission shall issue a decision to:*

*(a) confirm the intended decision of the host Member State where it concludes that the foreign investment is not likely to affect security or public order, including economic security, or that the intended decision adequately mitigates the risk; or*

*(b) take a decision amending the decision by the host Member State, subjecting prohibiting the foreign investment, where it finds that the intended decision does not adequately mitigate risks to security or public order, including economic security. Where the Commission requires the host Member State to amend its intended decision, it may require the host Member State to subject the investment to mitigating measures or additional mitigating measures or to prohibit the foreign investment.*

*3. The decision shall be binding on the host Member State and fully replace and supersede any decision by the host Member State.*

*4. The Commission shall adopt its decision no later than 15 days after the receipt of the information requested pursuant to paragraph 1. This deadline may be extended by 15 days to allow the Commission and the investor to agree on mitigating measures, in close cooperation with the host Member State.*

*5. The Commission shall notify the host Member State and inform the Member States that provided comments under Article 7(1) of its decision.*

Or. en

**Amendment 468**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 10 – paragraph 1 – introductory part**

*Text proposed by the Commission*

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**:

*Amendment*

1. Member States shall **include the following** information in the notification referred to in Article 5 and **in** the request of information referred to in 9(5):

Or. en

**Amendment 469**  
**Marina Mesure**

**Proposal for a regulation**  
**Article 10 – paragraph 1 – introductory part**

*Text proposed by the Commission*

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:

*Amendment*

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, **at least**:

Or. en

*Justification*

*It is important to impose minimum information requirements to enable authorities to properly assess the investment and to enable statistics and inter-state comparisons.*

**Amendment 470**  
**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Lúbia Karvašová**

**Proposal for a regulation**  
**Article 10 – paragraph 1 – point a**

*Text proposed by the Commission*

(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;

*Amendment*

(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, **and whether they are subject to restrictive measures or were involved in a**

*foreign investment previously screened by a Member State and not authorized or only authorized with conditions;*

Or. en

**Amendment 471**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the PFE Group

**Proposal for a regulation**

**Article 10 – paragraph 1 – point a**

*Text proposed by the Commission*

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;

*Amendment*

a) the name of the investor, the global ultimate owner of the investor and the Union target, the ownership structure of the investor, ***if they have already been subject to a screening procedure by a Member State***, and, where applicable, ***the name*** of the corporate group to which the investor is a part;

Or. fr

**Amendment 472**

**Svenja Hahn, Lubica Karvašová, Dan Barna, Marie-Pierre Vedrenne**

**Proposal for a regulation**

**Article 10 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) risk assessment documentation relating to the investment, to be used to address potential security and public order implications and to propose risk mitigation measures; the risk assessment shall include:***

***(i) supply chain dependencies;***

***(ii) market position analysis; and***

***(iii) third-country dependency evaluation.***

Or. en



#### **Amendment 473**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Svenja Hahn, Petras Auštrevičius, Ľubica Karvašová**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 1 – point c**

*Text proposed by the Commission*

(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;

*Amendment*

(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; ***and if it is economically active in items listed in Annex I to Regulation 2021/821 or Council Common Position 2008/944/CFSP;***

Or. en

#### **Amendment 474**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) the reasons justifying the notification;***

Or. en

#### **Amendment 475**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 1 – point d**

*Text proposed by the Commission*

(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;

*Amendment*

(d) if applicable, ***and if available***, information about the other legal entities of the same corporate group as the Union target that are located in other Member States;

Or. it

#### **Amendment 476**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 3**

##### *Text proposed by the Commission*

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.

##### *Amendment*

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 provide such information, if available, to the requesting Member States and the Commission.

Or. en

#### **Amendment 477**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 4**

##### *Text proposed by the Commission*

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.

##### *Amendment*

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 **have the obligation to** provide the requested information to the Member State where the foreign investment is planned or has been completed within **10** calendar days of the request.

Or. en

#### **Amendment 478**

**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 10 – paragraph 5**

*Text proposed by the Commission*

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.*

*Amendment*

*deleted*

Or. it

**Amendment 479**  
**Raphaël Glucksmann**

**Proposal for a regulation**  
**Article 10 – paragraph 5**

*Text proposed by the Commission*

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

*Amendment*

5. The *host* Member State 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 *host* Member State and the Commission, in accordance with the procedure set out in Articles **8(5)** and 9(6) as applicable.

procedure set out in Articles 8(2) and 9(6) as applicable.

Or. en

#### **Amendment 480**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 6**

##### *Text proposed by the Commission*

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.

##### *Amendment*

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. ***In such cases, any comment issued by Member States or any opinion issued by the Commission shall be based on available facts and information.***

Or. en

#### **Amendment 481**

**Raphaël Glucksmann**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 6**

##### *Text proposed by the Commission*

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.

##### *Amendment*

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 ***paragraph 5 of this Article, paragraph 2 of Article 8 or paragraph 5 of Article 9***. That Member State shall duly explain the reasons for not being able to provide the information.

Or. en

**Amendment 482**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 10 – paragraph 8**

*Text proposed by the Commission*

*Amendment*

**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.**

**deleted**

Or. it

**Amendment 483**  
**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Lúbia Karvašová**

**Proposal for a regulation**  
**Article 11 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

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 ***to carry out, in an effective and efficient manner, the tasks assigned to them to fulfil the objectives of this Regulation, especially*** their efficient and effective participation in the cooperation mechanism ***and monitoring capability.***

Or. en

**Amendment 484**  
**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**  
**Article 11 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall provide the necessary resources, legal and administrative means **for** their efficient and effective participation in the cooperation mechanism.

*Amendment*

1. Member States shall provide the necessary resources, legal and administrative means **to guarantee their ability to monitor a foreign investment, to effectively ensure compliance with the screening mechanism and screening decisions and** their efficient and effective participation in the cooperation mechanism.

Or. fr

**Amendment 485**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**

**Article 11 – paragraph 4**

*Text proposed by the Commission*

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.

*Amendment*

4. Member States' 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.

***In cases of lack of compliance with the requirements of this paragraph, article 7a fully replaces article 7, when the Commission considers that foreign investments are likely to negatively affect***

**Amendment 486**

**Enikő Győri**

**Proposal for a regulation**

**Article 11 – paragraph 4**

*Text proposed by the Commission*

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.

*Amendment*

4. Member States shall ensure that their screening mechanisms give sufficient time and means to assess and give ***due*** 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.

Or. en

**Amendment 487**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**

**Article 11 – paragraph 5**

*Text proposed by the Commission*

5. Member States shall ensure that their national laws allow compliance with the obligations set out in paragraphs 5 to 9 of Article 7.

*Amendment*

5. Member States shall ensure that their national laws allow compliance with the obligations set out in paragraphs 5 to 9 of Article 7 ***and Article 7a***.

Or. en

## Amendment 488

Francesco Torselli, Daniele Polato

### Proposal for a regulation

#### Article 11 – paragraph 5

*Text proposed by the Commission*

5. Member States shall ensure that their national laws allow compliance with the obligations set out in *paragraphs 5 to 9 of Article 7*.

*Amendment*

5. Member States shall ensure that their national laws allow compliance with the obligations set out in Article 7.

Or. it

## Amendment 489

Markéta Gregorová, Anna Cavazzini

### Proposal for a regulation

#### Article 11 – paragraph 7

*Text proposed by the Commission*

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*.

*Amendment*

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 *ensure an obligation of compliance with* mitigating measures *in screening decisions taken by other Member States by the undertakings established in their territory*.

Or. en

## Amendment 490

Francesco Torselli, Daniele Polato

### Proposal for a regulation

#### Article 12 – paragraph 1 – point a



*Text proposed by the Commission*

*Amendment*

(a) the **originator of** the information explicitly agrees to another use;

(a) the **Member State that originated** the information explicitly agrees to another use;

Or. it

**Amendment 491**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic**  
on behalf of the P/E Group

**Proposal for a regulation**  
**Article 12 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**4. The Commission shall provide a secure and encrypted system to support the exchange of information between the contact points.**

**deleted**

Or. fr

**Amendment 492**

**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 13 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

**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.**

**deleted**

Or. it

**Amendment 493**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Svenja Hahn, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**  
**Article 13 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

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. ***They may use the risk evaluation form developed by the Commission.***

Or. en

*Justification*

*The use of the form is optional for now, mainly intended as a template and capacity building tool for Member States.*

**Amendment 494**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Svenja Hahn, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**

**Article 13 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. 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 Regulation referred to in Article 24(2), the form that may be used under paragraph 1.***

Or. en

**Amendment 495**

**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**

**Article 13 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

***2. The Commission shall determine, for the purpose of issuing a duly***

***deleted***

*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.*

Or. it

#### **Amendment 496**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the PfiE Group

#### **Proposal for a regulation**

##### **Article 13 – paragraph 2**

*Text proposed by the Commission*

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.

