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To:	Delegations
No. prev. doc.:	7009/26; 10817/26; 11237/26; 11423/26; 12236/26 + REV 1; 14387/26
Subject:	Proposal for a Regulation on establishing a framework of measures for accelerating industrial capacity and decarbonisation in strategic sectors (Industrial Accelerator Act) - Fourth Presidency compromise text

In view of the upcoming meeting of the Working Party on Competitiveness and Growth (Industry) on 27 November 2026, delegations will find in Annex to this note a marked version of the fourth Presidency compromise text of the proposed Regulation. Changes in comparison to the third Presidency compromise text included in document 14387/26 are marked in **bold** for additions and in ~~strikethrough~~ for deletions.

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ANNEX

2026/0068 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing a framework of measures for the acceleration of industrial capacity and decarbonisation in strategic sectors and amending Regulations (EU) 2018/1724, (EU) 2024/1735 and (EU) 2024/3110

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 and 207(2) thereof,

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Economic and Social Committee[1],

Having regard to the opinion of the Committee of the Regions[2],

Acting in accordance with the ordinary legislative procedure,

Whereas:

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1 […]
2 […]

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(1) The global COVID-19 pandemic, Russia's illegal and unprovoked war of aggression against Ukraine, hostile economic actions, cyberattacks, foreign interference, the weaponisation of Union economic dependencies, arbitrary deployment of trade measures, the increasing effects of climate change and rising geopolitical tensions have exposed the Union's vulnerabilities and dependencies, which can pose a serious threat to the Union's economic security. The Union's economic security is essential for the Union to maintain its values, its principles and the wellbeing of its citizens, as well as to reinforce its territorial, social and economic cohesion. The Union is committed to protecting its economic security and addressing threats to its supply chains, infrastructure, key technologies ~~and~~**including** threats coming from the weaponisation of its economic dependencies[3]. **Reducing strategic dependencies, strengthening the Union's industrial base and creating or maintaining diversified and secure supply chains, are preconditions for** the Union's economic security ~~is inextricably linked to its capacity to strengthen its~~**, strategic autonomy and** resilience ~~and mitigate the risks arising from hostile economic interconnections. It is, therefore, appropriate for the Union to take measures to strengthen the resilience of its supply chains and safeguard its internal market and industrial capacity, while maintaining territorial, social and economic cohesion, by promoting a strong and competitive industrial base in selected strategic sectors and by protecting its security and economic independence.~~**.**

[3] ~~https://www.consilium.europa.eu/en/policies/european-economic-security/~~

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(2) The European Economic Security Strategy[4], and the Economic Security Communication of 3 December 2025[5] clearly set the Union's pathway towards addressing geo-economic tensions and technological shifts. ~~It seeks~~**Those communications underscore the need** to reduce current economic high-risk dependencies in the single market, counter efforts to create new ones and to avoid a single point of failure in critical industrial supply chains, technologies and infrastructures which can lead to local shortages and threaten the Union's competitiveness, economy and ultimately its security and social cohesion. **They also highlight the need to attract value-added inbound investment that reinforces the Union's economic security.**

(2a) Those challenges, as well as challenges posed by the need for industrial decarbonisation and sustainable industrial production in the Union are complex and transcend national borders. Uncoordinated and fragmented national measures aimed at tackling those challenges risk distorting competition and undermining the functioning of the internal market. Measures adopted by individual Member States could, for example, lead to divergent requirements imposed on market operators, inconsistent procurement practices, and divergent foreign investment conditions across Member States. Such measures could create obstacles to cross-border trade within the Union and distortions on the internal market, while undermining investor confidence, increasing costs, and redirecting investment flows within the Union.

(2b) To preserve the Union's economic security and independence while safeguarding the functioning of the internal market, it is therefore appropriate for the Union to create a common framework to strengthen the resilience of its supply chains in selected strategic sectors and to reduce foreign dependencies and risks of supply disruptions, thereby also contributing to promoting a strong, sustainable, resilient and competitive industrial base in those sectors.

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4 Joint Communication to the European Parliament, the European Council and the Council on "European Economic Security Strategy" (JOIN/2023/20 final).

5 Joint Communication to the European Parliament and the Council on Strengthening EU economic security (JOIN(2025)977 final).

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(3) The share of manufacturing in total GDP **of the Union** has declined from ~~17.4% to 14.3%~~**17,4% to 14,3%** between 2000 and 2024. In order to strengthen economic resilience, competitiveness and job creation, while also ensuring that the Union's climate and energy targets are met, the ~~European~~ Union, working in close cooperation with Member States should seek to boost the value of the Union's manufacturing sector by 30% by 2035. The development of industrial manufacturing projects within the Union should be facilitated as one of the measures contributing to that objective.

(4) ~~The challenges posed by the need for industrial decarbonisation and for a resilient industrial production in the Union are complex and transcend national borders. Fragmented national measures aimed at tackling those challenges risk undermining the functioning of the internal market. Measures adopted by individual Member States could lead to divergent requirements imposed on market operators, inconsistent procurement practices, divergent permit-granting procedures and divergent foreign investment conditions across Member States. Such measures could create obstacles to cross-border trade within the Union and distortions on the internal market, undermining investor confidence, increasing costs, and redirecting investment flows within the Union. It is therefore necessary to establish harmonised measures to ensure the proper functioning of the internal market.~~

(5) To ensure legal certainty, reference should be made to the most recent revision of the European Classification of Economic Activity (NACE, Rev. 2). In order to ensure consistency with existing Union ~~legislation~~**legislative acts** and enable the uniform application of this Regulation across the Union, industrial manufacturing as well as energy-intensive industries should be defined by referring to the NACE classification codes[6].

[6] With the exception of NACE Code C12, e-liquids used in vaping devices and nicotine-containing products under C20.59 and manufacture of electronic cigarettes and tobacco heating devices under C32.99 (unless they are authorised as medicinal products or certified as medical devices).

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(6) Energy-intensive industries are a key pillar of the Union's prosperity **and play a critical role in reducing the EU's strategic dependencies**. They enable a wide range of downstream industries and contribute to the Union's economy by creating jobs, supporting growth and fostering innovation. However, they also account for around ~~22.3%~~**22,3%** of the Union's greenhouse gas emissions and require substantial investments in decarbonisation, leading also to reduced pollution. The recycling, resource circularity and resource efficiency activities within those sectors have a vital role to play in reducing their carbon footprint and are considered essential elements of those sectors for the purposes of this Regulation. The combination of high energy prices, the need for large-scale decarbonisation investments, coupled with increased regulatory requirements and pressure from unfair global competition places energy-intensive industries at a competitive disadvantage, and there are growing signs of industrial decline.

(7) Net-zero technologies are pivotal to achieving the Union's energy and climate targets. They play a crucial role in reducing greenhouse gas emissions and enabling the decarbonisation of a wide range of economic sectors, including building, transport and the industry. They are also key ~~in~~**to** advancing sustainable energy solutions, by enabling the decarbonisation of the energy supply and providing innovative solutions to enable the needed expansion and digitalisation of electricity grids and the energy system as a whole. However, the Union's net-zero technology manufacturing sector faces significant challenges, including increasing global competitive pressures and supply chain vulnerabilities which endangers the Union's competitiveness and economic resilience.

(8) The bioeconomy is able to provide sustainable biomass and bio-based solutions for industrial production. The ~~Commission~~ Communication **of the Commission of 27 November 2025** "A Strategic Framework for a Competitive and Sustainable EU Bioeconomy"[~~7~~] identifies lead markets, such as sustainable bio-based plastics and polymers, bio-based chemicals and biobased construction products, as well as lead technologies that can support the Union's strategic autonomy and the sustainable decarbonisation of the industrial sectors identified in this initiative.

~~7~~ ~~Communication from the Commission to the European, the Council, the European Economic and Social Committee and the Committee of the Regions, A Strategic Framework for a Competitive and Sustainable EU Bioeconomy (COM(2025)960).~~

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(9) The automotive industry is a cornerstone of the Union economy. With a view to delivering on the Union's climate and environmental policy objectives, over the past years, the European automotive industry has been investing heavily in the development of cleaner vehicles and innovative components. Electric vehicles and electric vehicle components, including traction batteries, e-powertrain components and electronic systems, are essential technologies for advancing the decarbonisation of road transport. However, as a result of costs disadvantage and the transformation of the value chain with an increasing value share for batteries, e-powertrain and electronics, the level of Union content in vehicles produced in the Union is decreasing. It is no longer possible to postpone effective measures to avoid the risk of local production being displaced. In the absence of such measures, the current circumstances would lead to a full reliance on third countries for key vehicle components. That would be a serious threat to the Union's economic security and future resilience, as well as for its climate and environmental goals. **Given the industry's significant contribution to employment, innovation and exports, its role as a cornerstone of European manufacturing, and its importance for the green and digital transition, it warrants specific measures reflecting its strategic importance to the Union's industrial base, economic security and technological sovereignty.**

(10) The unpredictability, complexity and, at times, excessive length of national permit-granting procedures undermine the cost-effectiveness of investments necessary for the development of industrial activities. To ensure and speed up the effective implementation of industrial manufacturing activities, Member States should apply streamlined and digitalised permit-granting processes and ensure that application procedures for industrial manufacturing projects are simplified, without undermining the Union's climate and environmental objectives. **For the purposes of this Regulation,** the permit-granting procedure ~~in this Regulation~~ refers to any administrative authorisations governed by public law required for the completion of a project that are issued by Member States' competent authorities including any potential prerequisites or authorisations needed to request or obtain the grid connection. However, the process for connecting to the grid which is handled by the system operators and their final agreement to connect to the grid are not covered ~~in~~**by** this Regulation.

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Project promoters should benefit from streamlined and simplified permit-granting procedures, including, where possible, the opportunity for a single submission of the information ~~required to apply~~ **necessary** for all permits relevant to ~~a specific~~ **an** industrial manufacturing project~~, except for the tobacco~~**. Given the specificity of national permitting regimes, Member States should determine which permits are required to apply for all industrial** manufacturing **projects** ~~sector. This will ensure that the Once-Only Principle can be adhered to, even where subsequent submissions are required. The single submission should not apply where specific permit-granting or licensing procedures or requirements are established in Union legislation for other manufacturing sectors such as, but not exclusively to Regulations (EU) 2024/1735 and (EU) 2024/1252 of the European Parliament and of the Council. Sectorial Union legislation governing medicines and medical devices has recently undergone or is undergoing further streamlining of harmonised rules and timelines for authorisations and certifications, with options to speed up the process if necessary. Those rules should therefore not be considered permit-granting procedures within the context of this initiative.~~

(10a) **Project promoters should benefit from streamlined and simplified permit-granting procedures, including, where possible, the opportunity for a single submission of the information required to apply for all permits relevant to a specific industrial manufacturing project, except for the tobacco manufacturing sector. This would ensure that the once-only principle can be adhered to, even where subsequent submissions are required. The once-only principle enables project promoters to provide data to public administration only once and for public bodies to exchange this data when requested and in compliance with the relevant regulations. The rules regarding the permitting procedure should not apply where specific permit-granting or licensing procedures or requirements are established in Union legislative acts for other manufacturing sectors such as, Regulations (EU) 2024/1735 and (EU) 2024/1252 of the European Parliament and of the Council. Sectorial Union legislative acts governing medicines and medical devices has recently undergone or is undergoing further streamlining of harmonised rules and timelines for authorisations and certifications, with options to speed up the process if necessary. Those rules should therefore not be considered permit-granting procedures within the context of this initiative.**

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(10b) **To stimulate the completion of and investment in projects that deliver long term climate and environmental benefits, changes to or extensions of industrial manufacturing projects that result in a structural reduction of nitrogen emissions, compared to the existing project, shall not require an assessment of nitrogen emissions in an assessment that may be carried out to comply with Article 6(3) of the Council Directive 92/43/EEC.**

(~~10b~~**10c**) Digitalisation is a key tool to speed up **permitting** procedures and to increase efficiency for all parties involved. It allows for a faster handling of applications by the relevant authorities, and it allows project promoters to have quick access to clear information on process steps and requirements from the outset, therefore ensuring transparency and monitoring. However, progress on digitalisation of permit-granting procedures is lagging behind, and application steps are often spread across different competent authorities. In most Member States there is no unified digital process. To reduce administrative burden and streamline application procedures, Member States should set up or make available a digital single access point to serve as the entry point for the ~~single~~ submission of the information required to apply for all permits relevant to industrial manufacturing projects. It **should be possible to make subsequent submissions at the discretion of the project promoter. Such a single digital access point** should contribute to more uniform digitalisation, accountability and transparency across different permitting authorities in Member States and ultimately speed up permit-granting procedures. While national level access should be the standard for the digital single access point in order to ensure uniform digitalisation, Member States ~~may~~**should be able to** establish more than one digital access point where necessary to respect the allocation of competences under their constitutional arrangements, for example in Federal States. In such cases, Member States should ensure that each project only needs to access one digital access point, thereby providing a single user journey.

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(11) The digital single access point should enable the use of the European Business Wallets established pursuant to [Proposal for a Regulation on the establishment of European Business Wallets[8]], as part of the underlying technical infrastructure for authorities and applicants to check the status of the application and identify delays, as well as verify compliance with any applicable permitting deadlines. ~~By~~ Channelling ~~these~~**those** interactions through the European Business Wallets~~,~~ **would allow** public sector bodies ~~can~~**to** advance digitisation, streamline processes and reduce unnecessary administrative burden while allowing businesses to use a singular tool for permit-granting procedures across the internal market. In addition, the digital single access point should enable the interoperable and automated data exchange between authorities and re-use of data already held by public authorities, in line with the once-only principle for the submission of applications, while ensuring a high level of data protection, cybersecurity, and integrity of information. The implementation of digital single access points should, to the extent possible, use existing Union digital infrastructures, catalogues and building blocks, including those developed under the Once-Only Technical System**, established under Regulation (EU) 2018/1724 of the European Parliament and Council[9]** and its implementing acts. This would promote complementarity, interoperability and the efficient use of public resources, while avoiding duplication of existing digital solutions.

(13) Regulation (EU) [202X/XX] of […][10] establishes a common acceleration framework for environmental assessments. Procedures linked to environmental assessments should be accelerated and streamlined for plans, programmes and projects across all sectors of the economy while maintaining high levels of protection of human health and of the environment. Some sectors ~~may~~**could**, however, require ~~yet~~ faster environmental assessments.

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8 Proposal for a Regulation of the European Parliament and of the Council on the establishment of European Business Wallets (COM/2025/838 final).

9 **Regulation (EU) 2018/1724 of the European Parliament and Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295 21.11.2018, p. 1, (ELI: http://data.europa.eu/eli/reg/2018/1724/2026-05-20).**

10 Proposal for a Regulation of the European Parliament and of the Council on speeding-up environmental assessments (COM/2025/984 final, 10.12.2025).

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Therefore, and in order to safeguard the coherence of the legal framework of environmental assessments, while allowing for the additional needs for acceleration in certain strategic sectors, Regulation (EU) [202X/XX] establishes a dedicated toolbox that should therefore be used in the context of this Regulation. Given their essential role in ensuring the achievement of the Union's climate **and environmental** objectives, and their contribution to the Union's resilience and economic security, energy-intensive industry decarbonisation projects, industrial manufacturing projects located in industrial manufacturing acceleration areas **under this Regulation**, and net-zero technology projects should be considered strategic projects within the meaning of Regulation (EU) [202X/XX] and therefore benefit from the dedicated toolbox established under that Regulation.

(14) Regulation (EU) 2024/1735 sets out provisions that streamline administrative and permit-granting processes for net-zero technology manufacturing projects. Some specific components in the supply chain of net-zero technologies are produced through energy-intensive production processes. Energy-intensive industry decarbonisation projects fall within the scope of Regulation (EU) 2024/1735 only where the relevant facilities produce components that are part of the supply chain of a net-zero technology. However, energy-intensive facilities that do not produce components that are used in net-zero technologies are currently excluded from the scope of Regulation (EU) 2024/1735. This creates the risk of uneven conditions ~~of~~ between energy-intensive industries and slows down decarbonisation efforts. This Regulation ~~will~~**is expected to** ensure that all energy-intensive industry decarbonisation projects will be subject to the same permit-granting processes.

(14a) Clustering industrial manufacturing activity can contribute substantially to achieving the objectives of this Regulation and to strengthening certain strategic sectors in the internal market. Enabling the voluntary designation of industrial manufacturing acceleration areas by Member States is intended to stimulate and concentrate manufacturing activity across the Union and boost the industrial manufacturing sector in the Union economy. Such areas should be limited in geographical scope in order to foster industrial symbiosis. When designating industrial manufacturing acceleration areas, Member States should, in cooperation with regional authorities where appropriate, take into account industrial production (in particular for certain priority sectors) and their regions' general level of development, with a focus on the less developed regions and those in transition.

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Member States may cooperate to designate cross-border industrial manufacturing acceleration areas to aggregate the advantages of scale and collaboration and to ensure efficient allocation of resources. Such cross-border initiatives have the potential to become important instruments for speeding up industrial decarbonisation and strengthening resilience.

(14b) The ~~industrial acceleration~~ measures ~~within~~**supporting** the acceleration areas should seek appropriate synergies with other Union initiatives, including strategic projects recognised in Union ~~legislation~~**legislative acts**, Net-Zero Acceleration Valleys ~~defined under the Net Zero Industry Act~~**designated in accordance with Regulation (EU) 2024/1735**, and Union funding opportunities, in order to align the strategic priorities in the internal market and benefit industrial installations vital for the strategic autonomy and competitiveness of the Union. Where appropriate, **it is possible to designate such** Net-Zero Acceleration Valleys ~~may also be designated as an~~**also as** industrial manufacturing acceleration ~~Area~~**areas in accordance with this Regulation** insofar as they meet the necessary conditions, whilst maintaining the multi-stakeholder approaches that define existing Valley initiatives~~,~~ ~~measures on attracting investments and project pipelines~~. The benefits of industrial manufacturing acceleration areas should also apply to undertakings awarded with the competitiveness seal under Regulation (EU) XXXX/[XX] [11] (European Competitiveness Fund), unless specifically excluded by the Member State.

(14d) Sufficient and timely energy supply to the **industrial manufacturing** acceleration areas constitutes a fundamental enabling condition for their effective deployment and for the development of manufacturing activities. Member States should therefore prepare an analysis for each **industrial manufacturing** acceleration area, identifying its future energy needs. Such analysis should serve the purpose of providing information for the national grid planning and the national network development plans thereby contributing to purposeful anticipatory grid investments and faster energy connections for the **industrial manufacturing** acceleration area.

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[11] Proposal for a Regulation of the European Parliament and of the Council on establishing the European Competitiveness Fund ('ECF'), including the specific programme for defence research and innovation activities, repealing Regulations (EU) 2021/522, (EU) 2021/694, (EU) 2021/697, (EU) 2021/783, repealing provisions of Regulations (EU) 2021/696, (EU) 2023/588, and amending Regulation (EU) (COM/2025/555 final, 16.7.2025).

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(14e) Where industrial manufacturing acceleration areas are set up, their designation should correspond to the potential to access or organise education and training opportunities to ensure the availability of skilled labour, which is essential for developing manufacturing activity in line with the objectives of this Regulation.

(14f) Where Member States decide to designate industrial manufacturing acceleration areas, they ~~will~~**should** carry out all necessary assessments, planning procedures and evaluations reflecting the specific characteristics of each identified industrial **manufacturing** acceleration area. Member states should seek to secure approvals or authorisations for all permits commonly required for such activities within the area as well as cross-sectoral permits that a project developer should obtain irrespective of the specific sector. These may include, without being limited to, authorisations relating to building and construction, zoning and land-use planning and pre-conditions for business establishments such as depollution requirements or environmental assessments as referred in chapter I and II of [Regulation on Speeding Up Environmental Assessment]. As the required authorisations and approvals ~~will necessarily~~**are expected to** align with Member States' respective permit-granting procedures, the scope and content of the permits secured may vary from one Member State to another. The authorisations and approvals cannot include permits that are installation specific, such as those required under Directive 2010/75/EU of the European Parliament and of the Council[12] and the grid connection. Consequently, project promoters should only be required to obtain relevant installation specific permits or authorisation, such as environmental impact assessments where required. Where activities have the potential to affect Union and nationally protected sites, relevant permits should be granted only after having ensured that the activities are compatible with the conservation objectives of these sites. Such approach should significantly accelerate permit-granting procedures and reduce the administrative burden for industry whilst maintaining high levels of environmental standards.

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12 Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17, ELI: http://data.europa.eu/eli/dir/2010/75/oj).

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(15) The Union should adopt a more strategic approach in leveraging its economic weight and the value of access to its internal market. In that context, the strategic use of public intervention is essential to prevent **or address** critical dependencies **and risks of disruptions in the supply of certain products that may undermine** ~~in~~ the Union**'s economic security interests**. Public procurement amounts to 15% of the Union's GDP. Contracting authorities and entities should therefore, where appropriate, ensure that public procurement requirements foster economic security and resilience of supply chains**. Furthermore, it is appropriate to exclude access of third-country economic operators to public procurement procedures falling within the scope of this Regulation, if those economic operators originate in third countries which have not concluded an international agreement with the Union guaranteeing such access**. Public support schemes also play an important role in stimulating demand in downstream sectors that account for a significant share of demand for certain strategic products and technologies. Such schemes should therefore favour beneficiaries that make a greater contribution to strengthening the Union's resilience and advancing its decarbonisation objectives. Auctions are crucial for the deployment of net-zero technologies and should be designed to foster demand for such technologies including components originating from the Union.

(16) **Through trade agreements and other bilateral and plurilateral cooperation frameworks, the EU has developed a network of international partners, strengthened by secure and reliable trade. While application of Union origin criteria in targeted industrial sectors should seek to enhance the Union's economic security and contribute to boosting the Union's manufacturing capacity, the inclusion of trusted partners is key to securing and diversifying crucial supply chains for the Union's strategic autonomy and climate objectives. In certain cases, goods originating from selected partners with whom the Union has reciprocally beneficial partnerships should be included in the Union origin provisions through the granting of partner origin status. Similarly, some selected partners may also be considered to provide products of eligible origin for motor vehicles.** The Union and Member States maintain an open investment environment, as enshrined in the Treaty on the Functioning of the European Union (TFEU) and embedded in their international commitments.

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This includes commitments under the World Trade Organisation Agreement on Government Procurement (**WTO GPA 2012**~~GPA~~)[13], as well as bilateral trade agreements, to open public procurement procedures and other forms of public intervention. At the same time, **Article 3(5) of the Treaty on European Union (TEU) specifies that the Union, in its relations with the wider world, is to uphold and promote its values and interests and contribute to the protection of its citizens. Article 21(2) TEU states that the Union's policies and actions aim to safeguard its values, fundamental interests, security, independence, and integrity. Therefore,** the Union retains the right to apply general or security exceptions**, including where necessary to address high-risk dependencies,** and to take into account the ~~reciprocity of~~ access granted by third countries to Union products **de jure and de facto, and whether the third country fully implements the relevant agreement towards all Member States in a spirit of reciprocity and mutual benefit. In this regard, the Union should also be able to address the risk of evasion of the conditions for benefiting from partner origin status**. The Commission ~~will~~**should be empowered to create and modify the list of products of partner origin status. To that effect, it should** regularly assess **the excessive concentration of supply, the strategic importance of a product for critical technologies or industrial ecosystems, the existence of non-market policies and practices leading to overcapacity, as well as evidence of the weaponisation of economic dependencies,** the implementation of the relevant international agreements**, and any measures of circumvention,** and take appropriate action ~~when creating and maintaining the lists of third countries whose products will be considered of partner origin. Economic security aims to protect and strengthen the internal market vis-à-vis third countries.~~**.**

~~13~~ ~~World Trade Organisation (WTO), Agreement on Government Procurement 2012, available at https://www.wto.org/english/docs_e/legal_e/rev-gpr-94_01_e.pdf.~~

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In conducting such assessment, the Commission should rely on substantive, objective and verifiable evidence and should consult Member States ~~cannot rely on economic security to prevent, condition, or otherwise hinder in any way investments coming from~~**, including through relevant preparatory bodies for the Council of the European Union, bodies responsible for monitoring the implementation of Union trade agreements and** other ~~Member States~~**relevant stakeholders**. **Any decision to exclude a third country from this list should be proportionate to the nature, scale and effects of the identified non-compliance and should take account of the possibility of addressing the matter through alternative means in an effective and timely manner.**

(17) The progressive integration of candidate countries and potential ~~candidates~~**candidate countries** into the Union's internal market, including through their gradual participation in Union policies and programmes, is essential to support their alignment with the acquis, strengthen their competitiveness, promote their deeper integration into Union value chains and enhance the Union's economic security. This Regulation ~~should~~**is** therefore **intended to** contribute to fostering such gradual integration, including by facilitating the participation of economic operators from those countries in Union-wide value chains, Union public procurement, public support schemes and auctions where appropriate and in line with the Union's interests, bilateral commitments, and objectives.

(17a) For the purposes of this Regulation, the origin of products and components should be determined in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council, which sets out the rules for determining the non-preferential origin of goods. However, by 30 June 2028, the Commission should, based on the information collected under Regulation (EU) 2026/1384 of the European Parliament and of the Council, assess whether it is necessary to designate the country of 'melt and pour' as the basis for the origin of steel. Based on that assessment, the Commission should consider submitting a legislative proposal to the European Parliament and to the Council that specifies the origin of steel products on the basis of the country of 'melt and pour'. Until adoption of a legislative act based on any such proposal, the origin of steel products is based on Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council for the purposes of this Regulation.

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(19) Demand-side measures should focus on establishing low-carbon requirements for steel**,** **cast iron, concrete and mortar**, cement and aluminium used in buildings, infrastructure and motor vehicles, where appropriate, since those sectors are the most energy-intensive industries. Targeted Union wide demand-side measures can help create lead markets for low-carbon and Union-produced energy-intensive industrial products, supporting decarbonisation while ~~strengthening~~**supporting the renewal of** the Union's industrial base **and addressing risks associated with the resilience of supply chains and the weaponisation of economic dependencies by foreign players**.

(20) Downstream sectors that account for a large share of demand for certain energy-intensive materials, such as the construction and automotive ~~sectors~~**industry**, should be prioritised under this Regulation when establishing low-carbon requirements, Union origin requirements, or both. That is particularly appropriate given that such sectors are significantly subject to public procurement and support schemes, while the share of energy-intensive input in total production value is relatively small and therefore minimises the impact of any price premium.

(21) In order to ensure regulatory consistency with existing Union product legislation, steel, concrete and aluminium in construction should be considered low-carbon in compliance with the requirements set out in the implementing measures adopted pursuant to Regulations (EU) 2024/3110[14] and (EU) 2024/1781[15] of the European Parliament and of the Council.

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[14] Regulation (EU) 2024/3110 of the European Parliament and of the Council of 27 November 2024 laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No 305/2011 (OJ L, 2024/3110, 18.12.2024, ELI: http://data.europa.eu/eli/reg/2024/3110/oj).

[15] Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC (OJ L, 2024/1781, 28.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1781/oj).

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(22) The ~~Clean Industrial Deal~~ Communication[16] **of the Commission of 1 February 2023 "A Green Deal Industrial Plan for the Net-Zero Age"** highlighted the need to create lead markets for industrial products with a low greenhouse gas emissions intensity, including by promoting such products on the internal market through the establishment of a Union labelling scheme, starting with the steel sector. That should be seen in the context of Union products legislation already designed to introduce labelling and information requirements, including comprehensive product labelling requirements to be established under the delegated acts pursuant to Regulations (EU) 2024/3110 and (EU) 2024/1781. The relevant delegated acts and harmonised technical specifications or European technical assessments are anticipated to be in place at least six months prior to the application of those requirements under this Regulation. Should those delegated acts and relevant technical specifications and assessments be delayed, the application of their requirements should be postponed until six months after their entry into force. Considering the importance of both primary and secondary steel production for the long-term resilience of the Union industrial base, such requirements should be based on classes of performance that acknowledge the different decarbonisation effort of the technologies' routes, also rewarding circularity, adjusting emission intensity thresholds based on percentage of scrap metal used in production for those product categories that typically require primary steel production, as necessary. It should also be possible to ~~complement~~**supplement** the delegated acts adopted pursuant to Regulations (EU) 2024/3110 and (EU) 2024/1781 in order to support the creation of lead markets by informing investment decisions towards products granted a lower greenhouse gas intensity performance class, for industrial products not yet regulated by a delegated act under Regulation (EU) 2024/1781, or covered ~~in~~**by** the scope of products included in the working plan adopted in accordance with that Regulation. To do so, it should be possible to establish voluntary classification systems based on the greenhouse gas intensity of industrial products.

~~16~~ ~~Communication From the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of The Regions, A Green Deal Industrial Plan for the Net-Zero Age (COM/2023/62 final, 1.2.2023).~~

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Methodologies to define low-carbon requirements should rely on well-established and monitored emissions accounting frameworks, making use of emissions data reported under the EU Emissions Trading System (ETS) and Carbon Border Adjustments Mechanism (CBAM) where available and relevant to ensure consistency and limit administrative burden.

(23) In order to ensure the attainment of the objectives of this Regulation, in particular the creation of lead markets for European low-carbon industrial products **to strengthen the Union's economic security and contribute to the Union's decarbonisation objectives**, while ensuring ~~a higher degree of harmonisation across the Union~~**the proper functioning of the internal market through a harmonised framework**, minimum mandatory technical specifications should be provided for low-carbon and Union origin requirements in public procurement procedures. Those requirements should apply to the procurement of those products in public supply contracts and in public works, public services contracts and concessions, where those products ~~will~~**are intended to** be used for activities conducted under those contracts. In compliance with the public procurement framework, those minimum mandatory technical specifications should avoid artificially restricting competition and avoid favouring a specific economic operator. Contracting authorities and contracting entities should conduct the public procurement procedures in compliance with Directives 2014/23/EU[17], 2014/24/EU[18] and 2014/25/EU[19] of the European Parliament and of the Council and applicable sectoral legislation. The Union origin of products and components should be determined in accordance with the Union customs legislation.

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17 Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, pp. 1-64, ELI: http://data.europa.eu/eli/dir/2014/23/oj).

18 Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65, ELI: http://data.europa.eu/eli/dir/2014/24/oj).

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

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(23a) To facilitate the implementation of this Regulation and to limit the administrative burden for contracting authorities and contracting entities, the Commission should provide an online tool for the verification, exchange and storage of evidence related to the origin of economic operators. The tool that ~~will~~**is intended to** be developed under Article XX of the [Proposal for a Regulation on public contracts and concessions (Public Procurement Act)] could be an appropriate tool to that end.

(24) In order to ensure the feasibility of the requirements at reasonable cost and avoid restricting competition, it is necessary to lay down the conditions under which contracting authorities may, on an exceptional basis, decide not to apply the low-carbon and Union origin requirements. Those conditions should cover cases where the application of such requirements would result in technical incompatibilities in the operation or maintenance of a project such as situations where the use of such products would risk compromising the fulfilment of basic requirements for construction works of the building or infrastructure, set out in Regulation (EU) 2024/3110. The requirements laid down in this Regulation should apply exclusively to procurement procedures falling within the scope of Directive 2014/23/EU, Directive 2014/24/EU and Directive 2014/25/EU, that is, to procedures whose estimated value reaches or exceeds the thresholds set out in those Directives. Accordingly, procurement procedures not covered by those Directives, including those below the applicable thresholds, should not be subject to the requirements established by this Regulation, thereby avoiding disproportionate obligations for low-value procurements carried out by contracting authorities, including at local level.

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(25) The ~~Automotive package~~**Commission** adopted on 16 December 2025 **a legislative proposal package that** includes a proposal to amend Regulation (EU) 2019/631 of the European Parliament and of the Council[20] to provide, inter alia, for the granting of super-credits for small affordable electric vehicles made in the Union prior to 2035 and amends the 2035 emissions reduction target, with the remaining emissions to be compensated through the use of low-carbon steel made in the Union or renewable and low-carbon fuels **(the 'automotive package')**. The automotive package also includes a [proposal for a Regulation on clean corporate vehicles] which limits financial support for corporate vehicles to zero- and low-emissions corporate vehicles 'made in the European Union'. In order to ensure legal certainty and consistency with Regulation (EU) 2019/631 as amended and the [proposal for a Regulation on clean corporate vehicles], this Regulation should lay down definitions of 'small affordable electric vehicles made in the Union', 'low-carbon steel made in the Union' and 'corporate cars and vans made in the European Union'.

(26) In order to simplify procedures and reduce administrative burden, the application of the requirements laid down in this Regulation should be supported by the Access2Markets tool. The Commission should keep this tool updated to reflect fully and at any given time, the Union's public procurement commitments in the relevant international agreements. Moreover, the verification of compliance with the requirements laid down in this Regulation should not impose a disproportionate burden on economic operators or contracting authorities. The verification system should therefore be based on a self-declaration by economic operators. Such approach is consistent with the general framework for public procurement established by Directive 2014/24/EU, in particular Article 59 thereof, which provides for self-declaration of compliance, subject to subsequent verification of the successful tenderer. For construction products placed on the market in accordance with Regulation (EU) 2024/3110, the declaration of performance and conformity should serve as such a self-declaration and form part of the documentary evidence demonstrating compliance with the requirements set out in this Regulation.

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[20] Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO2 emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 (OJ L 111, 25.4.2019, p. 13, ELI: http://data.europa.eu/eli/reg/2019/631/oj).

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For vehicles, manufacturers should, at the time of issuing the certificate of conformity in accordance with Regulation (EU) 2018/858 of the European Parliament and of the Council[21], provide an accompanying document certifying for the vehicles that comply with the relevant Union origin requirements. This document should be equivalent to a self-declaration and form part of the documentary evidence demonstrating compliance with the requirements set out in this Regulation.

(26a) The digital product passport, established pursuant to Regulation (EU) 2024/1781, is a digital container which ~~will~~**is intended to** store relevant information for products, components, and materials to support their sustainability, promote their circularity and strengthen and facilitate legal compliance. For products and components covered by this Regulation for which a digital product passport is required under Union law, information on their origin, determined in accordance with this Regulation, should be included in the digital product passport. In addition, the information requirements established pursuant to Regulations (EU) 2024/1781 and (EU) 2024/3110 include information relevant to demonstrating compliance with the low-carbon requirements laid down in this Regulation. Where a digital product passport is available for products covered by this Regulation and contains the information necessary to demonstrate compliance with the low-carbon and Union-origin requirements laid down therein, that information should serve as the relevant self-declaration and form part of the documentary evidence demonstrating compliance with this Regulation.

(27) To ensure that the requirements established by this Regulation remain appropriate even as market conditions**, production capacities**, technological developments and the climate and internal market policy objectives of the Union continue to evolve, the Commission should be empowered to amend the timeframe of application and percentage shares of low-carbon, Union origin or Union and partner origin requirements based on the objective criteria set out in this Regulation**.**

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[21] Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/858/oj).

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When assessing whether to revise these requirements, the Commission should take into account the evolution of the markets for products in scope, their economic and technological progress, market availability, the contribution of the requirements to the ~~EU~~**Union**'s economic **security, resilience** and climate objectives, and the requirements' impacts on competitiveness and greenhouse gas emissions.