*Amendment*

2. The Commission **may** 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 ***undermine*** security or public order.

Or. fr

#### **Amendment 497**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

##### **Article 13 – paragraph 3 – introductory part**

*Text proposed by the Commission*

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:***

*Amendment*

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 ***the likely negative effects with regard to the criteria set out in Annex IIa:***

Or. en

#### **Amendment 498**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

##### **Article 13 – paragraph 3 – introductory part**

*Text proposed by the Commission*

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**:

*Amendment*

3. When determining whether **a foreign direct** investment is likely to affect security or public order, the Member States **and** the Commission **may consider its effects, including potential, on inter alia**:

Or. it

#### **Amendment 499**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the PfiE Group

#### **Proposal for a regulation**

#### **Article 13 – paragraph 3 – introductory part**

*Text proposed by the Commission*

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**:

*Amendment*

3. When determining whether an investment is likely to negatively affect security or public order, the Member States **may** in particular consider whether the investment concerned is likely to **seriously undermine**:

Or. fr

#### **Amendment 500**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 13 – paragraph 3 – point a**

*Text proposed by the Commission*

**(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 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 Council<sup>20</sup> as well as entities in scope of**

*Amendment*

**deleted**

**Directive (EU) 2022/2555 of the European Parliament and of the Council<sup>21</sup> . 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. ;**

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<sup>20</sup> **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>)**

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<sup>21</sup> **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>)**

.

Or. en

### *Justification*

*moved to Annex IIa (new)*

## **Amendment 501**

**Enikő Győri**

### **Proposal for a regulation**

#### **Article 13 – paragraph 3 – point a**

*Text proposed by the Commission*

(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***

*Amendment*

(a) the security, integrity and functioning of critical infrastructure;

*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 Council<sup>20</sup> as well as entities in scope of Directive (EU) 2022/2555 of the European Parliament and of the Council<sup>21</sup>. 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. ;*

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<sup>20</sup> 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>).

<sup>21</sup> 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>).

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<sup>20</sup> 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>).

<sup>21</sup> 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>).

Or. en

## **Amendment 502**

**Francesco Torselli, Daniele Polato**

### **Proposal for a regulation**

**Article 13 – paragraph 3 – point a**

*Text proposed by the Commission*

(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*

*Amendment*

(a) critical infrastructure, whether physical or virtual, **including energy, transport, water, health, communications, media, data processing or storage, aerospace, defence, electoral or financial**

*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 Council<sup>20</sup> as well as entities in scope of Directive (EU) 2022/2555 of the European Parliament and of the Council<sup>21</sup>. 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. ;*

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<sup>20</sup> 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>).

<sup>21</sup> 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>).

*infrastructure, and sensitive facilities, as well as land and real estate crucial for the use of such infrastructure;*

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<sup>20</sup> 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>).

<sup>21</sup> 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>).

Or. it

### **Amendment 503**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

#### **Proposal for a regulation**

#### **Article 13 – paragraph 3 – point a**

*Text proposed by the Commission*

(a) the security, integrity *and* functioning *of* critical *infrastructure*, whether physical or virtual; in that context, based on the information available, it shall

*Amendment*

(a) the security, *confidentiality*, integrity, functioning *and resilience of sectors of high criticality and other* critical *sectors as defined in Annexes I and II of*

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 Council<sup>20</sup> as well as entities in scope of Directive (EU) 2022/2555 of the European Parliament and of the Council<sup>21</sup>. 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. ;

**Directive (EU) 2022/2557**, whether physical or virtual, **including the land and property critical to the use of such critical infrastructure**; in that context, based on the 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 Council<sup>20</sup> as well as entities in scope of Directive (EU) 2022/2555 of the European Parliament and of the Council<sup>21</sup>. The results of the Union level coordinated security risk assessments **shall be taken into account, including those** of critical supply chains carried out in accordance with Article 22(1) of Directive (EU) 2022/2555, **which take** into account **both technical and non-technical risk factors, such as undue influence by a third country on suppliers**.

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<sup>20</sup> 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>).

<sup>21</sup> 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>).

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<sup>20</sup> 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>).

<sup>21</sup> 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>).

Or. en

### *Justification*

*Sectors of high criticality are defined in the Annex of NIS2. Property and land are added because they may present risks, but remain outside of the scope of the FDI screening, whereas they are screening in most partner third-countries. The NIS2 coordinated security risk assessments should be taken into account, and as per NIS2 consolidated text, they should*



*include both technical and non-technical risk factors.*

**Amendment 504**  
**Marina Mesure**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) macroeconomic stability, essential public services, and economic, social and territorial cohesion;***

Or. en

**Amendment 505**  
**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***aa) the preservation of the financial and economic stability of the Member State and/or the Union;***

Or. fr

**Amendment 506**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(a a) the security, integrity, operational stability, and resilience of the internal market;***

Or. en

**Amendment 507**  
**Marina Mesure**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point a b (new)**

*Text proposed by the Commission*

*Amendment*

***(ab) the social impact with regard to labour market disruption, job losses or deterioration of working conditions;***

Or. en

**Amendment 508**  
**Marina Mesure**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point a c (new)**

*Text proposed by the Commission*

*Amendment*

***(a c) the safeguarding of public control in strategically important sectors, such as energy, telecommunications, and security, and in essential public services, such as healthcare, education and social security systems;***

Or. en

**Amendment 509**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point b**

*Text proposed by the Commission*

*Amendment*

***(b) the availability of critical technologies;***

***deleted***

Or. en

*Justification*

*Moved to Annex IIa (new)*

**Amendment 510**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point b**

*Text proposed by the Commission*

(b) *the availability of* critical technologies;

*Amendment*

(b) critical technologies *and dual use items as defined in point 1 of Article 2 of Council Regulation (EC) No 428/2009, including artificial intelligence, robotics, semiconductors, cybersecurity, aerospace, defence, energy storage, quantum and nuclear technologies as well as nanotechnologies and biotechnologies;*

Or. it

**Amendment 511**  
**Enikő Győri**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point b**

*Text proposed by the Commission*

(b) *the availability of* critical *technologies;*

*Amendment*

(b) critical *technology areas listed in Annex II;*

Or. en

**Amendment 512**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point b**

*Text proposed by the Commission*

(b) the availability of critical technologies;

*Amendment*

(b) the availability *and adoption* of critical technologies, *safeguarding technology security, and preventing technology leakage;*

Or. en

**Amendment 513**  
**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**ba) the strategic autonomy of the Member State and/or the Union, assessed through the total market share held by foreign investors of the specific sector;**

Or. fr

**Amendment 514**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point c**

*Text proposed by the Commission*

*Amendment*

**(c) the continuity of supply of critical inputs;** **deleted**

Or. en

*Justification*

*Moved to Annex IIa (new)*

**Amendment 515**  
**Marina Mesure**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point c**

*Text proposed by the Commission*

*Amendment*

**(c) the continuity of supply of critical inputs;**

**(c) the strategic autonomy of the Union and its Member States and on the supply chain for critical technologies and sectors;**

Or. en

**Amendment 516**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point c**

*Text proposed by the Commission*

*Amendment*

(c) **the continuity** of supply of critical inputs;

(c) **security** of supply of critical inputs, **including energy and raw materials, as well as food security**;

Or. it

**Amendment 517**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**

**Article 13 – paragraph 3 – point c**

*Text proposed by the Commission*

*Amendment*

(c) the continuity of supply of critical inputs;

(c) the continuity of supply of critical inputs **and the resilience of supply chains, including by taking into consideration the risk assessments in Article 24 of Regulation 2024/1252**;

Or. en

**Amendment 518**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the PfE Group

**Proposal for a regulation**

**Article 13 – paragraph 3 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**ca) the protection of the economic interests of the Member State concerned when it holds, directly or indirectly, shares in the capital or sits on the board of directors of the target company**;

Or. fr

**Amendment 519**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**

**Article 13 – paragraph 3 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) the ability to mitigate strategic dependencies;**

Or. en

#### **Amendment 520**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

**Article 13 – paragraph 3 – point d**

*Text proposed by the Commission*

*Amendment*

**(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**

**deleted**

Or. en

*Justification*

*Moved to Annex IIa (new)*

#### **Amendment 521**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

**Article 13 – paragraph 3 – point d**

*Text proposed by the Commission*

*Amendment*

**(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) access to sensitive information, including personal data, or the ability to control such information; or**

Or. it

#### **Amendment 522**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point d**

*Text proposed by the Commission*

(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*

*Amendment*

(d) the protection of sensitive information, including personal data **and intellectual property**, in particular with regard to the ability of the foreign investor to access, control, and otherwise process such **sensitive information**;

Or. en

*Justification*

*The protection of IP is often referred to in FDI screenings but is not included in this proposal. Personal data is described here as a subset of sensitive information. So the protection from unwanted access, control or process of such data should refer to sensitive information (including personal data and intellectual property), and not be limited to its subset personal data.*

**Amendment 523**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point e**

*Text proposed by the Commission*

(e) *the freedom and pluralism of the media, including online platforms that can be used for large scale disinformation or criminal activities.*

*Amendment*

*deleted*

Or. en

*Justification*

*Moved to Annex IIa (new)*

**Amendment 524**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 13 – paragraph 3 – point e**

*Text proposed by the Commission*

(e) the freedom and pluralism of the media, ***including online platforms that can be used for large scale disinformation or criminal activities.***

*Amendment*

(e) the freedom and pluralism of the media.