(28) The attraction of investment, including from foreign entities, plays a critical role in ~~fostering a strong internal market and territorial cohesion, particularly by promoting innovation and~~ driving economic growth in the Union which is essential for its competitiveness. However, in exceptional circumstances, particularly large investments originating from third countries that hold a very significant global market position risk disrupting important supply chains and the security of targeted sectors that are of particular importance ~~in the development of the internal market~~**for the Union's economic security, technological sovereignty and twin transition**. Allowing such investments to proceed without any conditions could mean that the added value creation associated with selected strategic technologies and innovative manufacturing activities remains outside the Union resulting in detrimental effects on the Union's supply security and technological development in those sectors. ~~Moreover, unconditional exposure of the internal market to such large investments risks putting into question the Union's technological advancements necessary for its twin transition. The absence of a harmonised approach would allow large investments to 'forum-shop' and exploit the specific circumstances of individual Member States, ultimately undermining the level playing field among Member States and the functioning of the internal market~~. The provisions of this Regulation should ensure that such large investments coming from third countries increase meaningful employment of Union workers, facilitate the Union's technological advancement and support the functioning of the internal market while avoiding disruption to the Union's supply security and economic security. **Moreover, a harmonised approach at Union level prevents large investments from 'forum-shopping' and exploiting the specific circumstances of individual Member States, ultimately undermining the level playing field among Member States and the functioning of the internal market.**

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(29) The targeted sectors are sectors whose contribution is essential to the Union's decarbonisation objective or manufacturing sectors with innovative potential where Union entities are not at or near the global innovation frontier, and where the development and competitiveness of such sectors should be ensured through appropriate Union capacities and participation. Harmonised criteria should apply to foreign investors whose beneficial owner is from a third country which holds over 40% of the global manufacturing capacity in the targeted sectors or who are controlled by entities from such a country, as determined on the basis of verifiable and regularly updated data and a publicly available methodology. To ensure the effectiveness of the provisions of this Regulation, the Commission should monitor the global manufacturing capacity of those sectors and publish the results together with the methodology used and the date of the most recent update.

(30) Both Greenfield and Brownfield foreign investments should fall within the scope of this Regulation to the extent that they involve the acquisition of control over a Union target or Union asset, as they both have the possibility to impact the functioning of the internal market.

(31) The review of the investments and application of the harmonised conditions should be carried out **by the designated investment authorities** in accordance with this Regulation. ~~It~~**Such reviews** should take into account all information available and adhere to the principle of proportionality. Moreover, all measures taken by national authorities or the Commission with respect to the review of foreign investments should comply with Union law, and in particular with Articles 49 and 63 TFEU.

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(32) The provisions of this Regulation should apply to foreign direct investments in targeted sectors falling under the scope of this Regulation in accordance with the thresholds established by this Regulation, notwithstanding the screening mechanism established under Regulation (EU) 2019/452 of the European Parliament and of the Council[22]. Moreover, the provisions of this Regulation should also apply without prejudice to Union competition law instruments, including Regulation (EU) 2022/2560 of the European Parliament and of the Council[23] and Council Regulation (EC) No 139/2004[24].

(33) The foreign direct investment criteria should capture targeted strategic sector investments in the Union by third-country investors ('foreign investors') in the Union. However, it could also be necessary to include investments in the Union by entities that are controlled, directly or indirectly, by a third-country person or entity regardless of the ultimate owner's location ('foreign investor's subsidiary'), as they are equally capable of disrupting the functioning of the internal market, including its supply and economic security, due to the control exercised from the third country having a significant market share. The potential for foreign investors' subsidiaries to be used as a means to circumvent efforts to ensure foreign direct investment adds value to the Union should be carefully guarded against. Apart from review of foreign direct investments made by the foreign investor's subsidiary as established by this Regulation, investments coming from other Union Member States should not be conditioned or deterred.

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22 Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union (OJ L 79I, 21.3.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/452/oj).

23 Regulation (EU) 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market (OJ L 330, 23.12.2022, p. 1, ELI: http://data.europa.eu/eli/reg/2022/2560/oj).

24 Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (OJ L 24, 29.1.2004, p. 1, ELI: http://data.europa.eu/eli/reg/2004/139/oj).

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(34) The foreign direct investment conditions should not apply to the acquisition of company securities that are intended purely for financial investment and without any intention to influence the management or control of the company ('portfolio investments'). **The review of foreign direct investments made by a foreign investor's subsidiaries which are established in the Union should comply with Union law, and in particular with Articles 49 and 63 TFEU.**

(35) Restructuring operations within a corporate group and investments made in financial institutions in application of a resolution tool as well as of write down and conversion powers should fall outside of the scope of this Regulation. Internal restructurings should only be excluded from the scope of application to the extent that they are conducted solely for the purpose of the internal reorganisation of a Union target or of the corporate group to which the Union target belongs, without resulting in any changes in the beneficial ownership or control of the Union target. In particular, internal restructurings should be excluded where they do not result in a situation where a new foreign investor acquires ownership or control over the Union target or over a company that directly or indirectly owns or controls that Union target, where there is an increase in the shares held by foreign investors, or where the transaction results in additional rights for foreign investors that may lead to a change in the effective participation of one or more foreign investors in the management or control of the Union target.

(36) The foreign direct investment conditions should only apply to foreign direct investments that meet the three criteria set out in this Regulation. Firstly, the investment value should reach a threshold of EUR 100 million within ~~a~~**any five-year** period ~~of five years from the initial investment~~**commencing after the entry into force of this Regulation**; such an amount is capable of disrupting the functioning of the internal market in the targeted sectors. Secondly, the investment should be in one of the targeted sectors defined in this Regulation. Finally, the foreign direct investment should be made by investors who either have beneficial owners from a third country responsible for 40 % of the global manufacturing capacity in the sector, or who are controlled by entities from such a country~~, if those investors alone or collectively reach 30 % or more of share capital, voting rights, or ownership of a Union asset~~. Such foreign direct investments could present a high risk to the Union's economic security, while not delivering enough added value to the Union.

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(36a) **The application of the harmonised foreign investment conditions should not apply retroactively to foreign direct investments made prior to the entry into force of this Regulation or 12 months thereafter. Such foreign direct investments should not be included in the calculation of the EUR 100 million threshold over five years.**

(37) In order to ensure the effective application of this Regulation, each Member State should designate at least one investment authority responsible for assessing the conditions of investment by foreign entities in targeted sectors. Moreover, it should be equipped with the legal, administrative, and financial resources to carry out its tasks effectively and independently, with due regard to the authorities already responsible for implementing Regulation (EU) ~~2019/452~~**2026/1386**. The investment authority appointed under this Regulation can be the same body responsible for implementing Regulation (EU) ~~2019/452~~**2026/1386**. **Where an investment falls within the scope of both this Regulation and Regulation (EU) 2026/1386, the competent authorities should coordinate, where appropriate, to avoid duplication of procedures and unnecessary administrative burdens, while respecting the requirements under both Regulations and the applicable confidentiality requirements.**

(38) To enable Member States to effectively identify the investments defined in this Regulation, foreign investors should notify relevant investment authorities prior to acquiring or establishing significant stakes in undertakings or assets within the Union. ~~Setting a threshold at 30 percent ownership or other rights for both undertakings and assets should ensure that the~~**The use of an established approach for evaluating control or decisive influence on a Union asset or target set out in Regulation (EU) 139/2004 ensures consistency and a** mechanism **that** captures investments capable of impacting the ~~well-functioning~~**functioning** of the internal market.

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(39) To minimise the risk of circumvention through fragmented or indirect acquisitions, this Regulation is intended to apply where several foreign investors whose beneficial owners are from third country in scope act in concert, or where investments are made through affiliated entities or complex ownership structures. Their respective interests should be aggregated for the purpose of determining the stake acquired or established, the investment value and the notification threshold. Aggregation should also apply to existing holdings in the same Union undertaking or asset, whether direct or indirect, individual or joint, to ensure that successive transactions leading to significant influence or control are duly notified.

(39a) Retaining and developing skills in the Union is crucial to reduce strategic dependencies and to ensure the long-term supply security of the Union. ~~The provisions of~~ This Regulation should ensure that significant third-country investments in sectors where those countries hold more than 40% of global manufacturing capacity of the sector are used to increase the Union's technological advancement and to reduce its strategic dependencies in those sectors. Those objectives require that the expertise and know-how supporting those sectors be developed within the Union, including through the employment and training of Union workers. Workers who are nationals of such a third country and whose Union-worker status was obtained in direct connection with, or with the purpose of, the employment related to the implementation of the foreign direct investment cannot, merely by holding a valid residence or work permit, be regarded as contributing to the objectives of this Regulation in the same way as workers who are already part of the Union labour market. Therefore, and to avoid depriving that investment condition of its intended effect, nationals of the third country from which the investment originates should not make up more than 50% of the workforce employed in the context of the foreign direct investment, unless they already form part of the Union labour market.

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To promote sustainable integration of investments by foreign entities to the internal market and the development of skills in emerging strategic sectors, and to ensure meaningful social contribution at the place of the investment, such investments should require at least 50% of employees to be Union workers as defined by this Regulation and should provide appropriate training and capacity-building measures, involving education and training providers, as well as social partners. The foreign investor should ensure that the thresholds established in this Regulation are fulfilled across all categories of workforce, including the operational, technical, supervisory, and managerial positions. The share of Union workers should exclude third country nationals from the country of the investor who obtained the status of Union worker only due to the foreign investment at issue.

(39b) Investors should select and meet three additional conditions from a set of harmonised criteria.

(40) In order to ensure Union participation in large foreign direct investments originating from third countries having a significant global position, one of those criteria should be to limit the extent of ownership and control that foreign investors can acquire in Union undertakings and assets. Accordingly, foreign investors selecting this condition should not, whether directly or indirectly, establish, acquire, hold, or exercise ownership interests exceeding 49% of the share capital, voting rights, or equivalent ownership interests in any Union target. Furthermore, they should not establish or obtain equivalent ownership, leasehold, or other rights conferring control over a Union asset.

(41) To ensure that foreign investors and Union entities cooperate in targeted sectors while ensuring sufficient participation of Union partners, the use of joint venture requirements should be incentivised and should include contractual arrangements. Where the joint venture condition is selected, the foreign investor should not hold more than 49 % of the share capital, voting rights, or equivalent ownership interests or other rights conferring control in any of the Union entities participating in the joint venture. That condition should also contribute to the strategic autonomy of the Union and ensure value added to the internal market.

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(42) Where relevant, foreign investors should be encouraged to license to the Union target, the joint venture or the legal entity acquiring or owning the Union asset the relevant intellectual property rights and know-how, which are necessary for carrying out the concerned economic activity in the context of the foreign direct investment. Where the intellectual property condition is selected, appropriate intellectual property licensing agreement(s) should be granted by the foreign investor to the Union target, the joint venture or the legal entity acquiring or owning the Union asset. The scope and conditions of ~~these~~**such** agreements, such as the exact ~~IP~~**intellectual property** rights concerned, the exclusive nature of the license, the duration of the license or confidentiality-preserving measures, should be appropriate to the circumstances and to the objective pursued under this Regulation and the relevant investment. They should commit to granting the appropriate licenses of intellectual property rights and relevant know-how they hold, as required for the economic activity concerned. That could be achieved by providing a description of the main aspects of the possible licensing agreements, on a confidential basis, with the investment authority.

(43) Where foreign investors chose, as one of the conditions, to enter into intellectual property agreements, the Union target or the legal entity acquiring or owning the Union asset owns intellectual property rights in an invention, a work or any other asset subject to intellectual property protection prior to the foreign investment, those intellectual property rights should fully and exclusively remain under the control of the Union target or the legal entity acquiring or owning the Union asset. Where an invention, a work or any other asset subject to intellectual property protection is the result of a collaborative work between the Union target or the legal entity acquiring or owning the Union asset and the foreign investor or as a result of the joint venture, the intellectual property rights should be owned jointly by the foreign investor, the Union target or the legal entity acquiring or owning the Union asset, depending on the circumstances. The conditions accompanying the co-ownership of intellectual property rights should, to the extent possible, be defined and communicated to the investment authority, ahead of the approval of the foreign direct investment.

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(44) It is necessary to ensure that the foreign investors' expertise of the large foreign direct investment under the scope of this Regulation should contribute to enhancing the Union's technological development both within and outside the Union target, the joint venture or the legal entity acquiring or owning the Union asset. To that end, foreign investors should be able to select to invest in research and development projects executed within the Union, ensuring that the Union will benefit from the results produced. It is therefore necessary to assess, as part of the conditions to be considered for having a foreign direct investment approved, whether the foreign investors' research and development investments are adequate to achieve that objective. Such investments could be directed to the benefit of research institutions established in the Union, including in the context of joint projects with the Union target, the joint venture or the legal entity acquiring or owning the Union asset. Those investments could also be made within the Union target, the joint venture or the legal entity acquiring or owning the Union asset, for developing or executing specific research and development activities. These investments could also consist of direct or indirect financial support to research and development projects within the Union target, the joint venture or the legal entity acquiring or owning the Union asset. Any assessment performed in relation to investments in research and development projects to be executed within the Union should be without prejudice to Union competition law ~~instruments~~, including Regulations (EU) 2022/2560 and (EC) No 139/2004.

(46) To strengthen the industrial capacity **and resilience** of targeted sectors**, to reduce dependencies** and to integrate foreign direct investment into the Union's industrial ecosystem, foreign investors should be able to choose as one of conditions to endeavour to source a certain share of inputs from the Union for products placed on the Union market by such investments.

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(47) In order to ensure that foreign direct investments fulfil the mandatory condition and three of the remaining five conditions established by this Regulation, the competent investment authority should examine each notification and issue a reasoned decision on its approval or rejection. investment authorities should establish the fulfilment of the conditions, or as appropriate, the intent of the foreign investor to comply with the conditions. Such investments should not be implemented without the explicit approval of the investment authority. **However, enabling a limited form of flexibility may be required to avoid blocking high-value projects that support the resilience of the Union's manufacturing sector. Investment authorities should therefore be able to request an exemption from the Commission to approve an investment fulfilling only three conditions, provided that there is sufficient evidence demonstrating that non-approval would adversely affect Union manufacturing resilience, economic security or the functioning of the internal market.**

(48) Member States should inform the Commission about notifications received to allow the Commission to effectively monitor the investment landscape and the application of the harmonised investment framework across the internal market.

(49) In order to ensure the horizontal application of this Regulation in the internal market, the Commission should be able to provide an opinion on whether the investment fulfils the conditions set out in this Regulation. **It should be possible to share** such opinion ~~may be shared~~ with investment authorities of other Member States with the intention to ensure investment authorities across the single market are aware of the market situation in other Member States and the potential risks of circumvention by third country investors. When taking a decision, Member States should indicate to the Commission how that opinion was taken into account.

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(50) Investment authorities ~~may~~**should be able to** request the Commission to undertake an assessment of whether an investment falls within the scope of this Regulation. If deemed admissible, the Commission ~~may~~**should** also be requested to undertake the approval process. The Commission ~~may~~**should be able to** choose to decline such requests. In such cases, the responsibility ~~remains~~**rests** with the investment authority to undertake the admissibility assessment, and where necessary, the approval process.

(51) The investment authorities should not only ensure compliance with the conditions at the time of the foreign direct investment's notification, but also throughout its operation, as appropriate, to ensure that the benefits of the foreign direct investment are maximised on the internal market.

(51a) In order to ensure the effective and harmonised implementation of this Regulation, the Commission should adopt an implementing act following the entry into force of the Regulation that should set out the rules for investment authorities to verify the compliance of foreign investors with the conditions applicable at the point of notification and to ensure ongoing compliance thereafter. The foreign investor should report on its ongoing compliance with the conditions 12 months following the notification of the investment and every two years thereafter. ~~These~~**Those** reports should be reviewed by the relevant investment authority. After seven years of demonstrated continued compliance, investment authorities ~~may~~**should be able to** choose to waive the application of the conditions.

(52) To ensure that the application of foreign direct investment criteria for the targeted sectors is based on the most up-to-date and relevant market information, the Commission should monitor the global manufacturing trends of the targeted sectors.

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(59) In order to establish a framework to ensure the Union's strategic autonomy and economic security through access to a secure, sustainable and resilient supply of relevant manufacturing products, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of changes to the list of third countries that provide product of partner origin, the introduction or amendment of Union or partner origin and low-carbon requirements, including for additional net-zero technologies and for products and services listed in Annexes II, IIa and III **to this Regulation**, as well as including Union and partner origin and low-carbon and sustainable carbon sources requirements for substances and mixtures, taking into account, among others, recommendations from the Critical Chemicals Alliance. For the chemical industry, it is appropriate to refer to sustainable carbon sources requirements, because the industry will continue to require carbon as an essential feedstock, therefore 'sustainable carbon' refers to shifting from fossil fuels to non-virgin fossil sources, meaning waste, biomass, recycling, and carbon capture and utilisation. For this sector, climate neutrality is therefore not only about reducing carbon dioxide emissions, but also about reducing carbon embedded in the products as a feedstock, not as an energy input. Substances and mixtures produced from low-carbon technologies and sustainable carbon sources currently carry a significant cost disadvantage compared with their fossil-based alternatives, owing to higher processing and capital costs. In the absence of a stable and predictable demand for such chemicals, this cost gap discourages the investments needed to scale up their production in the Union. It is therefore necessary to stimulate lead markets for such chemicals. To that end, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of supplementing this Regulation by laying down origin, low-carbon and sustainable carbon sources requirements. Those requirements should apply in respect of, inter alia, public procurement and other forms of public intervention. When preparing those delegated acts, the Commission should take into account technological readiness and the impact on costs and competitiveness across value chains, including downstream users.

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Moreover, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect to the extension of foreign direct investment criteria to additional targeted sectors, the specification of common procedural rules for foreign direct investment criteria, and establishing classification systems based on the greenhouse gas intensity for products. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making[25]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

(60) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission specifying the method for calculating the proportion of volume of products and components originating in the Union and for verifying the compliance with the conditions laid down in Article 15. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[26].

(61) The Commission should evaluate this Regulation based on the information provided by Member States. Pursuant to paragraph 22 of the Interinstitutional Agreement on Better Law-Making of 13 April 2016, such evaluation should be based on the five criteria of efficiency, effectiveness, relevance, coherence and Union value added. The evaluation of this Regulation should consider progress made in achieving its objectives and, in particular, its contribution to the functioning of the internal market, as well as the resilience, economic security and decarbonisation of industrial production, and related costs and impacts.

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25 OJ L 123, 12.5.2016, p. 1, http://data.europa.eu/eli/agree_interinstit/2016/512/oj.

26 Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).

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It should also assess how effectively the measures streamlining permit-granting procedures have accelerated the permit-granting procedures and reduced administrative burden for project promoters. The evaluation should serve as the basis for impact assessments of possible further measures.

(62) To ensure compliance with the obligations laid down in this Regulation, Member States should provide for penalties to be imposed on undertakings that do not comply with their obligations. Such penalties should be without prejudice and in addition to specific penalty requirements set out by this Regulation, for instance on foreign direct investments. It is therefore necessary that Member States lay down effective, proportionate and dissuasive penalties in national law for failure to comply with this Regulation. It is also necessary for Member States to ensure that project promoters have access, where relevant, to administrative or judicial review in accordance with national law.

(63) When reviewing this Regulation, the Commission should assess the need to amend the provisions of this Regulation, and in particular Chapters III and IV. The Commission should consider introducing targeted Union origin requirements in sectors critical to the Union's economic security, including consideration of the building of ships and of rail rolling stock and assess whether the measures applied to foreign direct investment have been effective.

(64) Regulation (EU) 2018/1724 of the European Parliament and of the Council[27]~~, which established the Single Digital Gateway,~~ provides general rules for the online provision of information, procedures and assistance services that are relevant to the functioning of the internal market. In order to allow businesses and manufacturing industry project promoters, including for cross-border projects, to directly enjoy the benefits of the internal market without incurring an unnecessary additional administrative burden, the information that needs to be submitted to any relevant authorities as part of the permit-granting process under this Regulation is that set out in Annex I to Regulation (EU) 2018/1724.

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[27] Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/1724/oj).

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The related procedures are included in Annex II to that Regulation to ensure that project promoters can benefit from fully online procedures and the Once-Only Technical System Services. In particular, promoters of manufacturing industry projects should be able to fully access and complete any procedure related to the permit-granting process online, in accordance with Article 6(1) of Regulation (EU) 2018/1724 and Annex II ~~of~~**to** that Regulation. Regulation (EU) 2018/1724 should therefore be amended accordingly.

(65) Regulation (EU) 2024/1735 introduces resilience requirements for a range of net-zero technology final products. Those requirements aim at reducing dependencies on individual third countries of supply, but they are not sufficient to enable Union industries to scale up the potential of the internal market and carry a risk of circumvention. Therefore, in order to address such challenges, the legislative framework should ensure the need to attract and retain technological know-how within the Union, through targeted additional intervention.

(66) The provisions on public procurement laid down in this Regulation should build on the provisions of Regulation (EU) 2024/1735 on resilience; and complement them by introducing additional requirements for battery energy storage systems, solar photovoltaic technologies, heat pumps, onshore and offshore wind technologies, electrolysers and nuclear fission energy technologies. Such additional requirements should ensure that a certain share of the products and their main specific components originate in the Union. That approach should ensure sufficient diversification while strengthening strategic manufacturing capacity and technological sovereignty within the Union. The system for verification of compliance with the requirements should limit the administrative burden and align with common public procurement practice as well as the existing system of verification of compliance under Regulation (EU) 2024/1735. It should therefore rely on a self-declaration by economic operators.

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(67) In addition to complementing the public procurement provisions of Regulation (EU) 2024/1735, this Regulation should also amend them to provide greater legal certainty. The scope of Article 25 of Regulation (EU) 2024/1735 should be limited to those net-zero technologies for which public procurement of a relevant scale is expected to take place, thereby enhancing the clarity of the provision.

(68) In line with the same policy objective pursued for renewable energy auctions under Regulation (EU) 2024/1735, this Regulation should extend the additional Union origin requirements to renewable energy auctions for certain renewable energy technologies, in order to contribute to strengthening the Union's industrial base and ensuring resilience of net-zero technology supply chains. To reflect the specific characteristics of renewable energy auctions, the additional requirements should apply to the net-zero technologies that are most relevant in the context of auctions, which are battery energy storage systems, solar photovoltaic technologies, electrolysers, as well as ~~on-~~**onshore** and offshore wind technologies. Where Union origin requirements apply to auctions, other provisions setting similar requirements for public procurement or public support schemes should not apply to those auctions.

(69) To reinforce the effectiveness of the framework **established under Regulation (EU) 2024/1735**, and to reflect recent increases in geopolitical risks and global market distortions, the share of auctions covered by the requirements should be increased and a higher cost threshold for the opt-out from those requirements should be established. That should also prevent excessive use of exemptions and provide an effective incentive to boost Union production of renewable energy technologies.

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(70) Businesses and households are an essential part of the demand for net-zero technologies in the Union. Public support schemes designed to support consumer demand for such products are important tools for strengthening the Union's economic security and accelerating the green transition. In order to build on the provisions of Regulation (EU) 2024/1735 on resilience, it is necessary to complement those provisions introducing additional requirements for battery energy storage systems, solar photovoltaic technologies and heat pumps. Such additional requirements should ensure that certain main specific components and, in some cases, the whole final product, originate in the Union. That approach is in line with the general objective of support schemes to promote socially-desirable outcomes, in view of making progress on the ambitions of the European Pillar of Social Rights as well as **the Union's climate and** environmental ~~and climate~~ objectives. Furthermore, it should ensure sufficient diversification while strengthening strategic manufacturing capacity and technological sovereignty within the Union. Public authorities in charge of support schemes should have the possibility either to condition the eligibility of the scheme to the fulfilment of the requirements, or to grant additional financial compensation when the requirements are fulfilled. In the latter case, the additional financial compensation should have an incentivising effect. However, if State aid is involved, the additional financial compensation should not exceed the applicable maximum aid intensity. The requirements should apply to new schemes as well as to schemes that are being updated after the entry into force of this Regulation. A scheme should be considered 'updated' when it undergoes any modification that would require new approval of the scheme by an authority or legislator. This includes significant changes to the allocated budget, scope, eligibility criteria or application process. It also covers renewals, extensions or any changes significant enough to require new approval of the scheme by an authority or legislator.

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(70a) Where this Regulation sets Union origin requirements for public procurement, auctions or public support schemes of net-zero technologies, such requirements could apply in combination with the resilience requirements under Regulation (EU) 2024/1735. Where ~~the~~**those** resilience requirements apply they require that a certain number of net-zero technology main specific components do not originate from the third country which is the dominant source of supply. Where Union origin requirements apply, they should require that a certain number of net-zero technology main specific components originate in the Union. The combined application of resilience and Union origin requirements could lead to a situation where some of the main specific components of a net-zero technology should originate from anywhere but from the third country which is the dominant source of supply, and a subset of these main specific components should originate in the Union. In such situation, the main specific components that originate in the Union automatically fulfil the resilience requirements as well. Where Union origin requirements cover more than a subset of resilience requirements, the Union origin requirements should prevail.

(71) Digital technologies continue to transform the way we generate, distribute, and consume energy. Such digital evolution, while presenting unprecedented opportunities, has also introduced complexity and interdependence within modern energy systems, which are now susceptible to a growing array of cyber threats. The integration of digital technologies into energy systems increases the attack surface for malicious actors, who can exploit vulnerabilities to disrupt operations, steal sensitive data, or manipulate energy markets. Such disruptions not only threaten the security and stability of our energy infrastructure and continuous supply of energy but also have cascading effects on all sectors of the economy that rely on stable energy inputs. Furthermore, energy system disruptions could undermine investor confidence and deter investment in essential modernisation and decarbonisation efforts. Therefore, safeguarding the cybersecurity of these systems is paramount to ensuring economic security, maintaining trust, and fostering resilience against future challenges.

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(72) To ensure a high level of cybersecurity, it is necessary to prevent high-risk suppliers, as identified in accordance with [the proposal for a revised Cybersecurity Act] from supplying critical components to bidders of renewable energy auctions, tenderers of public procurement procedures, and final products supported by government intervention ~~in~~**falling within** the scope of this Regulation.

(73) ~~Furthermore,~~ The cybersecurity provisions of Article 26 of Regulation (EU) 2024/1735 should not only apply to 30%, but to all renewable energy auctions ~~in light~~**given** that cybersecurity is essential to the stability and integrity of the Union's energy system as a whole. A gap even in just one element of an energy system's cybersecurity could endanger the stability of the whole system. In addition to the high level of cybersecurity ensured in critical sectors by Directive (EU) 2022/2555 and in products with digital elements under Regulation (EU) 2024/2847, extending the scope of the cybersecurity requirements of Regulation (EU) 2024/1735 to all renewable energy auctions should further reduce the vulnerabilities of the Union's energy system and contribute to securing energy and economic stability.

(74) The application of the requirements on Union origin and cybersecurity for net-zero technologies should complement the requirements on sustainability and resilience set out in Regulation (EU) 2024/1735. They should therefore be inserted in that Regulation to ensure consistency and simplify implementation by the relevant authorities. The Commission should also update the guidance on the implementation of the Access to Markets provisions of Regulation (EU) 2024/1735 with a view to clarify the application of Union origin requirements and their interplay with sustainability and resilience requirements, and to ensure a harmonised implementation of the requirements across Member States.

(75) In line with the measures for public procurement, auctions and public support schemes, this Regulation should also complement Regulation (EU) 2024/1735 with Union origin requirements for Member State support to the construction of nuclear power plants and to the manufacturing of hydrogen electrolysers. In order to prevent risks related to technological lock-in, the Union origin requirements for nuclear power plants should only apply to new-builds, excluding refurbishments and lifetime extensions of existing nuclear power plants.

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Moreover, to account for the long timelines of nuclear projects and avoid disrupting ongoing projects, the Union origin requirements for nuclear fission energy technologies should apply only to projects for which the application for Member State support takes place after the entry into application of the requirements. The application for Member State support should be understood as the first formal request for Member State support. This aims to ensure that the Union origin requirements will apply to nuclear fission energy technology projects that are still in early planning phase at the time of the adoption of this Regulation and that can still adapt to meet the requirements.

(78) Where Union origin or Union and partner origin requirements require that a certain number of components should originate in the Union without specifying which ones, the choice should be left to the economic operators. This ensures sufficient competition among suppliers of the required components and enables economic operators to make the most cost-efficient choices while applying the requirements.

(79) Regulation (EU) 2024/3110 empowers the Commission to adopt delegated acts to establish environmental sustainability labelling requirements for specific product categories and families of construction products, provided that a product is typically chosen by consumers and does not have a different overall environmental performance over its life cycle depending on its installation. Such strict conditions should be removed in order to enable the Commission to set requirements for the labelling of construction products on the basis of their carbon intensity, including for those products that are not typically sold to end consumers. Regulation (EU) 2024/3110 should therefore be amended accordingly.

(80) To the extent that any of the measures envisaged by this Regulation constitute State aid, the provisions **of this Regulation** concerning such measures are without prejudice to the application of Articles 107 and 108 TFEU.

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(81) Since the objective of this Regulation~~, namely to support resilient and decarbonised industrial production,~~ cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,

HAVE ADOPTED THIS REGULATION:

CHAPTER I
GENERAL PROVISIONS

Article 1

Subject matter and scope

1. This Regulation aims to improve the functioning of the internal market and ensure a level playing field by establishing a harmonised framework to support the development, competitiveness and resilience of the Union's manufacturing sector, with a focus on ~~selected~~**certain** strategic sectors, while contributing to the Union's climate objective, economic security, the attractiveness of investment conditions in the Union and the creation, retention of, and transition into high-quality jobs, while avoiding unnecessary administrative burden.

2. To achieve the general objective referred to in paragraph 1, this Regulation lays down measures aiming to**:**

(a) speed-up permit-granting procedures for industrial manufacturing projects, including energy-intensive industry decarbonisation projects;

(b) create lead markets for certain products in strategic sectors, by laying down Union origin requirements, low-carbon requirements, or both, in the context of public procurement, auctions and public support schemes;

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(c) establish a Union framework setting conditions for the development of foreign direct investments in targeted sectors;

(d) set common conditions for the **voluntary** development of industrial manufacturing acceleration areas by Member States with the goal of clustering, strengthening and stimulating industrial activity and cooperation.

This Regulation contributes to the shared objective of the Union and Member States of increasing the manufacturing sector's share of the Union's GDP by 2035.

Article 2

Article 3

Definitions

For the purposes of this Regulation, the following definitions apply:

(1) 'industrial manufacturing project' means the construction, conversion or extension of an industrial site intended for carrying out an economic activity classified under NACE Code C (Manufacturing), with the exception of NACE Code C12;

(2) 'energy- intensive industries' means the industries listed in point 1 of Annex I, including recycling, resource circularity and resource efficiency activities within those sectors;

(3) 'energy-intensive industry decarbonisation projects' means projects involving the construction or conversion of the commercial facility of an energy-intensive business as defined in Article 17(1), point (a), of Council Directive 2003/96/EC[28] in the energy-intensive industries listed in point 1 of Annex I to this Regulation that reduce emission rates of CO2 -eq of industrial processes significantly and permanently to an extent which is technically feasible;

[28] Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity (OJ L 283, 31.10.2003, pp. 51–70, ELI: http://data.europa.eu/eli/dir/2003/96/oj).

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(4) 'permit-granting procedure' means a process at the appropriate administrative level within each Member State that covers all relevant permits to build, expand, convert and operate industrial manufacturing projects, including building, and chemical permits and environmental assessments and authorisations, where required, and encompassing all applications and procedures from the ~~acknowledgement that the application is complete~~ **submission of information** to the notification of the outcome of the procedure;

(4a) 'project promoter' means any undertaking or consortium of undertakings developing an industrial manufacturing project;

(4b) 'infrastructure' means tangible fixed assets, including networks, structures, installations and facilities together with their integral physical equipment, whether publicly or privately owned, that are used mainly for civil purposes and enable the provision of services to the public or to third-party users, excluding assets used mainly for the production, transmission, storage or distribution of energy, digital and electronic communications networks and data centres;

(6) 'contract' means public contract as defined in Article 2(1), point (5), of Directive 2014/24/EU[29], supply, works and service contracts as defined in Article 2, point (1), of Directive 2014/25/EU[30], and concessions as defined in Article 5, point (1), of Directive 2014/23/EU;

(7) 'contracting authority' means a contracting authority as defined in Article 6 of Directive 2014/23/EU, Article 2(1), point (1), of Directive 2014/24/EU and Article 3 of Directive 2014/25/EU;

(8) 'contracting entity' means a contracting entity as defined in Article 7 of Directive 2014/23/EU and Article 4 of Directive 2014/25/EU;

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[29] Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, pp. 65–242, ELI: http://data.europa.eu/eli/dir/2014/24/oj).

[30] Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, pp. 243–374, ELI: http://data.europa.eu/eli/dir/2014/25/oj).

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(9) ‘economic operator’ means ~~the~~**a** manufacturer, ~~the~~**an** authorised representative, ~~the~~**an** importer, ~~the~~**a** distributor, ~~the~~**a** dealer and ~~the~~**a** fulfilment service provider and, for the purposes of public procurement procedures, it means economic operator as set out in Article 5, point (2), of Directive 2014/23/EU, Article 2(1), point (10), of Directive 2014/24/EU and Article 2, point (6), of Directive 2014/25/EU;

(10) ‘public procurement procedure’ means either of the following:

(a) a procedure for the award of works or a service concession covered by Directive 2014/23/EU;

(b) any type of award procedure covered by Directive 2014/24/EU for the award of a public contract or Directive 2014/25/EU for the award of a supply, works and service contract with the exception of procedures concerning lots according to Article 5(10) of Directive 2014/24/EU and Article 16(10) of Directive 2014/25/EU;

(10a) 'motor vehicle version' means a ‘version’ within a variant that groups vehicles that have features in common as defined in Annex I, Part B of Regulation (EC) 2018/858.

(11) ‘greenhouse gas intensity’ means emissions (measured in tCO2eq) released during the production of industrial products referred to in Article 15b;

(12) ‘manufacturer’ means any natural or legal person that manufactures a product, a substance or a mixture, or that has a product designed or manufactured, and markets that product under their name or trademark;

(13) ‘system boundary’ means ~~the~~**a** group of chemical or physical processes included in the calculation of the greenhouse gas intensity of products;

(14) ‘precursor’ means any input material into a production process that is part of the system boundaries.

(15) ‘chemical industry’ means activities classified under NACE Rev. 2, Code C20 (Manufacture of chemicals and chemical products), carried out by manufacturers established in the Union;

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(16) ‘sustainable carbon sources’ means biomass that complies with the sustainability criteria laid down in Article 29 of Directive (EU) 2018/2001, waste and carbon from capturing carbon dioxide emissions.

(17) ‘substance’ means **a** substance as defined in Article 2, point (7), of Regulation (EC) No 1272/2008;

(18) ‘mixture’ means a mixture as defined in Article 2, point (8), of Regulation (EC) No 1272/2008;

(19) ‘made available on the market’ means any supply of a product for distribution, consumption or use on the Union market during a commercial activity, whether against payment or free of charge;

(20) ‘fuel cell vehicle’ or ‘FCV’ means a vehicle equipped with a powertrain containing exclusively energy converters transforming chemical energy (input) into electrical energy (output), or vice versa, and electric machines as propulsion energy converters;

(21) ‘motor vehicle’ means any vehicle of categories M and N referred to in Article 4(1), points (a) and (b), of Regulation (EU) 2018/858 of the European Parliament and of the Council[31];

(21a) ‘completed vehicle’ means a vehicle resulting from the multi- stage type-approval that meets the relevant technical requirements of Regulation (EU) 2018/858;

(21b) ‘new motor vehicle’ means a vehicle that (a) has never been registered previously; or (b) has been registered for less than six months at the time of the application for individual vehicle approval. A vehicle shall be considered registered where it has obtained a permanent, temporary or short-term administrative authorisation for entry into service in road traffic, involving its identification and the issuing of a registration number;

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31 Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/858/oj).