Or. it

#### **Amendment 525**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

#### **Proposal for a regulation**

**Article 13 – paragraph 3 – point e**

*Text proposed by the Commission*

e) the freedom and pluralism of the media, including online platforms that can be used for ***large scale disinformation or*** criminal activities.

*Amendment*

e) the freedom and pluralism of the media, including online platforms that can be used for criminal activities.

Or. fr

#### **Amendment 526**

**Marina Mesure**

#### **Proposal for a regulation**

**Article 13 – paragraph 3 – point e**

*Text proposed by the Commission*

(e) the freedom and pluralism of the media, including online platforms that can be used for large scale disinformation or criminal activities.

*Amendment*

(e) the freedom and pluralism of the media, including online platforms that can be used for large scale disinformation or criminal activities, ***as well as education and academia.***

Or. en

#### **Amendment 527**

**Marina Mesure**

#### **Proposal for a regulation**

**Article 13 – paragraph 3 – point e a (new)**



*Text proposed by the Commission*

*Amendment*

***(ea) the risk of possible transfers of knowledge or intangible goods in the context of foreign direct investments.***

Or. en

**Amendment 528**

**Enikő Győri**

**Proposal for a regulation**

**Article 13 – paragraph 3 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

***(ea) a project or programme of Union interest listed in Annex I.***

Or. en

**Amendment 529**

**Marina Mesure**

**Proposal for a regulation**

**Article 13 – paragraph 3 – point e b (new)**

*Text proposed by the Commission*

*Amendment*

***(eb) the promotion of universal access and of user rights in accordance with Protocol No 26 on services of general interest, annexed to the Treaty on European Union, especially the availability of adequate and affordable social infrastructure including housing.***

Or. en

**Amendment 530**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Svenja Hahn, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**

**Article 13 – paragraph 4 – introductory part**

*Text proposed by the Commission*

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:

*Amendment*

4. When determining whether an investment is likely to negatively affect security or public order, the Member States or the Commission shall **at least** take into account information related to the foreign investor, including:

Or. en

**Amendment 531**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the PfiE Group

**Proposal for a regulation**

**Article 13 – paragraph 4 – introductory part**

*Text proposed by the Commission*

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:

*Amendment*

4. When determining whether an investment is likely to **seriously undermine** security or public order, the Member States or the Commission shall also take into account information related to the foreign investor, including:

Or. fr

**Amendment 532**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Lúbia Karvašová**

**Proposal for a regulation**

**Article 13 – paragraph 4 – point a**

*Text proposed by the Commission*

(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 investor was involved in a foreign investment previously screened by a Member State and that was not authorised or was only

*Amendment*

(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 investor was involved in a foreign investment previously screened by a Member State, **or where available a trusted and like-minded**

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);

***international partner***, 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);

Or. en

### *Justification*

*Trusted and like-minded international partners is a term used in the Cyber Solidarity Act: 'To strengthen the Union's response to cybersecurity threats and incidents cooperation with international organisations as well as trusted and like-minded international partners is vital. In this context trusted and like-minded international partners should be understood as countries that share the Union's principles of democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law, and that do not undermine the essential security interests of the Union or its Member States.'*

### **Amendment 533** **Marina Mesure**

#### **Proposal for a regulation** **Article 13 – paragraph 4 – point a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) whether the foreign investor or any of the subsidiaries of the foreign investor do not respect core labour or environmental standards and international agreements on sustainable development in their domestic or foreign operations;***

Or. en

### **Amendment 534** **Marina Mesure**

#### **Proposal for a regulation** **Article 13 – paragraph 4 – point c**

*Text proposed by the Commission*

(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;***

*Amendment*

(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 subsidiaries has already been engaged in illegal or criminal activities, including the circumvention of Union restrictive measures pursuant to Article 215 TFEU, or in non-cooperative or harmful tax practices;***

Or. en

**Amendment 535**  
**Marina Mesure**

**Proposal for a regulation**  
**Article 13 – paragraph 4 – point c a (new)**

*Text proposed by the Commission*

**Amendment 536**  
**Marina Mesure**

**Proposal for a regulation**  
**Article 13 – paragraph 4 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

(ca) ***whether the foreign investor is based in countries subject to EU sanctions, or jurisdictions listed on the EU list of non-cooperative jurisdictions for tax purposes and jurisdictions identified as third countries with significant strategic deficiencies in their national AML/CFT regimes in accordance with Article 29 of Regulation (EU) 2024/1624 of the European Parliament and of the Council;***

Or. en

*Amendment*

(cb) ***whether the foreign investor respects applicable Union law regarding***

*due diligence (Directive (EU) 2019/1937);*

Or. en

### **Amendment 537**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

##### **Article 13 – paragraph 4 – point d**

*Text proposed by the Commission*

(d) whether the foreign 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;

*Amendment*

(d) whether the foreign 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, ***the infringement of Regulation (EU) 2021/82, of Regulation (EU) 2022/1925, Regulation (EU) 2022/2065, or Directive (EU) 2015/849;***

Or. en

### **Amendment 538**

**Emmanouil Fragkos**

#### **Proposal for a regulation**

##### **Article 13 – paragraph 4 – point d**

*Text proposed by the Commission*

d) whether the foreign 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;

*Amendment*

d) whether the foreign 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, ***or is operating in any way in a militarily occupied part of the Union;***

Or. el

### **Amendment 539**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis**

#### **Proposal for a regulation**

##### **Article 13 – paragraph 4 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) whether the foreign investor or any of its subsidiaries or the third country in which it is established is subject to restrictive measures or an aggressive civil-military fusion strategy;***

Or. en

*Justification*

*Aggressive civil-military fusion strategy is used in the Council recommendations on research security. Some third countries with such a fusion may pose a risk of unwanted technology transfer serving adversarial military objectives.*

#### **Amendment 540**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Svenja Hahn, Petras Auštrevičius, Ľubica Karvašová**

#### **Proposal for a regulation**

#### **Article 13 – paragraph 4 – point e**

*Text proposed by the Commission*

*Amendment*

(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 country's military capabilities.

(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 ***negatively affect the essential security interests or restrictive measures of the Union or its Member States***, or facilitate the development of a third country's military capabilities.

Or. en

*Justification*

*This is the geopolitical risk factor, but Commission proposal is both too broad (third country policy objectives, which could be anything) and narrow (military capability). Our proposal is to focus on security interests and the violation of sanctions, given the scope of this regulation. Essential security interests of the Union or its Member States is a commonly used EU term.*

## Amendment 541

Markéta Gregorová, Anna Cavazzini

### Proposal for a regulation

#### Article 13 – paragraph 4 – point e

*Text proposed by the Commission*

(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 country's military capabilities.

*Amendment*

(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 law by a third country***, or facilitate the development of a third country's military capabilities.

Or. en

## Amendment 542

Emmanouil Fragkos

### Proposal for a regulation

#### Article 13 – paragraph 4 – point e

*Text proposed by the Commission*

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 country's military capabilities.

*Amendment*

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, ***especially if the activities of the investor in question coincide spatially with the field of interest of the third country***, or facilitate the development of a third country's military capabilities.