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(22) 'off-vehicle charging hybrid electric vehicle' or 'OVC-HEV' means a vehicle equipped with a powertrain containing at least two different categories of propulsion energy converters where one of the propulsion energy converters is an electric machine that can be charged from an external source';

(23) ‘pure electric vehicle’ or ‘PEV’ means a vehicle equipped with a powertrain containing exclusively electric machines as propulsion energy converters and exclusively rechargeable electric energy storage systems as propulsion energy storage systems;

(24) ‘main specific components’ means the main specific component as listed in the Annex to Commission Implementing Regulation 2025/1178[32];

(25) ‘vehicle’s traction battery’ means the electric vehicle battery specifically designed to provide electric power for traction as defined in Article 3(14) of Regulation (EU) 2023/1542.

(26) ‘e-powertrain components’ means power electronics, transport propulsion electric motors and e-axles and their components, rotors, stators and permanent magnets;

(27) ‘main electronic systems’ means advanced driver assistance systems (including lidars, radars, sensors, cameras, ECUs and integration platforms), central computing units **and other ECUs**, wireless access systems, in-vehicle infotainment head units and chassis electronics;

(28) ‘vehicle component’ means any part of a vehicle, including processed material;

(29) ‘assembled’ means the process of carrying out body parts stamping, body-in-white assembly, body protection and painting, and final assembly of the vehicle;

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[32] Commission Implementing Regulation (EU) 2025/1178 of 23 May 2025 on laying down rules for the application of Regulation (EU) 2024/1735 of the European Parliament and of the Council as regards the list of net-zero technology final products and their main specific components for the purposes of assessing the contribution to resilience (OJ L, 2025/1178, 18.6.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/1178/oj).

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(30) ‘vehicle manufacturer’ means a natural or legal person who is responsible for all aspects of the type-approval of a vehicle, system, component or separate technical unit, or the individual vehicle approval, or the authorisation process for parts and equipment, for ensuring conformity of production and for market surveillance matters regarding that vehicle, system, component, separate technical unit, part and equipment produced, irrespective of whether or not that person is directly involved in all stages of the design and construction of that vehicle, system, component or separate technical unit concerned;

(30a) 'critical raw materials' means critical raw materials as defined in Annex II, Section 1 of Regulation (EU) 2024/1252[33];

(30b) 'beneficial owner’ means: (a) one or more natural persons: (i) who, directly or indirectly, own or control a foreign investor or Union target; (ii) who ultimately benefit from the foreign direct investment; or (iii) on whose behalf the foreign direct investment is made or on whose behalf the control over that foreign direct investment is exercised; or (b) where no natural persons are identified, a legal person, entity or trust which: (i) directly or indirectly owns or controls a foreign investor or Union target; or (ii) ultimately benefits from the foreign direct investment;

(31) ‘foreign direct investment’ means an investment, including greenfield investments, into a Union target or a Union asset by a foreign investor or by the foreign investor’s subsidiary aiming to establish or to maintain lasting and direct links between the foreign investor and the entrepreneur to whom or the undertaking to which the capital is made available, or at using an Union asset, in order to carry on an economic activity in a Member State, including investments which enable effective participation in the management or control of a company carrying out an economic activity;

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[33] Regulation (EU) 2024/1252 of the European Parliament and of the Council establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020 (OJ L 1252 3.5.2024, p. 1)

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(32) ‘foreign investor’ means a natural person who does not hold the nationality of a Member State or an undertaking or entity established or otherwise organised under the laws of a third country, intending to make or having made a foreign direct investment;

(33) ‘foreign investor’s subsidiary’ means an undertaking controlled, directly or indirectly, by a foreign investor regardless of its place of establishment;

(34) ‘Union target’ means an undertaking established or intended to be established under the laws of a Member State;

(35) ‘Union asset’ means an immovable asset used or intended to be used for manufacturing products in the territory of the Union;

(36) ‘Union worker’ means any natural person who has an employment contract or employment relationship as defined by law, a collective agreement or practice in force in a Member State and is either a citizen of the Union or a third country national legally residing in a Member State with a valid work permit at the moment of recruitment;

(37) ‘portfolio investment’ means the acquisition of company securities that are intended purely for financial investment and without any intention to influence the management or control of the company;

(38) ‘turnover’ means the amount derived by an undertaking within the meaning of Article 5(1) of Council Regulation (EC) No 139/2004[34];

(39) ‘active material’ means a material which reacts chemically to produce electric energy when the battery cell discharges or to store electric energy when the battery is being charged;

[34] Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (OJ L 24, 29.1.2004, p. 1).

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(40) ‘electric vehicle battery’ means an electric vehicle battery as defined in Article 3(1), point (14), of Regulation (EU) 2023/1542 of the European Parliament and of the Council[35];

(40a) 'ex-works price' means the price laid down in Annex 22-01 of the Delegated Regulation 2015/2446 as regards detailed rules concerning certain provisions of the Union Customs Code~~;~~**.**

CHAPTER II
ENABLING CONDITIONS FOR INDUSTRIAL PRODUCTION AND DECARBONISATION

Article 3a

Article 4

Permitting procedure for industrial manufacturing projects

1. Member States shall set up, or make available through existing structures, including those established by Member States or Union law, a digital single access point that enables the submission of information required to apply for all permits relevant to ~~a specific~~**an** industrial manufacturing project. Member States may establish more than one digital single access point at the appropriate administrative level only where required by their constitutional arrangements. **Project promoters shall submit** information pertaining to an individual project ~~shall be submitted~~ to only one digital single access point, even where a Member State has established more than one.

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[35] Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC (OJ L 191, 28.7.2023, p. 1, ELI: http://data.europa.eu/eli/reg/2023/1542/oj).[

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2. A digital single access point shall enable:

(-a) the single submission of the information required to apply for all permits relevant to ~~a specific~~**an** industrial manufacturing project;

(-b) **the information required to apply for each** permit ~~applications~~ to be routed to the relevant competent authority for assessment and decision making;

(-c) the ~~applicant~~**project promoter** to be informed about the status of the permit-granting procedure and the decisions of the relevant competent authorities;

(-d) the ~~applicant~~**project promoter** to check compliance with applicable deadlines;

(a) interoperability and automated data exchange between competent authorities;

(b) re-use of data and documents already held by public authorities;

(c) a high level of cybersecurity, and integrity of information; and

(d) transparency and accountability of the permit-granting procedure.

It shall be possible to make subsequent submissions where permit requirements arise sequentially or where previous submissions require updating. All submissions shall benefit from the once only principle.

2a. ~~No later than 45 days from the receipt of an application~~**Having received the submission of information required to apply** for a permit ~~for an industrial manufacturing project,~~**via the single digital access point** the relevant competent authority shall**, without undue delay,** either acknowledge that the application is complete or request any missing information needed to process the application, via the digital single access point.

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~~Where, after the submission of any missing information, the application is still deemed, by the relevant competent authority, to be incomplete, the competent authority may within 30 days of the submission of the requested missing information, make a second request for any outstanding information via the digital single access point. The competent authority shall request information only in areas covered by the first request and only as necessary to cover the missing information. In duly justified circumstances, the relevant competent authority can request additional information not previously requested where not doing so would result in the rejection of the application.~~

3. When providing a digital single access point, Member States shall enable the use of the European Business Wallet in accordance with [Proposal for a Regulation on the establishment of European Business Wallets], and, where appropriate, make use of existing Union digital infrastructure, catalogues and building blocks established by Union law.

3a. The conversion or extension of an industrial manufacturing site that results in a structural reduction of nitrogen emissions, compared to the existing project, shall not require an assessment of nitrogen emissions in an assessment that may be carried out to comply with Article 6(3) of the Council Directive 92/43/EEC.

4. ~~The provisions of~~ This Article shall not apply where rules to streamline the administrative and permit-granting processes are established in other Union legislative acts for specific industrial manufacturing sectors.

5. Where relevant national time limits are shorter than those set out in this Article, the relevant national time limits shall apply.

~~*Article 5*~~

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Article 6

Permit-granting procedure for energy-intensive industry decarbonisation projects

1. Member States shall apply the streamlined administrative and permit-granting processes set out in Chapter II, Section II, of Regulation (EU) 2024/1735 to energy-intensive industry decarbonisation projects as defined in Article 3, point (3) of this Regulation.

2. The status of strategic projects contributing to resilience and decarbonisation or resource efficiency for the purpose of [Article 14(1)] of [Proposal for a Regulation on speeding-up environmental assessment] shall apply to all energy-intensive industry decarbonisation projects as defined in Article 3, point (3) of this Regulation. [Points 1, 2 and 3 of ~~the Annex~~**Article 13**] ~~to~~**in** that Regulation shall apply.

Article 6a

Industrial manufacturing acceleration areas

1. Member States may designate industrial manufacturing acceleration areas on their territory to cluster industrial manufacturing projects. Those areas shall ~~include~~**focus on including**, but are not limited to, projects from at least one of the priority sectors listed in Annex I. Member States may cooperate to designate cross-border industrial manufacturing acceleration areas.

2. Member States may designate industrial manufacturing acceleration areas with due consideration of the following elements:

   (a) the impact of the industrial manufacturing acceleration area's production on the security of the Union's supply for the strategic sectors listed in Annex I;

   (b) the potential of the industrial manufacturing acceleration area to support the deployment of production capacity in the strategic sectors listed in Annex I, to strengthen Union value chains and the Union’s innovation potential to accelerate sustainable manufacturing industrial activities, including decarbonisation and circular business practices, and to foster the functioning of the internal market, in ~~alignment~~**line** with strategic projects and other initiatives, including as net zero acceleration valleys, carried out pursuant to other Union ~~legislation~~**legislative acts**;

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(c) the number of ~~SMEs and SMCs~~**small and medium-sized enterprises (SMEs) and small mid-caps (SMCs)** that would benefit from the ~~provisions of this Chapter within the~~**provision of** industrial acceleration ~~area~~**areas**;

(d) the potential of the industrial manufacturing accelerating areas for the green transition and long-term benefits to the Union's industrial base, including the potential to strengthen Union value chains, the Union's innovation potential, decarbonisation and circular business practices.

3. When designating industrial manufacturing acceleration areas, Member States shall:

(a) define a clear geographic scope for the acceleration area taking account of the Member ~~States~~**State's region** ~~regions~~**'s** levels of development, including least developed areas, regions in transition, and those undergoing industrial transformation;

(b) consider the infrastructural and supply chain needs of the acceleration area, with particular attention to the feasibility of connecting the industrial manufacturing acceleration area with sufficient low carbon energy supply for the industrial manufacturing activities foreseen;

(c) prioritise locations outside Natura 2000 sites and outside areas designated under national protection schemes for nature and biodiversity conservation, as well as other areas identified on the basis of sensitivity maps and outside protected areas as referred to in Article 6 of Directive 2000/60/EC, **as well as nationally protected areas of cultural or historical heritage values, including World Heritage Sites,** and take into account climate risks in the areas designated;

(d) prioritise artificial and built surfaces, industrial sites and brownfield sites, as well as already identified strategic projects pursuant to other Union ~~legislation.~~**legislative acts;**

(e) any other relevant criteria related to specific characteristics of each Member State's industrial base and territory.

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5. Before their adoption, the designation of the industrial manufacturing acceleration areas shall be subject to environmental assessment in accordance with the applicable Union ~~legislation~~**legislative acts**. **Where the area, or part of it, is already covered by a plan or programme which has been subject to an environmental assessment under Directive 2001/42/EC that remains valid and up to date, Member States may rely on that assessment and limit the assessment to the aspects not already covered.**

5a. ~~Net-Zero~~**Net-zero** acceleration valleys may be designated as industrial manufacturing acceleration areas without the need to repeat any of the assessments referred to in paragraph 5 that were carried out for their designation as a ~~Net-Zero~~**net-zero** acceleration valley, provided that those assessments remain valid and up to date. Where the scope of the industrial manufacturing acceleration area extends beyond the geographical or technology scope covered by those assessments, the assessments referred to in paragraph 5 shall be carried out only in respect of the aspects or areas not already covered.

6. ~~Member States shall inform the Commission of the designation of an industrial manufacturing acceleration area within 30 days from the adoption of the relevant decision.~~

Article 6b

Enabling conditions for Industrial Manufacturing Acceleration Areas

Where appropriate for the long-term development and effective operation of industrial activities within the national and cross-border industrial manufacturing acceleration areas, Member States shall take the following measures:

(a) facilitate access to financing of projects and infrastructure in the acceleration areas by ensuring coordination between authorities and streamlining internal procedures, prioritising the use of Union programmes and in accordance with existing State aid rules where applicable, taking into account the participation of SMEs and SMCs;

(b) promote research and innovation investments, including investments in technology testing and demonstration facilities, to accelerate the innovative potential and the Union's competitiveness and technology leadership in the acceleration areas;

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(c) conduct a comprehensive analysis of the immediate and long-term energy needs of each acceleration area and the required energy infrastructure capacity**, including carbon transport and storage,** for the proper functioning and development of industrial manufacturing projects in the acceleration area, in line with the Union's decarbonisation pathway, and review the analysis, when appropriate.

(d) ensure that the network development plans prepared by transmission system operators pursuant to Article 51 of Directive (EU) 2019/944 of the European Parliament and of the Council[36] and distribution system operators pursuant to Article 32 of Directive (EU) 2019/944 take due account of the analysis prepared pursuant to point (c) of this paragraph, considering the potential of anticipatory investments to accommodate future system needs in accordance with existing Union electricity market legislation and national regulatory approval frameworks;

(g) support the development and availability of a highly skilled workforce and provide appropriate training and apprenticeship opportunities, thereby contributing to high-quality employment within those acceleration areas~~;~~**.**

Article 6c

Permit-granting procedures in industrial manufacturing acceleration areas

2. Member States shall carry out all necessary assessments, planning procedures and evaluations applicable to the location of each industrial manufacturing acceleration area, excluding those that are installation specific.

3. Once all necessary assessments, planning procedures and evaluations applicable to the location of the industrial manufacturing acceleration area have been approved, industrial manufacturing projects located within an industrial manufacturing acceleration area shall only be required to obtain relevant installation specific permits or authorisations.

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[36] Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125, ELI: http://data.europa.eu/eli/dir/2019/944/oj).

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4. The information used in the assessments, **planning** procedures and evaluations referred to in paragraph 2 shall be available for use in subsequent installation specific permits or authorisations.

5. All industrial manufacturing projects located within an industrial manufacturing acceleration area shall be considered strategic projects contributing to resilience and decarbonisation or resource efficiency for the purposes of [Article 14 of Proposal for a Regulation on speeding-up environmental assessment].- [Points 1, 2 and 3 of ~~the Annex~~] ~~to~~**Article 13 of** that Regulation shall apply.

6. **Member States shall inform the Commission of the designation of an industrial manufacturing acceleration area within 30 days of completion of the process set out in paragraph 2 of this Article.**

CHAPTER III
STRENGTHENING THE UNION'S STRATEGIC INDUSTRIAL VALUE CHAINS

Article 6d

Scope

~~1.~~ This chapter shall apply to, as relevant;

(a) steel, cast iron and any product the performance of which depends mainly on steel **or cast iron**, intended for use in buildings, infrastructure and new motor vehicles for civil purposes;

(b) cement, concrete and mortar, and any product the performance of which depends mainly on **cement,** concrete and mortar, intended for use in buildings and infrastructure for civil purposes;

(c) aluminium, and any product the performance of which depends mainly on aluminium, intended for use in buildings, infrastructure and new motor vehicles for civil purposes;

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(d) ~~pure electric vehicles (PEV), off-vehicle charging hybrid electric vehicles (OVC-HEV), fuel cell vehicles (FCV), small electric vehicles, corporate zero- and low-emission vehicles as referred to in [Proposal for a Regulation of 16 December 2025 on clean corporate vehicles] and small zero-emission vehicles as referred to in [Proposal for a Regulation (EU) 2019/631 [as amended by the Proposal for a Regulation of 16 December 2025 amending Regulation (EU) 2019/631 as regards CO2 emission standards for new light duty vehicles and vehicle labelling]].~~

The Commission is empowered to adopt delegated acts in accordance with Article 30 in order to amend Annex IIa by listing the products referred to in Article 6d(1)(a) – (c) that are in scope of the delegated acts adopted pursuant to Article 5(5) or Article 22(9) of Regulation (EU) 2024/3110 and pursuant to Article 4 of Regulation (EU) 2024/1781, as applicable.

Article 7

Union origin

1. For the purposes of this Chapter, products of Union origin refers to products and components originating in the Union.

2. The origin of products and components shall be determined in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council. Where a legislative act is adopted designating the country of 'melt and pour' as the basis for benefitting from tariff quotas provided for in Regulation (EU) 2026/1384, and as of the date ~~of application of~~**on which** that rule **becomes applicable, as specified in that legislative act**, the origin of steel products shall, for the purposes of this Chapter, be determined on the basis of the country of 'melt and pour' as defined in Article 4(1) of Regulation (EU) 2026/1384.

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Article 7a

Partner origin

1. Products of partner origin refers to products and components originating in ~~the~~**a** third ~~countries~~**country** included in the ~~list~~**lists of third countries** referred to in ~~paragraph 4~~**Article 7b**.

   The origin of those products and components shall be determined in accordance with Article 7(2).

2. For the purposes of public procurement procedures falling under the scope of this Regulation, countries that are eligible to be considered to provide products of partner origin in relation to a particular product, shall be any third country**:**

   (a) that is party to the ~~WTO~~ GPA, provided that the procurement ~~of the product~~ in question ~~constitutes covered procurement~~**falls** within the ~~meaning of~~**scope of the Union's commitments under** the GPA, or

   (b) with which the Union has concluded an agreement establishing a free trade area or a customs union, provided that the procurement of the product in question falls within the scope of the Union's public procurement commitments in that agreement.

3. For the purposes of other forms of public intervention falling under the scope of this Regulation, countries that are eligible to be considered to provide products of partner origin in relation to a particular product, shall be any third country with which the Union has concluded an agreement establishing a free trade area or a customs union, and subject to the Union having relevant commitments under that agreement.

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Article 7b

Assessment of partner origin

4**1**. The Commission shall adopt implementing acts in accordance with Article 31(3) to establish and ~~maintain~~**update** lists of third countries that provide products of partner origin~~,~~ by product **and by type of intervention**. The first implementing act to establish ~~the~~**these** lists ~~of countries that provide products of partner origin~~ shall be adopted within [OP: Please insert the date = 6 months after entry into force of this Regulation]. **The Commission shall subsequently amend the lists of countries if required, through additional implementing acts in accordance with Article 31(3), where a third country becomes a party to or ceases to be party to an existing agreement or concludes a new agreement falling within the categories of agreements referred to in Article 7a (2) and (3) and / or an amendment is provided for under paragraphs 2 and 5.**

5**2**. ~~Countries in~~**A third country falling within the** scope of ~~paragraphs~~**Article 7a** (2) and (3) ~~may be~~ **shall be** included **in** or excluded from the lists of countries that provide products of partner origin, as set out in paragraph ~~(4)~~**1 of this Article**, in relation to one or more products~~, where that~~**. A** third country **may be included or excluded, respectively, where it** has provided, or failed to provide**, in law or in practice**, national treatment to Union products or economic operators under the agreements referred to in ~~paragraphs~~**Article 7a** (2) or (3), in relation to any of the sectors listed in Annex I, or is justified by any other exception provided for under the ~~applicable~~ relevant international agreement.

3. In assessing whether a third country has provided national treatment to Union products or economic operators~~,~~ consistent with ~~these~~**the relevant** international agreements, the Commission shall **consult Member States, relevant stakeholders and bodies tracking the implementation of the Union's trade agreements, such as the Market Access Advisory Committee (MAAC).**

Where the Commission proposes an exclusion, it shall:

(a) ~~consult Member States, relevant stakeholders and bodies tracking the implementation of EU trade agreements, such as the Market Access Advisory Committee (MAAC);~~

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(b) demonstrate that any exclusion is proportionate to the nature, scale, and effects of the third country's failure to comply with the national treatment obligations of Union products or Union economic operators ~~required~~ under the relevant international agreement.

(c) **assess the possibility of using alternative means to remedy the issue in an effective and timely manner.**

4. ~~Such assessments~~**The Commission** shall ~~be based~~**base the assessment referred to in paragraph 3** on substantive, objective and verifiable ~~data.~~ **evidence, and may consider, inter alia, the following elements:**

(a) discriminatory administrative practices or technical specifications;

(b) domestic content requirements;

(c) unjust trade defence measures applied in a manner inconsistent with the third country's international obligations or other tariff or non-tariff measures.

~~6~~**5**. ~~Countries in~~**A third country falling within the** scope of ~~paragraphs~~**Article 7a** (2) and (3) may also be included **in** or excluded from the lists of countries ~~that provide product of partner origin, as set out~~**, referred to** in paragraph ~~(4)~~**1 of this Article**, in relation to one or more products, where such inclusion or exclusion is necessary to avoid or mitigate ~~high-risk dependencies, risk of circumvention of the objectives of this Regulation or other developments which are likely to threaten the Union's security of supply of the product in question.~~**the following:**

(a) high-risk dependencies including developments which are likely to threaten the Union's security of supply of the product in question;

(b) risk of circumvention of the objectives of this Regulation.

For the purposes of this Chapter, practices of circumvention shall include artificial practices, processes or arrangements, or a series thereof, the purpose of which is solely to avoid, wholly or partially, the requirements laid down in this Regulation, including the requirements for obtaining treatment equivalent to Union origin.

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In assessing the existence or likelihood of high-risk dependencies or circumvention, the Commission shall consider input from Member States and relevant stakeholders.

Where the Commission proposes an exclusion, it shall:

(a) demonstrate that any exclusion is proportionate to the nature, scale, and effects of the identified risk; and

(b) assess the possibility of using alternative means to remedy the issue in an effective and timely manner.

6. Where the Commission proposes an inclusion or exclusion in accordance with paragraph 5, it shall demonstrate at least one of the following factors:

(a) regarding high-risk dependencies:

(i) 50% or more of the Union's supply is controlled by a single third country or a single third country's operators;

(ii) the product in question has systemic value for the Union's economy due to its role in multiple sectors;

(iii) the product in question is critical to the Union's strategic capacities or specific critical technology supply chains;

(iv) the third country concerned has weaponised economic dependencies or threatened to do so;

(v) overcapacity created by non-market policies and practices.

(b) regarding the risk of circumvention:

(i) transactions, arrangements, business operations, activities, or series thereof including but not limited to the establishment, acquisition, or relocation of investments, that lack sufficient economic justification other than the avoidance, wholly or partially, of any of the obligations laid down in this Regulation;

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(ii) the reorganisation by exporters or producers, whose beneficial owners are from a third country not considered to provide products of partner origin, of their patterns and channels of sales in order to undermine the impact of the measures set out in this Regulation.

7. The Commission shall base the assessment referred to in paragraph 5 on substantive, objective and verifiable evidence, and may consider, inter alia, the following elements:

(a) any significant or otherwise unexplained changes in trade flows between the third country and the Union;

(b) reported and projected future trends in Union production capacity and union demand for the specified products;

(c) substantial changes in industry investments, foreign direct investment, or availability of key product components, or raw materials, in the supply of specified products or product components;

(d) significant changes in investment trends in countries that provide products of partner origin by persons or undertakings whose beneficial owners are from non-partner origin third countries;

(e) discrepancies between the production capacity, actual production volumes and exports to the Union of products originating in a partner origin country.

8. The implementing acts ~~under~~**adopted in accordance with** paragraph 4**1** shall align with the dispute settlement procedures under the relevant agreements concluded between the Union and a third country establishing a free trade area or a customs union.

9. ~~The Commission shall subsequently amend the lists of countries if required, through additional implementing acts in accordance with Article 31(3), where a third country becomes a party to an existing agreement or concludes a new agreement falling within the categories of agreements listed in paragraphs 2 and 3 and/or an amendment is justified by an assessment of the criteria set out in paragraphs 5 and 6.~~

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9. Where the implementing acts establishing the lists of countries **referred to in paragraph 1 of this Article** that provide products of partner origin ~~referred to in paragraph 4~~ have not entered into force six months after entry into force of this Regulation **in accordance with paragraph 1 of this Article**, the application of the Union origin requirements set out in Annexes II and III shall be postponed ~~until six months after the entry into force of those implementing acts~~**by the same amount of time as the delay**.

Article ~~7b~~7c

Low-carbon products

1. For the purposes of this Chapter, a product covered by Annexes II and IIa shall be considered low-carbon when it complies with the requirements set out in delegated acts, as follows:

(a) for construction products referred to in Regulation (EU) 2024/3110 and covered by either a harmonised technical specification or a European Technical Assessment, the delegated acts adopted pursuant to Article 5(5) or Article 22(9) of Regulation (EU) 2024/3110;

(b) for all other products, delegated acts adopted pursuant to Article 4 of Regulation (EU) 2024/1781, as applicable.

Article 8

Public procurement

1. Notwithstanding Article 7, for the purposes of public procurement **for the products set out in Article 6d**, products of partner origin, as defined in Article 7a, shall also be treated as Union origin.

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2a. From the date of entry into force of the first implementing act referred to in Article ~~7a(4)~~**7b(1)**, the Commission shall make available and ~~maintain, through the Access2Markets portal,~~ **update** a freely accessible digital tool **(Access2Markets portal)** that lists by product the relevant **countries which provide products of** partner origin ~~countries referred to in paragraph 1, in order~~ to assist contracting authorities, contracting entities and economic operators with the implementation of this Article. Incorrect determination of coverage arising solely from the use of the digital tool shall not be considered as an infringement of Union law in the field of public procurement.

2b. Contracting authorities and contracting entities shall exclude access to procurement procedures referred to in Part I of Annex II ~~and Part II of Annex III~~**to this Regulation** by economic operators originating in third countries which have not concluded an international agreement with the Union guaranteeing such access. The origin of economic operators shall be determined in accordance with Article 3(1) of Regulation (EU) 2022/1031.

2c. For public procurement procedures referred to in Part I of Annex II ~~and Part II of Annex III~~, contracting authorities and contracting entities shall apply the Union origin requirements and low-carbon requirements laid down therein in accordance with paragraph 1 of this Article and Article ~~7b~~**7c**.

2d. Contracting authorities and contracting entities may decide not to apply the requirements set out in this Article where any of the following conditions are fulfilled:

(a) the required products or works, work concessions or services can only be supplied by one specific economic operator, and no reasonable alternative or substitute exists, and the absence of competition is not the result of an artificial narrowing down of the parameters of the public procurement procedure;

(b) no suitable tenders or no suitable requests to participate were submitted, including in response to a similar former public procurement procedure launched by the same contracting authority or contracting entity in the two years preceding the start of the planned new procurement procedure;

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(c) their application would require a contracting authority or contracting entity to acquire goods, services or works having disproportionate costs or would result in technical incompatibility in their operation and maintenance. Estimated cost differences exceeding 25%, based on objective and transparent data, may be presumed by contracting authorities and contracting entities to be disproportionate.

(d) the contract in question is governed by Article 32(2)(c) of Directive 2014/24/EU and Article 50(d) of Directive 2014/25/EU.

7. Contracting authorities and contracting entities shall require economic operators supplying products or services to submit a self-declaration, or an equivalent document, demonstrating compliance with the requirements set out in this Article. **Where doubt arises regarding the accuracy or validity of the self-declaration, any additional verification by the contracting authority or contracting entity shall be carried out on a risk-based and proportionate basis.**

Article 9

Other forms of public intervention

-1. Without prejudice to Articles 107 and 108 TFEU, when deciding to set up new public support schemes or to update existing schemes, Member States shall design those schemes to contribute to the objective of strengthening the Union's strategic industrial value chains through the application of Union origin ~~or~~**and** low-carbon requirements~~, or both~~, laid down in Part II of Annex II ~~and Part III of Annex III~~**to this Regulation**, in accordance with ~~paragraphs 1 and 2~~**paragraph 1** of this Article and Article ~~7a. This is without prejudice to Article 13~~7**c of this Regulation**.

Member States shall apply the requirements referred to in the first subparagraph to public support schemes accounting for at least 45% of the total national budget allocated to the public support schemes covered by Part II of Annex II ~~and accounting for 100% of the total national budget allocated to the public support schemes covered by Part III of Annex III~~.

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1. Notwithstanding Article 7, for the purposes of public support schemes**,** partner origin products **set out in Article 6d**, as defined in Article 7a, shall be treated as Union origin.

1a. The digital tool referred to in Article 8(2a) shall assist relevant public authorities with the implementation of this Article.

2. The competent authority may implement support schemes that do not meet the requirements laid down in Part II of Annex II ~~and Part III of Annex III~~, in whole or in part, if the application of such requirements~~:~~ **would lead to significant delays due to the unavailability of the required components or final products. Estimated delays in excess of seven months, based on objective, transparent and verifiable data, may be presumed to be significant.**

(a) ~~would lead to significant delays due to the unavailability of the required components or final products. Estimated delays in excess of seven months, based on objective, transparent and verifiable data, may be presumed to be significant;~~

(b) ~~would incur disproportionate costs. Disproportionate costs shall be presumed to exist where, based on objective, transparent and verifiable data, compliance would increase the cost of the underlying final product or technology by more than 30%.~~

2b. When designing and implementing a public support scheme covered by Part II of Annex II ~~and Part III of Annex III~~, the competent authority shall assess the contribution of products and technologies to the overall target laid down therein on the basis of an open, non-discriminatory and transparent process.

Article 10

Article 11

Article 12

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Article 13

Financial support for corporate vehicles

For the purposes of Article 4 of the [Proposal for a Regulation of 16 December 2025 on clean corporate vehicles], the 'made in the European Union' criterion for providing financial support for the uptake of new zero- and low-emission corporate cars and vans shall comply with the criteria set out in Part I of Annex III to this Regulation.

For the purposes of this Article, the 'made in the European Union' criterion refers to content originating in the Union as laid down in Article 7.

Article 14

CO2 emission performance standards credits

1. For the purposes of Article 5(1) and (2) of Regulation (EU) 2019/631 [as amended by the Proposal for a Regulation of 16 December 2025 amending Regulation (EU) 2019/631 as regards CO2 emission performance standards for new light duty vehicles and vehicle labelling], the 'made in the EU' criterion for small zero-emission vehicles shall comply with the criteria set out in Part IV of Annex III to this Regulation.

   For the purposes of this Article, 'made in the EU' refers to content originating in the Union as laid down in Article 7.

2. For the purposes of Article 5b of Regulation (EU) 2019/631 [as amended by the Proposal for a Regulation of 16 December 2025 amending Regulation (EU) 2019/631 as regards CO2 emission standards for new light duty vehicles and vehicle labelling], 'low-carbon steel made in the EU' shall be understood as follows:

   (a) 'low-carbon' shall comply with the conditions laid down in Article 7b(1) of this Regulation;

   (b) 'content of Union origin' refers to content originating in the Union laid down in Article 7 of this Regulation.

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~~*Article 15*~~

~~**Certification of a motor vehicle's compliance with Union origin requirements**~~

~~From [OP please insert date: six months after entry into force], when issuing a motor vehicle's certificate of conformity in accordance with Articles 36 and 37 of Regulation (EU) 2018/858, for motor vehicles in compliance with the relevant Union origin requirements laid down in Annexes II and III to this Regulation, vehicle manufacturers shall provide an accompanying document certifying the compliance of the motor vehicle version with those requirements. Manufacturer-issued documentation shall be deemed sufficient evidence of compliance unless substantiated doubts arise over the correctness of the certificate.~~

Article 15a

Digital Product Passport

~~2a.~~ For products and components covered by this Regulation, and for which a digital product passport is required under Union law, information on their origin, determined in accordance with ~~paragraph 2~~**Article 7(2) of this Regulation**, shall be included in the digital product passport established pursuant to Regulation (EU) 2024/1781.

Article 15b

Classification systems for creating lead markets

1. To support the creation of lead markets by informing investment and purchasing decisions towards products granted a lower greenhouse gas intensity performance class, the Commission is empowered to adopt delegated acts in accordance with Article 30 in order to supplement this Regulation by establishing voluntary classification systems based on the greenhouse gas intensity for products manufactured through activities listed in Annex I of Directive 2003/87/EC ('industrial products') when they are placed on the Union market, to the extent that these products are not already regulated by a Delegated Act under Regulation (EU) 2024/1781 or included in the working plans adopted in accordance with that Regulation.

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2. Emissions and all other relevant data used for the calculation of the greenhouse gas intensity shall be verified by verifiers accredited under Commission Implementing Regulation (EU) 2018/2067 of the European Parliament and of the Council[37] or verifiers accredited under the delegated acts adopted pursuant to Article 18 of Regulation (EU) 2023/956, as appropriate. Emissions shall be monitored in accordance with the rules laid down in Chapter III of Commission Implementing Regulation (EU) 2018/2066 and the data monitoring methods and quality requirements set out in Annex VII to Delegated Regulation (EU) 2019/331. For imported products, emissions may be monitored in accordance with Annex IV to Regulation (EU) 2023/956 and the data monitoring methods and quality requirements established by implementing acts adopted pursuant to Article 7(7), point (a), of Regulation (EU) 2023/956, where it provides for an equivalent dataset.

3. Such delegated acts shall specify, as appropriate, the following elements:

(a) the identification of the product for which a manufacturer may apply for a label on greenhouse gas intensity;

(b) the relevant system boundaries, covering emissions from the industrial manufacturing process, emissions from relevant precursors and emissions from electricity consumption. These emissions are considered independently of whether these emissions occur in the manufacturer's facility or in other facilities, recognising that certain precursors might be acquired from other installations;

(c) the methodology for the calculation of the greenhouse gas intensity of the product**;**

(d) a classification with performance classes;

(e) complementary rules concerning the governance of the label, including competent entities; and

(f) complementary rules on accreditation, monitoring and verification,

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[37] Commission Implementing Regulation (EU) 2018/2067 of 19 December 2018 on the verification of data and on the accreditation of verifiers pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L 334, 31.12.2018, pp. 94, ELI: http://data.europa.eu/eli/reg_impl/2018/2067/oj).

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4. In developing those rules **in the delegated acts referred to in paragraph 3 of this Article**, the Commission shall at least take into account:

(a) the latest applicable product benchmark values as defined under Directive 2003/87/EC;

(b) data already available under the **European Union Emissions Trading System (**EU ETS**) established by Directive 2003/87/EC of the European Parliament and of the Council[38] and carbon border adjustment mechanism (CBAM), established by Regulation (EU) 2023/956 of the European Parliament and of the Council[39]** ~~and CBAM~~;

(c) new Union rules concerning accounting for emissions, including from electricity consumption, low-carbon fuels and renewable fuels of non-biological origin;

(d) emerging low-carbon production technologies, as well as the estimated emissions' reduction potential of emerging technologies;

(e) the need to incentivise the ~~uptake of recycled~~**use of circular** materials ~~in~~**and processes across** all production routes; and

(f) the alignment with climate neutrality objectives, as laid down in Regulation (EU) 2021/1119 of the European Parliament and of the Council[40].