Or. el

## Amendment 543

Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Isabella Tovaglieri  
on behalf of the PfE Group

**Proposal for a regulation**  
**Article 13 – paragraph 4 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

*ea) 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 established in a third country whose legislation allows access to any kind of company operations or data, including commercially sensitive data, and can impose obligations for intelligence purposes without oversight mechanisms, due process or the right to appeal to an independent court or tribunal;*

Or. fr

**Amendment 544**  
**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**  
**Article 13 – paragraph 4 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

*(ea) whether the foreign investor or any of its subsidiaries are established in a third country whose legislation allows arbitrary access to any kind of company operations or data, including commercially sensitive data, and can impose obligations for intelligence purposes without democratic checks and balances, oversight mechanisms, due process or the right to appeal to an independent court or tribunal;*

Or. en



### *Justification*

*This derives from the Cyber Resilience Act, which describes non-technical or strategic risk factors more concretely. Non-technical risk factors are used in operative part of that Act, and recital 58 describes what is meant by it. The relevant part is used for this amendment. There should be something on cybersecurity in this section too, as counterpart to para 3 (d).*

#### **Amendment 545**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

#### **Proposal for a regulation**

**Article 13 – paragraph 4 – point e b (new)**

*Text proposed by the Commission*

*Amendment*

***(eb) whether the foreign investor or any of its subsidiaries have in place a golden share held by a third country government.***

Or. en

### *Justification*

*This is a term used by the ECJ in EU case law. It allows special rights to a government to exert control over these companies for a small part of shares, thereby increasing the risk of undue influence. It has mostly been banned in the EU, and in this amendment we limit it to third country governments.*

#### **Amendment 546**

**Svenja Hahn, Ľubica Karvašová, Dan Barna**

#### **Proposal for a regulation**

**Article 13 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. When assessing control or influence by a third-country government over an investor, Member States shall consider the following:***

***(a) direct or indirect ownership thresholds, with heightened scrutiny in cases where:***

*(i) the third-country government's ownership or control exceeds 25% of shares or voting rights; or*

*(ii) the third-country government has special veto powers or other governance rights, irrespective of ownership level.*

*(b) the nature and extent of third-country government funding, including:*

*(i) direct capital contributions;*

*(ii) preferential financing arrangements; and*

*(iii) state guarantees or subsidies.*

*(c) specific governance arrangements provided by the third-country government, such as:*

*(i) rights to board representation;*

*(ii) special rights to appoint management; and*

*(iii) rights to access information.*

Or. en

#### **Amendment 547**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

#### **Proposal for a regulation**

#### **Article 13 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. The Commission, in cooperation with the FDI Expert Group, may carry out a coordinated risk assessment relating to a specific sector, critical technology or foreign investor and the level of control established by third countries, to inform screening decisions of the Member States. The coordinated risk assessment shall be added to the risk evaluation template in paragraph 1, shared and made available in the secure database set up pursuant to paragraph 10 of Article 7 and shall be taken into account by Member States when determining whether an investment**

***is likely to negatively affect security or public order.***

Or. en

*Justification*

*These risk assessments are broader than an opinion/comment on a single case of an investment screening. The Commission may look at wider developments in e.g. sectors or technologies.*

**Amendment 548**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**

**Article 14 – title**

*Text proposed by the Commission*

Screening decisions on foreign investments likely to negatively affect security or public order

*Amendment*

Screening decisions on foreign investments likely to negatively affect security or public order, ***including economic security***

Or. en

**Amendment 549**

**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**

**Article 14 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

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 where a project or programme of Union interest is concerned, it shall*** issue a screening decision to:

*Amendment*

Where, ***also*** taking into account the criteria ***set out*** in Article 13 and, where applicable, in the light of comments ***issued*** 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 ***may*** issue a screening decision to:

**Amendment 550**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri, Isabella Tovaglieri**  
on behalf of the P/E Group

**Proposal for a regulation****Article 14 – paragraph 1 – subparagraph 1 – introductory part***Text proposed by the Commission*

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 where a project or programme of Union interest is concerned, it shall issue a screening decision to:

*Amendment*

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 *a duly motivated* 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 *seriously undermine* 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:

Or. fr

**Amendment 551**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation****Article 14 – paragraph 1 – subparagraph 1 – introductory part***Text proposed by the Commission*

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 where a project

*Amendment*

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, *including economic security* in one or more Member

or programme of Union interest is concerned, it shall issue a screening decision to:

States, including where a project or programme of Union interest is concerned, it shall issue a screening decision to:

Or. en

#### **Amendment 552**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 14 – paragraph 1 – subparagraph 1 – introductory part**

##### *Text proposed by the Commission*

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 where a project or programme of Union interest is concerned, it shall issue a screening decision to:

##### *Amendment*

Where, taking into account the criteria laid down in Article 13, ***Annex IIa*** 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 where a project or programme of Union interest is concerned, it shall issue a screening decision to:

Or. en

#### **Amendment 553**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Isabella Tovaglieri**  
on behalf of the P/E Group

#### **Proposal for a regulation**

#### **Article 14 – paragraph 1 – subparagraph 2**

##### *Text proposed by the Commission*

The screening decision shall comply with the principle of proportionality and take into consideration all circumstances of the foreign investment.

##### *Amendment*

The screening decision shall comply with the principle of proportionality and ***may*** take into consideration all circumstances of the foreign investment, ***as well as the need to maintain an open regime for investment into the Member States.***  
***Screening decisions for the validation of a foreign investment shall be the exclusive***

*and sovereign competence of the Member State in which the foreign investment is planned or completed.*

*When the foreign investment does not comply with the mitigating measures provided in a screening decision, the Member State may, without prejudice to other administrative, financial, or criminal provisions provided for by its national law:*

*a) withdraw the authorisation granted to a foreign investment;*

*b) add additional mitigating measures;*

*c) impose a financial sanction;*

*d) impose a periodic penalty payment until the mitigating measures are complied with.*

*The screening decision must be swiftly and clearly communicated to the foreign investor, guaranteeing the right to seek judicial recourse against that decision.*

Or. fr

## Amendment 554

Markéta Gregorová, Anna Cavazzini

### Proposal for a regulation

#### Article 14 – paragraph 1 – subparagraph 2

##### *Text proposed by the Commission*

The screening decision shall comply with the principle of proportionality and take into consideration all circumstances of the foreign investment.

##### *Amendment*

The screening decision shall comply with the principle of proportionality and take into consideration all circumstances of the foreign investment. ***In case the Union target is a recipient of funds as defined in Article 2 paragraph 53 of Regulation 2018/1046, or of any other relevant Union fund, a prohibition of the foreign investment shall be presumed to be necessary.***

Or. en

**Amendment 555**  
**Lídia Pereira**

**Proposal for a regulation**  
**Article 14 – paragraph 1 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***The screening decision must be timely and clearly communicated to the foreign investor, guaranteeing the possibility to seek judicial recourse against that screening decision.***

Or. en

**Amendment 556**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 14 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Paragraph 1 applies to Commission Decisions referred to in Article 7a, mutatis mutandis.***

Or. en

**Amendment 557**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 14 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***1b. Mitigating measures imposed in the framework of screening decisions shall be sufficient to redress the security and public order risks stemming from foreign investments, while being proportionate. The Commission shall suggest adequate mitigating measures in its opinions pursuant to Article 7.***

Or. en

**Amendment 558**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 14 – paragraph 1 c (new)**

*Text proposed by the Commission*

*Amendment*

***1c. Mitigating measures may include requirements to condition access to the Union market for foreign investors, including requirements to form joint ventures between foreign investors and Union targets or to transfer technology to Union targets, when justified and necessary for the purpose of protecting security and public order. Such requirements may be part of Member States' screening decisions, as well as of the Commission's decisions as referred to in Article 7a.***

Or. en

**Amendment 559**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 14 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

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 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 ***may*** be authorised without conditions, ***as appropriate, under the condition that those other measures are adopted within a timing and to the extent that they have equivalent effects to measures under paragraph 1 of this Article.***

Or. en



**Amendment 560**  
**Raphaël Glucksmann**

**Proposal for a regulation**  
**Article 14 – paragraph 2**

*Text proposed by the Commission*

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.

*Amendment*

2. Where the ***host*** Member State ***concludes that*** the foreign investment is ***not likely to negatively affect security or public order in one or more Member States or*** 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.

Or. en

**Amendment 561**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Article 14 – paragraph 2**

*Text proposed by the Commission*

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.

*Amendment*

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, ***including economic security***, the foreign investment shall be authorised ***by the Commission*** without conditions.