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38 **Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32, ELI: http://data.europa.eu/eli/dir/2003/87/oj).**

39 **Regulation (EU) 2023/956 of the European Parliament and of the Council of 10 May 2023 establishing a carbon border adjustment mechanism (OJ L 130, 16.5.2023, p. 52, ELI: http://data.europa.eu/eli/reg/2023/956/oj).**

40 Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/1119/oj).

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Article 16

Delegation of powers

1. ~~In order to enable the decarbonisation of the chemicals sector in the Union, as defined on the basis of the statistical classification of economic activities (NACE CODE C20), while supporting the demand in downstream industries for chemicals of Union origin derived from low carbon and sustainable carbon sources, the Commission may adopt delegated acts in accordance with Article 30 to supplement this Regulation by laying down Union origin and sustainability criteria in demand-side measures, including Union origin and sustainability criteria in public procurement and other forms of public intervention for substances and mixtures put on the market.~~

~~Union origin of the relevant substance or mixture shall refer to products originating in the Union as determined on the basis of Article 7(2) of this Regulation. For the purposes of public procurement and public support schemes, products of partner origin, as defined in Article 7a shall also be treated as Union origin.~~

~~The Commission shall adopt delegated acts pursuant to this article only after carrying out an impact assessment, taking into account the best available evidence, quantifying the expected economic, environmental and societal impact of the proposed demand-side measures and demonstrating:~~

(-a) ~~the expected increase in the production capacity of chemicals within the Union derived from low carbon and sustainable carbon sources and in the demand for such products in downstream sectors as a result of the measures;~~

(a) ~~the overall contribution of the measures to the Union's objective of economic security, resilience and climate neutrality set out in Regulation (EU) 2021/1119, including the reduction of greenhouse gas emissions of the relevant chemicals sectors;~~

(b) ~~the expected impact of the measures in reversing declining market shares of the chemicals sector and of the measures on downstream sectors using input from the chemicals sector in the Union and in supporting Union industry producing at below capacity;~~

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(c) ~~The expected impact of the measures on costs for consumers, small and medium enterprises and public budgets, including any distortion of the prices of relevant final products, including construction products.~~

~~The impact assessment referred to in the above subparagraph shall take into account evidence obtained through monitoring activities or input by relevant stakeholders, including Member States and the industry sector.~~

2. In order to enable the decarbonisation of the relevant sectors, while maintaining production capacity, the Commission is empowered to adopt delegated acts in accordance with Article 30 in order to amend the timeframe of application and percentage shares of the Union origin and low-carbon requirements for steel, **cast iron, cement,** concrete and mortar and aluminium in Annex II~~ of this Regulation~~. Those delegated acts shall be based on an analysis and evidence demonstrating that the existing timeframe of application and percentage shares of the Union origin and low-carbon requirements have failed to deliver on the intended objectives of those requirements.

The delegated acts shall be based on the following criteria:

(a) evolution of the market situation of steel, **cast iron, cement,** concrete and mortar **and aluminium**, including market shares~~ of cement, and aluminium~~ at Union level, and production below sustainable capacity utilisation rates, impacting the Union's dependencies and security of supply

(b) economic viability and technological progress of the decarbonisation technologies for steel, **cast iron,** concrete and mortar, including cement, and aluminium production

(d) the current and forecasted ~~availability of the~~**production capacity, including capacity resulting from the conversion of existing sites, of** low-carbon [and of Union origin] steel, low-carbon and of Union origin concrete and mortar, including cement, low-carbon and of Union origin aluminium and their relative demand in buildings, infrastructure and motor vehicles;

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(e) the contribution of the requirements to the Union's objective of economic security, resilience and climate neutrality set out in Regulation (EU) 2021/1119;

(g) the impact of Union origin and low-carbon requirements on the overall competitiveness and greenhouse gas emissions of the relevant energy intensive industries, including impact on costs for downstream industries, consumers, ~~small and medium enterprises~~**SMEs** and public budgets.

3. The Commission is empowered to adopt implementing acts in accordance with Article 31(3) to specify the method for calculating the proportion of volume of products and components originating in the Union in accordance with Regulation (EU) No 952/2013, and where appropriate, to provide for the use of standardised templates for certificates of compliance.

Implementing acts referred to in **the first** subparagraph ~~1~~**of this Article** may also establish the methods and procedures to be applied by the relevant competent national authorities, including contracting authorities and contracting entities, to verify compliance with the requirements laid down in this Regulation and, where appropriate, to make use of digital tools for the purposes of calculation, verification and demonstration of compliance.

Chapter IIIa

STRENGTHENING THE UNION'S AUTOMOTIVE INDUSTRY

Article 16a

Scope

This chapter shall apply to, as relevant, to new pure electric vehicles (PEV), off-vehicle charging hybrid electric vehicles (OVC-HEV), fuel cell vehicles (FCV), [small electric vehicles, corporate zero- and low-emission vehicles as referred to in [Proposal for a Regulation of 16 December 2025 on clean corporate vehicles] and small zero-emission vehicles as referred to in [Proposal for a Regulation (EU) 2019/631 [as amended by the Proposal for a Regulation of 16 December 2025 amending Regulation (EU) 2019/631 as regards CO2 emission standards for new light duty vehicles and vehicle labelling]].

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Article 16b

Eligible origin for motor vehicles

1. Products of eligible origin for motor vehicles shall refer to products and components originating in a third country listed in Annex IIb to this Regulation and included in the lists referred to in Article 16c(1) of this Regulation. Products of eligible origin for motor vehicles shall be treated as Union origin for the purposes of public procurement, other forms of public intervention and for the [Proposal for a Regulation of 16 December 2025 on clean corporate vehicles].

2. The origin of products shall be determined in accordance with Article 7(2).

Article 16c

Assessment of eligible origin for motor vehicles

1. The Commission shall adopt implementing acts in accordance with Article 31(3) to establish and update lists of third countries that provide products of eligible origin for motor vehicles by product and by type of intervention. The first implementing act to establish those lists shall be adopted by [OP: Please insert the date = 6 months after entry into force of this Regulation]. The Commission shall subsequently amend the lists of countries if required, through additional implementing acts in accordance with Article 31(3), where an amendment is provided for under paragraphs 2 or 5.

2. A third country listed in Annex IIb shall be included or excluded from the lists of third countries that provide products of eligible origin for motor vehicles, in accordance with paragraph 1 of this Article, in relation to one or more products. A third country may be included or excluded, respectively, where it has provided, or failed to provide, in law or in practice, national treatment to Union products or economic operators under the agreements referred to in paragraphs Article 7a (2) or (3), in relation to any of the sectors listed in Annex I, or is justified by any other exception provided for under the applicable relevant international agreement.

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3. **In assessing whether a third country in Annex IIb has provided national treatment to Union products or economic operators consistent with the relevant international agreements, the Commission shall consult Member States, relevant stakeholders and bodies tracking the implementation of Union's trade agreements, such as the Market Access Advisory Committee (MAAC).**

Where the Commission proposes not to include a country in Annex IIb on the lists of third countries that provide products of eligible origin for motor vehicles, or to remove a country from those lists in accordance with paragraph 3 of this Article, it shall:

(a) **demonstrate that the exclusion is necessary and proportionate to the nature, scale, and effects of the third country's failure to comply with the national treatment obligations of Union products or Union economic operators required under the relevant international agreement; and**

(b) **assess the possibility of using other alternative means to remedy the issue in an effective and timely manner.**

4. **The Commission shall base the assessment referred to in paragraph 2 on substantive, objective and verifiable evidence, and may consider, inter alia, the following elements:**

(a) **discriminatory administrative practices or technical specifications;**

(b) **domestic manufacturing or sourcing requirements;**

(c) **unjust trade defence measures applied in a manner inconsistent with the third country's international obligations or other tariff or non-tariff measures.**

5. **A third country listed in Annex IIb may also be included or excluded from the lists of third countries that provide products of eligible origin for motor vehicles, in accordance with paragraph 1 of this Article, in relation to one or more products, where such inclusion or exclusion is necessary to avoid or mitigate the following:**

(a) **high-risk dependencies or other developments which are likely to threaten the Union's security of supply of the product in question;**

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(b) risk of circumvention of the objectives of this Regulation.

For the purposes of this Chapter, practices of circumvention shall include artificial practices, processes or arrangements, or a series thereof, the purpose of which is solely to avoid, wholly or partially, the requirements laid down in this Regulation, including the requirements for obtaining treatment equivalent to Union origin.

In assessing the existence or likelihood of high-risk dependencies or circumvention, the Commission shall consider input from Member States and relevant stakeholders.

Where the Commission proposes an exclusion from the lists on the basis of an assessment under paragraph 6, it shall:

(a) demonstrate that any exclusion is proportionate to the nature, scale, and effects of the identified risk; and

(b) assess the possibility of using other alternative means to remedy the issue in an effective and timely manner.

6. Where the Commission proposes an inclusion or exclusion in accordance with paragraph 5, it shall demonstrate at least one of the following factors:

(a) regarding high-risk dependencies:

(i) 50% or more of the Union's supply is controlled by a single third country or a single third country's operators;

(ii) the product in question is critical to the Union's strategic capacities or specific critical technology supply chains;

(iii) the third country has weaponised economic dependencies or threated to do so;

(iv) overcapacity created by non-market policies and practices.

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(b) regarding the risk of circumvention:

(i) transactions, arrangements, business operations, activities, or series thereof including but not limited to establishment, acquisition, or relocation of investment, that lack sufficient economic justification and is used to avoid, wholly or partially, any of the obligations laid down in this Regulation;

(ii) the reorganisation by exporters or producers, whose beneficial owners are from a third country not considered to provide products of eligible origin for motor vehicles, of their patterns and channels of sales in order to undermine the impact of the measures set out in this Regulation.

7. The Commission shall base the assessment referred to in paragraph 5 on substantive, objective and verifiable evidence, and may consider, inter alia, the following elements:

(a) any significant or otherwise unexplained changes in trade flows between the third country and the Union;

(b) reported and projected future trends in Union production capacity and union demand for the specified products;

(c) substantial changes in industry investments, foreign direct investment, or availability of key product components, or raw materials, in the supply of specified products or product components.

(d) significant changes in investment trends in countries that provide products of eligible origin for motor vehicles by persons or undertakings whose beneficial owners are from third countries not considered to provide products of eligible origin for motor vehicles;

(e) discrepancies between the production capacity, actual production volumes and exports to the Union of products originating in a country providing eligible origin for motor vehicles.

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8. **The implementing acts adopted in accordance with paragraph 1 shall align with the dispute settlement procedures under agreements concluded between the Union and a third country establishing a free trade area or a customs union.**

9. **Where the implementing acts establishing the lists of countries referred to in paragraph 1 of this Article have not entered into application six months after entry into force of this Regulation as set out in paragraph 1, the application of the Union origin requirements set out in Annex III shall be postponed by the same amount of time as the delay.**

Article 16d

Public procurement for motor vehicles

1. **Notwithstanding Article 7, for the public procurement of motor vehicles, within the scope of Article 16a, products of eligible origin, as defined in Article 16b, shall also be treated as Union origin.**

2. **The digital tool referred to in Article 8(2a) shall assist relevant public authorities with the implementation of this Article.**

3. **Contracting authorities and contracting entities shall exclude access to procurement procedures referred to in Part II of Annex III by economic operators originating in third countries which have not concluded an international agreement with the Union guaranteeing such access. The origin of economic operators shall be determined in accordance with Article 3(1) of Regulation (EU) 2022/1031.**

For public procurement procedures referred to in Part II of Annex III, contracting authorities and contracting entities shall apply the Union origin requirements laid down therein in accordance with paragraph 1 of this Article.

4. **Contracting authorities and contracting entities may decide not to apply the requirements set out in this Article where any of the following conditions are fulfilled:**

(a) **the required products can only be supplied by one specific economic operator, and no reasonable alternative or substitute exists, and the absence of competition is not the result of an artificial narrowing down of the parameters of the public procurement procedure;**

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(b) no suitable tenders or no suitable requests to participate were submitted, including in response to a similar former public procurement procedure launched by the same contracting authority or contracting entity in the two years preceding the start of the planned new procurement procedure;

(c) their application would require a contracting authority or contracting entity to acquire goods, having disproportionate costs or would result in technical incompatibility in their operation and maintenance. Estimated cost differences exceeding 25%, based on objective and transparent data, may be presumed by contracting authorities and contracting entities to be disproportionate;

(d) the contract in question is governed by Article 32(2)(c) of Directive 2014/24/EU and Article 50(d) of Directive 2014/25/EU.

Article 16e

Other forms of public intervention for motor vehicles

1. Without prejudice to Articles 107 and 108 TFEU, when deciding to set up new public support schemes or to update existing schemes for motor vehicles, within the scope of Article 16a, Member States shall design those schemes to contribute to the objective of strengthening the Union's automotive industry through the application of Union origin requirements laid down in Part III of Annex III.

Notwithstanding Article 7, for the purposes of public support schemes for motor vehicles, products of eligible origin for motor vehicles, as defined in accordance with Article 16b, shall also be treated as Union origin.

2. The digital tool referred to in Article 8(2a) shall assist relevant public authorities with the implementation of this Article.

3. The competent authority may implement support schemes that do not meet the requirements laid down in Part III of Annex III, in whole or in part, if the application of such requirements would lead to significant delays due to the unavailability of the required products. Estimated delays in excess of seven months, based on objective, transparent and verifiable data, may be presumed to be significant.

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Article 16f

Financial support for corporate vehicles

For the purposes of Article 4 of the [Proposal for a Regulation of 16 December 2025 on clean corporate vehicles], the 'made in the European Union' criterion for providing financial support for the uptake of new zero- and low-emission corporate cars and vans shall comply with the criteria set out in Part I of Annex III to this Regulation.

For the purposes of this Article, the 'made in the European Union' criterion refers to content originating in the Union as laid down in Article 7 and eligible origin for motor vehicles as laid down in Article 16b.

Article 16g

CO2 emission performance standards credits

1. **For the purposes of Article 5(1) and (2) of Regulation (EU) 2019/631 [as amended by the Proposal for a Regulation of 16 December 2025 amending Regulation (EU) 2019/631 as regards CO2 emission performance standards for new light duty vehicles and vehicle labelling], the 'made in the EU' criterion for small zero-emission vehicles shall comply with the criteria set out in Part IV of Annex III to this Regulation.**

   For the purposes of this Article, 'made in the EU' refers to products of Union origin as set out in Article 7.

2. **For the purposes of Article 5b of Regulation (EU) 2019/631 [as amended by the Proposal for a Regulation of 16 December 2025 amending Regulation (EU) 2019/631 as regards CO2 emission standards for new light duty vehicles and vehicle labelling], 'low-carbon steel made in the EU' shall be understood as follows:**

   (a) 'low-carbon' shall comply with the conditions laid down in Article 7c, point b of this Regulation;

   (b) 'content of Union origin' refers to products of Union origin as set out in Article 7.

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Article 16h

Certification of a motor vehicle's compliance with Union origin and low-carbon requirements

From [OP please insert date: six months after entry into force], when issuing a motor vehicle's certificate of conformity in accordance with Articles 36 and 37 of Regulation (EU) 2018/858, vehicle manufacturers shall issue a certificate certifying the compliance of the motor vehicle version with all of the relevant Union origin and low carbon requirements applicable to the motor vehicle concerned under Article 13 of, Annex II or Annex III to this Regulation. Where doubt arises over the validity of the certificate, the motor vehicle manufacturer shall provide documentary evidence demonstrating compliance.

From [OP please insert date: three years after entry into force], motor vehicle manufacturers shall include the information about the compliance of the motor vehicle version with all of the relevant Union origin and low carbon requirements in the motor vehicle's certificate of conformity as referred to in Articles 36 and 37 of Regulation (EU) 2018/858.

By (OP please insert date: fifteen months after entry into force), the Commission shall adopt an implementing act amending Commission Implementing Regulation (EU) 2020/683 of 15 April 2020[41] to list the Union origin and low carbon requirements applicable to motor vehicles under Article 16f of, Annex II or Annex III to this Regulation in the templates for the certificate of conformity.

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[41] **Commission Implementing Regulation (EU)2020/683 of 15 April 2020 implementing Regulation (EU) 2018/858 of the European Parliament and of the Council with regards to the administrative requirements for the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles. OJ L 163, 26.5.2020, pp. 1, ELI: http://data.europa.eu/eli/reg_impl/2020/683/oj**

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Article ~~15a~~16i

Flexibility mechanism

As an alternative to the requirements for motor vehicles set out in Annex III, Parts II and III and in Article ~~13~~**16f**, all PEV, OVC-HEV or FCV from a vehicle manufacturer can be considered compliant, for a period of twelve months, with the Union origin requirements if the manufacturer provides a self-declaration **stating** that the PEV, OVC-HEV or FCV vehicles**,** compliant with the Union origin requirements set out in Annex III, Part I**–** assembled by that vehicle manufacturer during the period comprised between 1 January and 31 December (included) of the previous year**,** represent a percentage equal or greater than ~~85%~~**75%** of the total number of PEV, OVC-HEV or FCV from the same vehicle manufacturer that were registered within the Union in the same period.

Where at least 50% of a manufacturer's worldwide automotive research and development expenditure in the preceding calendar year is carried out in the Union, the percentage referenced in paragraph 1 shall be reduced to 70%.

Article 16j

Delegation of powers

1. In order to enable the Union to meet its climate objectives, while maintaining production capacity, the Commission is empowered to adopt delegated acts in accordance with Article 30 in order to amend the timeframe of application and percentage shares of the Union origin requirements for motor vehicles set out in Annex III of this Regulation. Those delegated acts shall be based on an analysis and evidence demonstrating that the existing timeframe of application and percentage shares of the Union origin requirements have failed to deliver on the intended objectives of those requirements.