Or. en

**Amendment 562**  
**Raphaël Glucksmann**

**Proposal for a regulation**  
**Article 14 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The mitigating measures referred to in paragraph 1, point (a), may include:**

**(a) changes to the proposed governance structure of the target;**

**(b) modifications to the voting rights conferred on the investor;**

**(c) prevention of unauthorised access to sensitive technologies or information;**

**(d) commitments by the investor to ensure a specific supply and/or supply to a specific client;**

**(e) commitments by the investor to maintain or create local added value;**

**(f) commitments by the investor to address the risk of dependency, including the transfer of technologies and know-how;**

**(g) measures to ensure the continuation of business activities;**

**(h) requirements to source critical components from secure and reliable suppliers;**

**(i) implementation of cybersecurity protocols to protect against potential threats;**

**(j) a requirement for the foreign investor to establish a joint venture with a European undertaking;**

**(k) an obligation to store and process specific data within the Union.**

Or. en

**Amendment 563**  
**Marina Mesure**

**Proposal for a regulation**  
**Article 14 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. If at least seven Member States**

*representing at least 65% of the population of the Union indicated during the coordinated mechanism that the foreign direct investment planned in another Member State is directly and negatively affecting the security or public order, or national interest, or put at risk working conditions or environmental standards on their territory, or is at risk to encourage tax evasion in another Member State, the Member State where the foreign direct investment is planned shall introduce mitigation measures to address the concerns of Member States. If the aforementioned qualified majority of Member States concludes after an evaluation that these measures are insufficient to address the concerns, the Member State where the foreign direct investment is planned shall not authorise such a foreign investment.*

Or. en

#### **Amendment 564**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic**  
on behalf of the P/E Group

#### **Proposal for a regulation**

#### **Article 14 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a.** *When the Member State in which the foreign investment is planned or completed decides to withdraw an investment authorisation on the grounds of a failure to comply with the mitigating measures, or to impose sanctions aimed at enforcing the specified mitigating measures in accordance with this paragraph, it shall notify the Member States that submitted observations on this foreign investment within a reasonable timeframe.*

Or. fr

**Amendment 565**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 14 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The Member State where the foreign investment is planned or completed shall notify all screening decisions and other decisions pursuant to paragraphs 1 and 2 to the Member States who provided comments and the Commission. The notification shall contain a description of the decision and how the security and public order risk has been addressed specifically by the measures provided by the decision.**

Or. en

**Amendment 566**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 14 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 14a**

**Penalties**

**1. When the foreign investment does not comply with a screening decision, including decisions referred to Article 7a, the screening authorities of the Member State may, without prejudice to other administrative, financial or criminal provisions provided for by its national law:**

- (a) withdraw the authorisation granted to a foreign investment;**
- (b) adopt additional mitigating measures;**
- (c) impose financial penalties, including periodic penalty payments until the mitigating measures are complied with.**

*When the screening authorities of the Member State in which the foreign investment is planned or completed decides to withdraw an investment authorisation in case of non-compliance with mitigating measures, or to impose penalties aimed at enforcing the specified mitigating measures in accordance with this paragraph, it shall notify the Member States that submitted comments and the Commission within a reasonable timeframe.*

*2. Member States shall foresee the application of penalties when the parties to a foreign investment do not comply with the obligation to provide information to screening authorities as provided in paragraph 4 of Article 10.*

*3. Member States shall foresee the application of penalties in case of circumvention of screening decisions.*

Or. en

**Amendment 567**  
**Marina Mesure**

**Proposal for a regulation**  
**Article 14 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 14a*

*Prohibition of investment in exchange for citizenship or residence rights*

*Member States shall prohibit any kind of investment, such as capital transfers, purchase or renting of property, investment in government bonds, investment in corporate entities or other legal arrangements, donation or endowment of an activity contributing to the public good and contributions to the state budget, if it is to be conducted in exchange for citizenship or residence rights.*

Or. en

## Amendment 568

Daniel Caspary, Céline Imart

### Proposal for a regulation

#### Article 15 – paragraph 1

##### *Text proposed by the Commission*

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.

##### *Amendment*

Member States and the Commission may *collaborate with relevant* authorities in third countries on issues *related* to the screening of investments *based* on security and public order *concerns*. *This collaboration may involve the exchange of information, sharing best practices, and supporting capacity-building efforts. Furthermore, the cooperation could actively promote the establishment of investment screening mechanisms in third countries, particularly among those seeking EU membership or located within the Union's neighbourhood. Such cooperation would contribute to the alignment of third countries' practices with Union standards, strengthening global security and stability.*

Or. en

## Amendment 569

Jürgen Warborn

### Proposal for a regulation

#### Article 15 – paragraph 1

##### *Text proposed by the Commission*

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.

##### *Amendment*

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. *They should also engage in regular dialogue with G7 and other bilateral platforms such as the EU-US and EU-India Trade and Technology Councils to enhance cooperation and coordination towards investment risks, so*

*as to strengthen the level playing field for investors.*

Or. en

## **Amendment 570**

**Marina Mesure**

### **Proposal for a regulation**

#### **Article 15 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

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. ***This cooperation may also involve sharing of best practices and technical support, especially for candidate countries to the European Union.***

Or. en

## **Amendment 571**

**Markéta Gregorová, Anna Cavazzini**

### **Proposal for a regulation**

#### **Article 15 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 15a***

***Guidelines***

***1. By ... [date of entry into force of this Regulation] the Commission shall publish guidelines regarding the criteria for the assessment and the determination of the following:***

***(i) the effective participation and influence in a Union target in the context of a foreign investment;***

***(ii) the determination whether a Union target is a recipient of funds within the meaning of Regulation 2018/1046 and other relevant Union funds;***

*(iii) union targets that are economically active in one of the areas listed in Annex II, including the whole ecosystem of those areas;*

*(iv) supporting elements for the application of criteria for the determination of risks to Union security and public order under articles 5, 13 and Annex IIa;*

*The guidelines shall also include a list of undertakings established in the Member States that are relevant for security and public order.*

*2. The Commission shall update the guidelines as regularly as necessary.*

Or. en

**Amendment 572**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Article 15 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 15a*

*Advisory Board on the screening of foreign direct investments into the Union*

*1. The advisory board 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 investment screening. It will share best practices, lessons learned, and exchange views on emerging trends and issues of common concern related to foreign direct investments. The Commission shall also seek the group's advice on systemic matters concerning the implementation of this Regulation. Furthermore, the group shall meet on a regular basis to ensure ongoing dialogue and mutual learning.*

*2. The advisory board shall operate under strict confidentiality, while having the*



*option to issue an annual report analysing the functioning of the screening process, its impacts, and any challenges or improvements that may be required.*

Or. en

### **Amendment 573**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

#### **Article 16 – paragraph 1 – introductory part**

*Text proposed by the Commission*

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:

*Amendment*

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, ***aggregated information regarding the requests received in the preceding calendar year on the investments notified to the cooperation mechanism, based on the information available to them.*** This report shall contain information on:

Or. it

### **Amendment 574**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

#### **Article 16 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) the number of ***foreign*** investments ***screened after a request for authorisation and after an own initiative procedure;***

*Amendment*

(a) the number of investments ***notified to the cooperation mechanism;***

Or. it

### **Amendment 575**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

#### **Article 16 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) the number of **foreign** investments approved with and without conditions;

*Amendment*

(b) the number of investments **notified to the cooperation mechanism** approved with and without conditions;

Or. it

#### **Amendment 576**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 16 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) the **number** of foreign investments approved with and without conditions;

*Amendment*

(b) the **cases** of foreign investments approved with and without conditions;

Or. en

#### **Amendment 577**

**Francesco Torselli, Daniele Polato**

#### **Proposal for a regulation**

#### **Article 16 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) the number of **foreign** investments prohibited, the number of foreign investments withdrawn;

*Amendment*

(c) the number of investments **notified to the cooperation mechanism** prohibited, the number of foreign investments withdrawn;

Or. it

#### **Amendment 578**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 16 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) the **number** of foreign investments prohibited, the **number** of foreign investments withdrawn;

*Amendment*

(c) the **cases** of foreign investments prohibited, the **cases** of foreign investments withdrawn **and a description of the risks to the security and public**

*order related thereto;*

Or. en

**Amendment 579**  
**Raphaël Glucksmann**

**Proposal for a regulation**  
**Article 16 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) the number of foreign investments prohibited, the number of foreign investments withdrawn;

*Amendment*

(c) the number of foreign investments prohibited, the number of foreign investments withdrawn ***or unwound***;

Or. en

**Amendment 580**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 16 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) ***the number of foreign investments notified to the cooperation mechanism, and*** the number of comments issued by the respective Member State;

*Amendment*

(d) the number of comments issued by the respective Member State;

Or. it

**Amendment 581**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Article 16 – paragraph 1 – point f**

*Text proposed by the Commission*

(f) ***an aggregate presentation of*** risks and vulnerabilities identified in the foreign investments that led to ***a*** screening decision;

*Amendment*

(f) ***a description of the*** risks and vulnerabilities identified in the foreign investments that led to ***each*** screening decision, ***a description of the mitigating measures and an explanation of how the risks to security and public order have been addressed***;

**Amendment 582**

**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**

**Article 16 – paragraph 1 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(fbis) the number of own initiative procedures opened pursuant to Article 9 in relation to investments not notified to a screening authority.***

Or. it

**Amendment 583**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**

**Article 16 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The Commission shall provide the Member States with a common form for them to carry out the reporting. The Commission shall adopt the form according to the procedure in Article 21.***

Or. en

**Amendment 584**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**

**Article 16 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. On the basis of the 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.

2. On the basis of the 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.

That report shall be made public.

*The Commission shall, in cooperation with the Advisory Board, prepare an annual report that includes the information referred to in paragraph 1 of this article. Additionally, the report shall provide a comprehensive assessment of trends and data on foreign direct investments into the Union, outline relevant legislative developments across Member States, and highlight international cooperation efforts as stipulated in Article 15. This report will serve as a critical tool for evaluating the effectiveness of the screening mechanisms and ensuring transparency and accountability in the Union's approach to foreign investments.*

Or. en

#### **Amendment 585**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 16 – paragraph 2**

##### *Text proposed by the Commission*

2. On the basis of the 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.

##### *Amendment*

2. On the basis **of an aggregation** of the 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. ***The report shall also specifically include an evaluation of the implementation of the requirements provided in Article 4 paragraph 2(c), Article 11, and in Article 14 paragraph 2a. The report shall also provide for recommendations to support the implementation of this Regulation by the Member States.*** That report shall be made public.

Or. en

#### **Amendment 586**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

#### **Proposal for a regulation**

#### **Article 16 – paragraph 2**

*Text proposed by the Commission*

2. On the basis of the 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.

*Amendment*

2. On the basis of the 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. ***It shall include an overview of the information in paragraph 1 per Member State.*** That report shall be made public.

Or. en

#### **Amendment 587**

**Jürgen Warborn**

#### **Proposal for a regulation**

#### **Article 16 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The report shall also include an assessment of the regulatory costs that businesses have faced to comply with the Regulation. A proposal should be made regarding measures to offset these costs by reducing the equivalent cost for compliance of other EU regulation, by the double, adhering to the one-in-two-out principle.***

Or. en

#### **Amendment 588**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

#### **Article 18 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

1. The Commission shall evaluate the functioning and effectiveness of this Regulation 2 years after the date of application of this Regulation and every 4 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.

Or. en

**Amendment 589**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation  
Article 18 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

1. The Commission shall evaluate the functioning and effectiveness of this Regulation 3 years after *its* application and every 5 years thereafter, *presenting* a report to the European Parliament and the Council. Member States shall be involved in this *evaluation process* and, if necessary, provide the Commission with additional information *to prepare the* report. *The report shall include, in particular, a thorough analysis of the current state of foreign investments in the EU, the impact of the Regulation on these investments, and an assessment of how the Regulation contributes to the economic security of the Union.*

Or. en

**Amendment 590**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation  
Article 18 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

1. The Commission shall evaluate the functioning and effectiveness of this Regulation 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 and, if necessary, provide the Commission with additional information for the preparation of that report.

Or. en

**Amendment 591**  
**Jürgen Warborn**

**Proposal for a regulation**  
**Article 18 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

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. ***The evaluation shall also assess the compliance costs faced by businesses and authorities in each member state and propose measures to decrease unnecessary regulatory burdens.***

Or. en

**Amendment 592**  
**Lídia Pereira**

**Proposal for a regulation**  
**Article 18 – paragraph 2**



*Text proposed by the Commission*

*Amendment*

- 2.** *Where the report from the Commission recommends amendments to this Regulation, it may be accompanied by a legislative proposal.* **deleted**

Or. en

### **Amendment 593**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

### **Proposal for a regulation** **Article 19**

*Text proposed by the Commission*

*Amendment*

**Article 19** **deleted**

#### ***Delegated acts***

**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.*

**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 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:*

**(a)** *the resilience of supply chains 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;*
- (c) the advancement of technologies of particular importance for security or public order of the Union;*
- (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*
- (e) the emergence of a geopolitical situation of particular importance for security or public order of the Union.*

Or. fr

**Amendment 594**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Petras Auštrevičius, Lubica Karvašová**

**Proposal for a regulation**

**Article 19**

*Text proposed by the Commission*

*Amendment*

*Article 19*

*deleted*

*Delegated acts*

*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.*

*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 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:*

- (a) the resilience of supply chains 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;*
- (c) the advancement of technologies of particular importance for security or public order of the Union;*
- (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*
- (e) the emergence of a geopolitical situation of particular importance for security or public order of the Union.*

Or. en

**Amendment 595**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Article 19**

*Text proposed by the Commission*

*Amendment*

*Article 19*

*deleted*

*Delegated acts*

*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.*

**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 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:**

- (a) the resilience of supply chains 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;**
- (c) the advancement of technologies of particular importance for security or public order of the Union;**
- (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**
- (e) the emergence of a geopolitical situation of particular importance for security or public order of the Union.**

Or. en

#### **Amendment 596**

**Markéta Gregorová, Anna Cavazzini**

#### **Proposal for a regulation**

**Article 19 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(ba) the results of relevant risk assessments undertaken under the Union Economic Security Strategy;**

Or. en

**Amendment 597**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**  
**Article 19 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 19a**

***Updating Annexes I and II***

***1. No later than two years after ... [date of application of this regulation] and every two years thereafter, the Commission shall present a report to the European Parliament and the Council in particular to assess the appropriateness of:***

***a) the list of projects or programmes of Union interest set out in Annex I;***

***b) the list of technologies, assets, facilities, equipment, networks, systems, services and economic activities of particular importance for the security or policy interests of the Union set out in Annex II.***

***2. Where applicable and where the assessment referred to in paragraph 1 concludes that account needs to be taken of the adoption and amendment of Union acts relating to projects or programmes of importance for the security or public order interests of the Union or of changes in circumstances affecting the security or public order interests of the Union, the Commission shall present a legislative proposal to amend Annexes I and II of this Regulation.***

Or. fr

**Amendment 598**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Petras Auštrevičius, Lubica Karvašová**

**Proposal for a regulation**  
**Article 20**

**Article 20**

**deleted**

***Exercise of the delegation***

- 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.***
- 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].***
- 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.***
- 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.***
- 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to 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.*

Or. en

**Amendment 599**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**

**Article 20**

*Text proposed by the Commission*

*Amendment*

*Article 20*

*deleted*

*Exercise of the delegation*

- 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.*
- 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].*
- 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.*
- 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.*
- 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to 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.*

Or. fr

**Amendment 600**  
**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**  
**Article 20 – paragraph 2**

*Text proposed by the Commission*

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].

*Amendment*

2. The power to adopt delegated acts *set out in Article 19* shall be conferred on the Commission for *a* period of *5 years* from [date of entry into force of the basic legislative act]. *The Commission shall draw up a report in respect of the delegation of power not later than 9 months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period.*

Or. it

**Amendment 601**  
**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Lúbia Karvašová**

**Proposal for a regulation**  
**Article 21 – paragraph 1**

*Text proposed by the Commission*

1. The Commission is empowered to

*Amendment*

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)**.

adopt implementing acts setting out the forms to be used to provide the information indicated in Article **4(2)(ia)**, **Article 10(1)** and **Article 13(1)**.

Or. en

## **Amendment 602**

**Markéta Gregorová, Anna Cavazzini**

### **Proposal for a regulation**

#### **Article 21 – paragraph 1**

##### *Text proposed by the Commission*

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).

##### *Amendment*

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) **and Article 16(1a)**.

Or. en

## **Amendment 603**

**Francesco Torselli, Daniele Polato**

### **Proposal for a regulation**

#### **Article 22 – paragraph 2**

##### *Text proposed by the Commission*

2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

##### *Amendment*

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. **Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act, and Article 5(4), third subparagraph, of Regulation (EU) No 182/2011 shall apply.**

Or. it

## **Amendment 604**

**Lídia Pereira**

### **Proposal for a regulation**

#### **Article 23 – paragraph 1**

*Text proposed by the Commission*

Regulation (EU) 2019/452 is repealed with effect from [date: **15** months after entry into force].

*Amendment*

Regulation (EU) 2019/452 is repealed with effect from [date: **12** months after entry into force].

Or. en

**Amendment 605**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**

**Article 24 – paragraph 2**

*Text proposed by the Commission*

It shall apply from [date: **15** months after entry into force].

*Amendment*

It shall apply from [date: **9** months after entry into force].

Or. en

**Amendment 606**

**Lídia Pereira**

**Proposal for a regulation**

**Article 24 – paragraph 2**

*Text proposed by the Commission*

It shall apply from [date: **15** months after entry into force].

*Amendment*

It shall apply from [date: **12** months after entry into force].

Or. en

**Amendment 607**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**

**Annex I – point 7 – paragraph 2**

*Text proposed by the Commission*

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:**

*Amendment*

**All transport infrastructure and service under the scope of 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**

<http://data.europa.eu/eli/reg/2013/1315/oj>  
).

and (EU) 913/2010 and repealing  
Regulation (EU) 1315/2013.

Or. en

**Amendment 608**

**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**

**Annex I – point 20 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***21. The projects of common interest and mutual interest related to electricity infrastructure, offshore grids and smart grids, referred to by Commission Delegated Regulation (EU) 2024/1041 of 28 November 2023, amending Regulation (EU) 2022/869 of the European Parliament and of the Council.***

Or. it

**Amendment 609**

**Francesco Torselli, Daniele Polato**

**Proposal for a regulation**

**Annex I – point 20 a (new)**

*Text proposed by the Commission*

*Amendment*

***20bis. The European Defence Industry Programme (EDIP), in the process of being approved, and related future procurement projects;***

Or. it

**Amendment 610**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic**  
on behalf of the P/E Group

**Proposal for a regulation**

**Annex II – point 2**

*Text proposed by the Commission*

*Amendment*

**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)** *deleted*

Or. fr

*Justification*

*The majority of Member States incorporate these military technologies and equipment into their national legislation. In order to preserve their independence and autonomy in terms of defence, it is necessary to remove any explicit reference to this equipment.*

**Amendment 611**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation  
Annex II – point 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Sectors of high criticality as defined in Annex 1 of Directive 2022/2555**

Or. en

**Amendment 612**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation  
Annex II – point 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Audio-visual, digital and print media infrastructure**

Or. en

**Amendment 613**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Annex II – point 2 b (new)**

*Text proposed by the Commission*

*Amendment*

**2b. European, national, state, and local government election-related infrastructure**

Or. en

**Amendment 614**

**Marie-Pierre Vedrenne, Dan Barna, Benoit Cassart, Bart Groothuis, Petras Auštrevičius, Ľubica Karvašová**

**Proposal for a regulation**  
**Annex II – point 2 b (new)**

*Text proposed by the Commission*

*Amendment*

**2b. Media services as defined in Article 2(1) of Regulation 2024/1083**

Or. en

**Amendment 615**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the PfiE Group

**Proposal for a regulation**  
**Annex II – point 3 – introductory part**

*Text proposed by the Commission*

*Amendment*

3. The following **critical** technology areas **for the EU's economic security annexed to** Commission Recommendation (EU) 2023/2113 of 3 October 2023 on critical technology areas for the EU's economic security for further risk assessment with Member States:

3. The following technology areas **with the highest likelihood of presenting the most sensitive and immediate risks related to technology security and technology leakage, as identified by** Commission Recommendation (EU) 2023/2113 of 3 October 2023 on critical technology areas for the EU's economic security for further risk assessment with Member States:

Or. fr

**Amendment 616**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Annex II – point 3 – point a – introductory part**

*Text proposed by the Commission*

a. *Advanced* semiconductors  
*technologies:*

*Amendment*

a. *Member States should review investments related to the following technology areas: Semiconductor technologies, meaning any technology or know-how related to:*

- i. design of integrated circuits and other semiconductors, including related semiconductor intellectual property core;*
- ii. electronic design automation software for the design of integrated circuits and other semiconductors, or for the design of advanced packaging;*
- iii. front-end fabrication of integrated circuits and other semiconductors;*
- iv. assembly, testing and packaging of integrated circuits and other semiconductors, including advanced printed circuit boards and packaging;*
- 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;*
- vi. core components or software of semiconductor manufacturing equipment;*
- vii. materials used in the fabrication of integrated circuits and other semiconductors, in particular specialty chemicals, rare gases, semiconductor materials, substrates or wafers*

Or. en

**Amendment 617**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Annex II – point 3 – point a – indent 1**

*Text proposed by the Commission*

*Amendment*

- *microelectronics, including processors* *deleted*

Or. en

**Amendment 618**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**

**Annex II – point 3 – point a – indent 2**

*Text proposed by the Commission*

*Amendment*

- *photonics (including high energy laser) technologies* *deleted*

Or. en

**Amendment 619**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**

**Annex II – point 3 – point a – indent 3**

*Text proposed by the Commission*

*Amendment*

- *high frequency chips* *deleted*

Or. en

**Amendment 620**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**

**Annex II – point 3 – point a – indent 4**

*Text proposed by the Commission*

*Amendment*

- *semiconductor manufacturing equipment at very advanced node sizes* *deleted*

Or. en

**Amendment 621**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Annex II – point 3 – point a – indent 4 a (new)**

*Text proposed by the Commission*

*Amendment*

– ***Data storage and processing equipment and facilities***

Or. en

**Amendment 622**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Annex II – point 3 – point b – introductory part**

*Text proposed by the Commission*

*Amendment*

b. Artificial intelligence technologies:

b. ***Member States should review investments related to Artificial intelligence technologies:***

***Artificial intelligence ('AI') technologies, 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. generative AI systems trained using more than  $10^{25}$  FLOPS (floating point operations);***

***ii. generative AI systems trained in a significant part on biological/ genomic data, or designed to be used in a biotechnological, space or defence context.***

Or. en

**Amendment 623**  
**Daniel Caspary, Céline Imart**



**Proposal for a regulation**  
**Annex II – point 3 – point b – indent 1**

*Text proposed by the Commission*

*Amendment*

- *high performance computing* *deleted*

Or. en

**Amendment 624**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Annex II – point 3 – point b – indent 2**

*Text proposed by the Commission*

*Amendment*

- *cloud and edge computing* *deleted*

Or. en

**Amendment 625**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Annex II – point 3 – point b – indent 3**

*Text proposed by the Commission*

*Amendment*

- *data analytics technologies* *deleted*

Or. en

**Amendment 626**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Annex II – point 3 – point b – indent 4**

*Text proposed by the Commission*

*Amendment*

- *computer vision, language processing, object recognition* *deleted*

Or. en

**Amendment 627**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Annex II – point 3 – point c – introductory part**

*Text proposed by the Commission*

c. Quantum technologies:

*Amendment*

c. **Member States should review investments related to** Quantum technologies:

**Quantum technologies, meaning any technology or know-how related to:**

**i. quantum computing;**

**ii. quantum communications;**

**iii. quantum sensing.**

Or. en

**Amendment 628**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Annex II – point 3 – point c – indent 1**

*Text proposed by the Commission*

– **quantum computing**

*Amendment*

**deleted**

Or. en

**Amendment 629**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Annex II – point 3 – point c – indent 2**

*Text proposed by the Commission*

– **quantum cryptography**

*Amendment*

**deleted**

Or. en

**Amendment 630**  
**Daniel Caspary, Céline Imart**

**Proposal for a regulation**  
**Annex II – point 3 – point c – indent 3**

*Text proposed by the Commission*

*Amendment*

- ***quantum communications*** ***deleted***

Or. en

**Amendment 631**

**Daniel Caspary, Céline Imart**

**Proposal for a regulation**

**Annex II – point 3 – point c – indent 4**

*Text proposed by the Commission*

*Amendment*

- ***quantum sensing and radar*** ***deleted***

Or. en

**Amendment 632**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**

**Annex II – point 3 – point e**

*Text proposed by the Commission*

*Amendment*

- e. Advanced connectivity, navigation and digital technologies:*** ***deleted***

— ***Secure digital communications and connectivity, such as RAN & Open RAN (Radio Access Network) and 6G***

— ***Cyber security technologies incl. cyber-surveillance, security and intrusion systems, digital forensics***

— ***Internet of Things and Virtual Reality***

— ***Distributed ledger and digital identity technologies***

— ***Guidance, navigation and control technologies, including avionics and marine positioning***

Or. fr

**Amendment 633**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**

**Annex II – point 3 – point e – indent 1 a (new)**

*Text proposed by the Commission*

*Amendment*

- ***Secure digital communications and connectivity, such as RAN & Open RAN (Radio Access Network), 5G and 6G, laser and light communication***

Or. en

**Amendment 634**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**

**Annex II – point 3 – point e – indent 2 a (new)**

*Text proposed by the Commission*

*Amendment*

- ***Cyber security technologies incl. cyber-surveillance, encryption, security and intrusion prevention and detection systems, digital forensics***

Or. en

**Amendment 635**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**

**Annex II – point 3 – point e – indent 5 a (new)**

*Text proposed by the Commission*

*Amendment*

- ***Submarine fibre-optic cables***

Or. en

**Amendment 636**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**

**Annex II – point 3 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

***ea. Transport infrastructure and technologies:***

- International airports, and sea ports***
- Railways, inland waterways, short sea shipping routes and roads linking urban nodes, maritime and inland ports, airports and terminals that are located within the geographical scope of Regulation (EU) 2024/1679***
- Railway infrastructure and related technologies***
- Electric propulsion technologies***
- Refuelling infrastructure, including electric charging infrastructure***
- Electromobility technology***

Or. en

#### **Amendment 637**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the PFE Group

#### **Proposal for a regulation** **Annex II – point 3 – point f**

*Text proposed by the Commission*

*Amendment*

- f. Advanced sensing technologies:*** ***deleted***
- Electro-optical, radar, chemical, biological, radiation and distributed sensing***
  - Magnetometers, magnetic gradiometers***
  - Underwater electric field sensors***
  - Gravity meters and gradiometers***

Or. fr

#### **Amendment 638**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the PFE Group

**Proposal for a regulation**  
**Annex II – point 3 – point g**

*Text proposed by the Commission*

*Amendment*

- g. Space & propulsion technologies:** **deleted**
- *Dedicated space-focused technologies, ranging from component to system level*
  - *Space surveillance and Earth observation technologies*
  - *Space positioning, navigation and timing (PNT)*
  - *Secure communications including Low Earth Orbit (LEO) connectivity*
  - *Propulsion technologies, including hypersonics and components for military use*

Or. fr

**Amendment 639**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the PfiE Group

**Proposal for a regulation**  
**Annex II – point 3 – point h**

*Text proposed by the Commission*

*Amendment*

- h. Energy technologies:** **deleted**
- *Nuclear fusion technologies, reactors and power generation, radiological conversion/enrichment/recycling technologies*
  - *Hydrogen and new fuels*
  - *Net-zero technologies, including photovoltaics*
  - *Smart grids and energy storage, batteries*

Or. fr

## Amendment 640

Markéta Gregorová, Anna Cavazzini

### Proposal for a regulation

Annex II – point 3 – point h – introductory part

*Text proposed by the Commission*

h. Energy technologies:

*Amendment*

h. Energy technologies, ***services and infrastructure***:

Or. en

## Amendment 641

Markéta Gregorová, Anna Cavazzini

### Proposal for a regulation

Annex II – point 3 – point h – indent 1

*Text proposed by the Commission*

– Nuclear ***fusion*** technologies, reactors and power generation, radiological conversion/enrichment/recycling technologies

*Amendment*

– Nuclear technologies, reactors and power generation, radiological conversion/enrichment/recycling technologies, ***nuclear storage and disposal of radioactive waste***

Or. en

## Amendment 642

Markéta Gregorová, Anna Cavazzini

### Proposal for a regulation

Annex II – point 3 – point h – indent 3

*Text proposed by the Commission*

– Net-zero technologies, including photovoltaics

*Amendment*

– Net-zero technologies, including photovoltaics ***and solar thermal infrastructure, as well as onshore and offshore renewable energy technologies***

Or. en

## Amendment 643

Markéta Gregorová, Anna Cavazzini

### Proposal for a regulation

Annex II – point 3 – point h – indent 3 a (new)

*Text proposed by the Commission*

*Amendment*

- **Grid operators (TSOs and DSOs)**

Or. en

**Amendment 644**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**

**Annex II – point 3 – point h – indent 4**

*Text proposed by the Commission*

*Amendment*

- 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**

Or. en

**Amendment 645**

**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**

**Annex II – point 3 – point h a (new)**

*Text proposed by the Commission*

*Amendment*

- ha. environmental decontamination technologies and climate change mitigation and adaptation technologies**

Or. en

**Amendment 646**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the P/E Group

**Proposal for a regulation**

**Annex II – point 3 – point i**

*Text proposed by the Commission*

*Amendment*

- i. Robotics and autonomous systems: deleted**  
— **Drones and vehicles (air, land,**



*surface and underwater)*

- *Robots and robot-controlled precision systems*
- *Exoskeletons*
- *AI-enabled systems*

Or. fr

#### **Amendment 647**

**Christophe Bay, Thierry Mariani, Aleksandar Nikolic, Enikő Győri**  
on behalf of the PfiE Group

#### **Proposal for a regulation** **Annex II – point 3 – point j**

*Text proposed by the Commission*

*Amendment*

**j. *Advanced materials, manufacturing and recycling technologies:***

***deleted***

- *Technologies for nanomaterials, smart materials, advanced ceramic materials, stealth materials, safe and sustainable by design materials*
- *Additive manufacturing, including in the field*
- *Digital controlled micro-precision manufacturing and small-scale laser machining/welding*
- *Technologies for extraction, processing and recycling of critical raw materials (including hydrometallurgical extraction, bioleaching, nanotechnology-based filtration, electrochemical processing and black mass)*

Or. fr

#### **Amendment 648**

**Daniel Caspary, Céline Imart**

#### **Proposal for a regulation** **Annex II – point 3 – point j b (new)**

***j b. Member States should review investments related to Media and Social Media:***

***Member States shall review foreign direct investments into media companies, including traditional media (such as television, radio, print, and online news outlets) as well as social media platforms, with a focus on protecting public order, internal security, and the integrity of democratic processes within the Union. Special attention shall be paid to investments originating from third countries or private entities with strategic influence capabilities, particularly those linked to state-controlled actors, opaque ownership structures, or histories of disseminating disinformation.***

***For social media platforms, the screening shall assess whether such investments could enable control over digital communication infrastructure, manipulation of information flows, or algorithmic biases that may threaten democratic debate, freedom of expression, or societal cohesion. Additionally, Member States must examine potential risks related to user data privacy, cybersecurity vulnerabilities, and the weaponisation of platforms for hostile foreign information operations. The overarching objective is to ensure media independence, plurality of opinions, and resilience against undue external influence.***

Or. en

**Amendment 649**  
**Karin Karlsbro**

**Proposal for a regulation**  
**Annex II – point 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. The education sector, including elementary schools, secondary schools, and universities providing vital societal functions in the EU.**

Or. en

**Amendment 650**  
**Marina Mesure**

**Proposal for a regulation**  
**Annex II – point 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a. Transport industries and technologies of critical importance such as rail industry, including all aspects of design, manufacturing, maintenance and refurbishment of rail transport systems, and automotive industry, including automotive suppliers, refuelling infrastructure, including electric charging infrastructure**

Or. en

**Amendment 651**  
**Marina Mesure**

**Proposal for a regulation**  
**Annex II – point 5 b (new)**

*Text proposed by the Commission*

*Amendment*

**5b. Critical entities identified under Directive (EU) 2022/2557 of the European Parliament and of the Council**

Or. en

**Amendment 652**  
**Marina Mesure**

**Proposal for a regulation**  
**Annex II – point 5 c (new)**

*Text proposed by the Commission*

*Amendment*

**5c. Construction sector, including production of construction materials.**

Or. en

**Amendment 653**  
**Marina Measure**

**Proposal for a regulation**  
**Annex II – point 5 d (new)**

*Text proposed by the Commission*

*Amendment*

**5d. Purchase of land and real estate activities, affecting agricultural lands and housing.**

Or. en

**Amendment 654**  
**Marina Measure**

**Proposal for a regulation**  
**Annex II – point 5 e (new)**

*Text proposed by the Commission*

*Amendment*

**5e. education and academia**

Or. en

**Amendment 655**  
**Markéta Gregorová, Anna Cavazzini**

**Proposal for a regulation**  
**Annex II a (new)**

*Text proposed by the Commission*

*Amendment*

**Security and Public Order Criteria**  
**(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 negatively affect the resilience of any of the critical entities identified under Directive (EU) 2022/2557 of the European Parliament and of the Council 45 as well as entities in scope of Directive (EU) 2022/2555 of the European Parliament and of the Council 46. 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;*

*(b) risks that are relevant in relation to the four main risks identified under the Union Economic Security Strategy and the related risk assessments;*

*(c) the availability of critical technologies that are essential to EU strategic autonomy and clean transition, including with regard to the risk of technology leakage and transfer;*

*(d) the avoidance of strategic dependencies on critical inputs;*

*(e) the protection of sensitive information, including personal data, in particular with regard to the ability of the foreign investor to access, control, transfer and otherwise process such personal data;*

*(f) the location of the Union target in relation to the proximity to military and other sensitive facilities;*

*(g) the freedom and pluralism of the media, fundamental rights, civic discourses and impact on electoral processes, rule of law including online and social media platforms that can be used for large scale disinformation or criminal activities;*

*(h) intellectual property leakage;*

*(i) the integrity and resilience of the Union Single Market and the preservation of the Union social market economy;*

*(j) the protection and integrity of Services of General Interest and Services of*

*General Economic Interest;*

*(k) geopolitical risks, including risks of economic coercion and extraterritorial effects of third countries' measures.*

Or. en