The delegated acts shall be based on the following criteria:

(a) the impact of Union origin requirements on the overall competitiveness of the automotive industry, including on costs for consumers, SMEs and public budgets;

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(b) the contribution of the requirements to the Union's objectives relating to economic security, resilience and climate neutrality set out in Regulation (EU) 2021/1119;

(c) the current and forecasted availability of Union origin battery components and their relative demand in motor vehicles;

(d) technological progress affecting the value added creation of the automotive supply chain, in particular as regards battery cell chemistries;

(e) evolution of the market situation at Union level for vehicle component manufacturing, in particular those specific to new pure electric vehicles (PEV), off-vehicle charging hybrid electric vehicles (OVC-HEV) or fuel cell vehicles (FCV) including market shares within the Union and production below sustainable capacity utilisation rates, impacting the Union's dependencies and security of supply.

2. The Commission is empowered to adopt implementing acts in accordance with Article 31(3) to specify the method for calculating the proportion of volume of products and components originating in the Union in accordance with Regulation (EU) No 952/2013, and where appropriate, to provide for the use of standardised templates for certificates of compliance.

Implementing acts referred to in subparagraph 1 may also establish the methods and procedures to be applied by the relevant competent national authorities, including contracting authorities and contracting entities, to verify compliance with the requirements laid down in this Regulation and, where appropriate, to make use of digital tools for the purposes of calculation, verification and demonstration of compliance.

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CHAPTER IV

FOREIGN INVESTMENT CONTRIBUTION

Article 17

Scope

1. This Chapter shall apply to foreign direct investments **that take place from [OP insert date: 12 months after entry into force of this Regulation] and** that meet the criteria set out in each of the subparagraphs (a), (b), and (c) of this Article.

(a) The foreign direct investment exceeds~~, within a time period of five years starting from the initial investment,~~ an aggregated~~,~~ value of EUR 100 million in the same Union target or Union asset **within a five-year period commencing 12 months after entry into force of this Regulation**;

(b) The foreign direct investment relates to manufacturing in any of the following targeted sectors:

(i) battery technologies, including the value chain for battery energy storage systems;

(ii) pure electric vehicles, off-vehicle charging hybrid electric vehicles and fuel-cell electric vehicles, including components related to electrification and **to** digitalisation;

(iii) solar PV technologies;

(iv) extraction, processing and recycling of critical raw materials;

(v) offshore and onshore wind technologies.

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(c) The foreign direct investment ~~results in investors~~, whose beneficial owners are from a third country which, based on latest available data published in accordance with Article 23, holds more than 40 % of the global manufacturing capacity of the sector in which the investment occurs ~~or who are controlled~~**, results in control** by entities from ~~such a~~**that** country, alone or collectively**, where control is defined by Article 3 paragraph 3 of (EU) 139/2004.** ~~reaching:~~

(i) ~~30 percent or more share capital or voting rights in a Union target; or~~

(ii) ~~30 percent or more of ownership of a Union asset, and leasehold or other rights conferring similar control over a Union asset.~~

3. This Chapter shall not apply to:

(a) ~~investors and~~**foreign direct** investments covered by economic partnership or free trade agreements in force or provisionally applied by the Union to the extent relevant commitments have been made under those agreements, including investments made by the Union subsidiaries of such foreign investors;

(b) investments targeted at providing services, including investments made by the Union subsidiaries of foreign investors;

(c) portfolio investments.

3a. The investments that meet the criteria set out in paragraph 1 shall not be implemented unless explicitly approved by the investment authority referred to in Article 17a, or the European Commission as per Article 21, in accordance with the provisions laid down in this Chapter.

3b. This Chapter shall be without prejudice to Regulation (EU) 2026/1386 and national foreign investment screening mechanisms.

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Article 17a

Notification of planned foreign direct investments

1. Member States shall, by [OP insert date: 6 months after entry into force of this Regulation], designate one or more Investment Authorities (~~hereafter referred to as the~~ 'investment authority') which shall perform the review of foreign direct ~~investment~~**investments** and implement the provisions of this Chapter.

   Member States shall provide that investment authority with the necessary resources, legal and administrative means for performing the tasks set out in this Regulation.

2. A foreign investor, or the foreign investor's subsidiary, from [OP insert date: 12 months after entry into force of this Regulation], shall notify any planned direct investment within the scope of Article 17 to the investment authority of the Member State where the Union target or Union asset is located.

   The notification shall contain all necessary information to allow the Investment Authority to perform the assessment and approval process pursuant to Articles 20 and 20a.

3. For the purposes of determining whether either of the thresholds set out in Article 17(1)(c) have been reached collectively by foreign investors or foreign investors' subsidiaries, interests held directly or indirectly, including through affiliates, chains of ownership or by foreign investors acting in concert shall be aggregated from [OP please insert the date = the date of the entry into force of this Regulation].

7. Where the relevant Union targets or assets are located in more than one Member State, the foreign investor shall notify the competent Investment Authorities of all Member States concerned and the Commission without undue delay with reference to the other notifications.

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Article 18

Value added foreign direct investment conditions

1. Without prejudice to paragraph 2 of this Article, when notifying the foreign direct investment in accordance with Article 17a(2), the foreign investor or the foreign investor's subsidiary shall comply with the condition under point (a) and at least three of the conditions of their choice ~~under~~**laid down in** points (b) to (f) of this paragraph. From [OP insert date: 12 months after entry into force of this Regulation], investment authorities shall only approve foreign direct investments made directly by foreign investors that fulfil point (a) and three or more conditions laid down in point (b) to (f) **of this paragraph**:

   (a) At least 50% of the average annual full-time equivalent workforce employed in connection with the foreign direct investment shall consist of Union workers employed across all categories of the workforce, including operational, technical, supervisory, and managerial positions. **This requirement shall apply after the start of production of the Union target or Union asset. Before the start of production, during the construction phase at least 30% of the average annual full-time equivalent workforce employed in connection with the foreign direct investment shall consist of Union workers.** To ensure the development in the Union of skills crucial for the support of the sectors targeted by this Chapter, the workforce shall not be composed of more than 50% of workers from a third country referred to in Article ~~17 paragraph (1)~~**17(1)** point c, unless they were lawfully resident or lawfully employed within the Union for at least 6 months prior to the notification of the investment **or are long-term residents in the Union or holders of an EU Blue Card**. The foreign investor shall commit to providing training and capacity building for staff to support Union based skills and workforce resilience. Where a Union target or Union asset is engaged in manufacturing prior to its acquisition, including after bankruptcy, priority shall be given to the retention of the existing workforce or re-employment of the former employees, as appropriate, in accordance with national law and applicable collective agreements.

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In the event that the foreign investor, the Union target or the Union asset receives public funding, without prejudice to Articles 107 and 108 TFEU, it shall commit to maintain the share of Union workers for a period of five years, failing which that funding will be subject to recovery.

(b) foreign investors do not acquire, hold, or exercise ownership interests representing more than 49% of the share capital, voting rights, or equivalent ownership interests in any Union target, or equivalent ownership, leasehold or other rights conferring control over a Union asset;

(c) the foreign investor undertakes the direct investment through a joint venture with one or more Union entities, with the foreign investor holding no more than 49% of the share capital, voting rights, or equivalent ownership interests or other rights conferring control in any of the Union entities participating in the joint venture.**;** such joint ventures shall be structured to ensure effective participation of Union partners in management, technology transfer, and capacity building;

(d) foreign investors have entered into agreements providing for the licensing of their intellectual property rights and of their know-how, to the benefit of the Union target, or the Union asset, to enable it to carry out its economic activities in the context of the foreign direct investment. All intellectual property rights or assets developed by the Union target or the legal entity owning the Union asset prior to the foreign investment or without the collaboration of the foreign investor shall be fully and exclusively owned by the Union target or the legal entity owning the Union asset prior to the foreign direct investment. All intellectual property rights or assets either developed in that context as a result of a collaboration with the foreign investor's other business assets, or in the case of point (c), developed by the joint venture, shall be owned jointly by the foreign investor and the Union target, the joint venture defined in point (c) or the legal entity owning the Union asset;

(e) the foreign investor annually directs to research and development spending in the Union an amount equivalent to at least 1% of the gross annual revenue of the Union target, or the gross annual revenue generated by the Union asset, as applied in proportion to the foreign investor's share of control;

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(f) in the context of the foreign direct investment, the foreign investor prepares and publishes on its website a strategy for enhancing Union value chains and prioritising the sourcing of inputs for the manufacturing activity from the Union. The foreign investor shall demonstrate endeavours to source from the Union a minimum of 30% of inputs used for the products placed on the Union market.

2. Foreign direct investments made within the Union by subsidiaries of foreign investors established in the Union or in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, where relevant obligations of the Union exist under that agreement, are not required to comply with the conditions laid down in paragraph 1 of this Article at the time of their notification in accordance with Article 17a(2). The Investment Authorities may apply some or all of the conditions set out in paragraph 1 to those direct investments where it is essential to achieve the objectives of this Regulation, under the following conditions:

(a) preventing the circumvention of this Regulation by the foreign investor; or

(b) where no alternative measures, including commitments proposed by the foreign investor or the foreign investor's subsidiary, are reasonably available and less restrictive of direct investment within the Union in order to meet the objectives of the Regulation.

3. Foreign direct investment notified pursuant to Article 17a(7) shall comply with the conditions laid down in this Article in all Member States concerned.

3a. In duly justified cases, ~~Member States~~**the investment authority** may request from the Commission an exemption from applying ~~some or all~~**either the mandatory condition in point (a) or three** of the ~~required~~**five** conditions **laid down in points (b) to (f) of**~~in~~ paragraph 1 **of this Article** to a particular investment~~. The~~ **as part of the notification process set out in Article 20. A request for an** exemption ~~may only be granted where it has been demonstrated for a given investment~~**must be accompanied by detailed evidence demonstrating** that:

(a) ~~-~~the fulfilment of ~~a particular investment condition~~**point (a) or three of the conditions** laid down in **points (b) to (f) of** paragraph 1 **of this Article** is not possible; and

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(b) ~~where failure~~**a decision not** to approve the investment would have a negative impact on the resilience of the Union's manufacturing sector, its economic security and on the functioning of the internal market.

4. The Commission shall adopt an implementing act, by [OP please insert date: 6 months after entry into force of this Regulation], to specify the detailed rules for verifying the compliance with the conditions laid down in paragraph 1 **of this Article**, including the documents that are necessary to demonstrate compliance with those conditions at the time of the notification of the foreign direct investment. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 31(3).

~~*Article 19*~~

Article 20

Admissibility assessment

1. The investment authority shall decide on the admissibility of the notification pursuant to Articles 17 and 17a within 45 days of receiving a complete notification.

Where deemed admissible by the investment authority, it shall without **undue** delay transmit the full notification to the Commission including all documents received. **Where the investment authority intends to request an exemption in accordance with Article 18(3a), it shall submit this request with the notification to the Commission.**

Article 20a

Approval process

-1. Within 30 days of receiving the complete notification, the Commission may issue a written **non-binding** opinion on whether the foreign direct investment falls within the scope of Article 17, whether it fulfils the conditions laid out in Article 18(1), and whether the investment authority should approve the investment or not.

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1a. **Where relevant, the opinion referred to in paragraph -1 shall be accompanied by a binding decision regarding any request for an exemption as set out in Article 18(3a). Where an exemption is granted, the Commission's decision shall set out how the criteria laid down in Article 18(3a), points (a) and (b), were demonstrated.**

Where the Commission issues a written opinion, it shall transmit it to the investment authority without delay. The Commission may share the written opinion with the investment authorities of other Member States.

2. The Investment Authority shall issue its reasoned decision to the investor no later than 45 days after receiving the Commission's opinion or after the lapse of the deadline referred to in paragraph 1 of this Article. The deadline for issuing the reasoned decision may be extended by a further 30 days where the investment authority ~~demonstrates satisfactorily~~**decides** that an extension is justified by the circumstances.

The investment authority's reasoned decision shall:

(a) inform the **foreign** investor whether its planned investment has been approved or not approved;

(b) where approved, detail the reporting obligations and reporting schedule for the foreign investor.

The investment authority shall communicate the reasoned decision to the Commission within three days of issuance and, where the Commission issued an opinion, indicate how the opinion of the Commission was taken into account.

3. The investment authority shall, in its approval decision, set out reporting obligations on the foreign investor concerned, with a view to assessing the continuous fulfilment of the conditions laid down in Article 18.

4. Where the relevant Union targets or assets are located in more than one Member State, the Commission may, with the agreement of the notified investment authorities, coordinate the respective processes. Such coordination shall not affect the competence of each investment authority to decide on the investment notified within their Member State.

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5. Any party subject to a decision issued pursuant to Article 20 or paragraph 2 of this Article or Article 21 shall have the right to seek judicial recourse against such decision.

Article 21

Commission assessment of foreign direct investment

1. Within 45 days of receiving the notification referred to in Article 17a(2), an investment authority may request the Commission to undertake the admissibility assessment.

2. Within 45 days of receiving the request from the investment authority, and where the Commission decides to assess the foreign direct investment, it shall decide on the admissibility of the notification pursuant to Article 17.

2a. If deemed admissible, an investment authority may within 7 days request the Commission to also undertake the approval process. Where the Commission accepts this request it shall issue a reasoned decision within 45 days of an assessment being deemed admissible. ~~The provisions set out in~~ Article 18(1) shall apply, mutatis mutandis.

2c. Where an investment authority refers ~~a notification by~~**an approval process for** a subsidiary of a foreign investor established in the Union or in a third country with which the Union has concluded an agreement establishing a free trade area or a customs union **to the Commission**, the Commission may apply some or all of the conditions set out in Article 18(1) to direct investments made in the Union by such subsidiary where it is essential to achieve the objectives of this Regulation, under the following conditions:

(a) preventing the circumvention of this Regulation by the foreign investor; or

(b) where no alternative measures, including commitments proposed by the foreign investor or the foreign investor's subsidiary, are reasonably available and less restrictive of direct investment within the Union in order to meet the objectives of this Regulation.

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2d. Where the Commission issues a reasoned decision it shall transmit it to the foreign direct investor and the investment authority within 3 days and, where relevant, make a recommendation to the investment authority as to the appropriate reporting obligations.

2e. Within 15 days of receipt of an approval decision from the Commission, the investment authority shall set out the reporting obligations for the foreign investor concerned, with a view to assessing the continuous fulfilment of the conditions laid down in Article 18.

Article 22

Monitoring and enforcement

1. The investment authority shall regularly monitor the foreign direct investment to ensure that it continues to comply with the applicable conditions laid down in Article 18. For that purpose, the foreign investor shall provide its first report to the investment authority on compliance with the applicable conditions one year after the reasoned decision has been ~~completed~~**issued** and then every two years thereafter that the conditions remain applicable. Subject to seven years of continuous compliance with the applicable conditions laid down in Article 18, the investment authority may waive those conditions.

2. Upon request by the Commission, the investment authority shall transmit the investor's reports submitted pursuant to paragraph 1 to the Commission together with its own assessment on each report.

3. Member States shall ~~establish~~**provide administrative or legal** penalties**, or both, applicable** in case of non-compliance with the provisions of this Chapter~~,~~**. This shall apply** in particular where foreign investors fail to comply with the following requirements:

(a) the notification requirements in accordance with Article 17a;

(b) the conditions laid down in Article 18;

(c) the reporting obligations established by this Article.

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3a. Where an investment authority considers that a foreign direct investment in its territory meets the conditions set out in Article 17(1) and has not been notified in ~~line~~**accordance** with Article 17a, it may, in duly justified circumstances, request the Commission to issue a reasoned opinion on whether the conditions have been met. Where the Commission accepts to issue a reasoned opinion, it shall be transmitted to the investment authority within 45 days.

4. Penalty payments established by the Member State shall be at least 5% of the average daily aggregate turnover of the foreign investor undertaking in case of a violation pursuant to paragraph 3, point (a).

Where the foreign investor is a natural person, the Member State shall establish a penalty payment of at least 5% of the investment value in case of a violation pursuant to paragraph 3, point (a).

Where the Commission undertakes the assessment of the foreign direct investment pursuant to Article 21, it may request the Member State to impose penalties if the foreign investor provides false or misleading information in their notification, or if it does not supply the information required for the Commission to perform its review obligation.

These penalties shall not exceed the 5% average daily aggregate turnover of the foreign investor, or in case of a natural person foreign investor, 5% of the investment value.

The penalty payments shall be effective and proportionate to the violations laid down in paragraph 3.

The investment authority shall inform the Commission without undue delay of any non-compliance referred to in paragraph 3 and of the consequential penalties imposed.

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Article 23

Monitoring of global manufacturing capacity by the Commission

1. For the purposes of Article 17, the Commission shall monitor the global manufacturing capacity for each of the targeted sectors, building on existing monitoring activities performed, in particular pursuant to Regulation (EU) 2024/1735.

2. The Commission shall provide and publish updated information on the most recent year for which data is available for each of the targeted sectors referred to in Article 17(1), point (b)**, including on the third countries representing more than 40% of the global manufacturing capacity**.

Article 24

~~**Delegation of powers**~~

~~CHAPTER V~~

~~*Article 25*~~

~~*Article 26*~~

CHAPTER VI
FINAL PROVISIONS

Article 28

Evaluation

By [OP: Please insert the date = two years after the date of entry into force of this Regulation], and every three years thereafter, the Commission shall carry out an evaluation of this Regulation. The evaluation shall consider:

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(a) whether the objectives of this Regulation specified in Article 1 have been achieved, in particular its contribution to the functioning of the internal market, and to supporting the resilience and decarbonisation of the Union's manufacturing sector and the Union's economic security;

(b) progress made in achieving the objective referred to in Article 1(2), second subparagraph;

(c) the related administrative costs for public and private sectors, economic impacts on downstream sectors, including on SMEs, SMCs and on consumers, as well as impacts on public budgets.

No later than four years after the date of entry into force of this Regulation, the Commission shall carry out an evaluation of whether the requirement to continuously comply with the conditions laid down in Article 18 for seven years is appropriate for achieving the objectives pursued by this Regulation.

Article 29

Review

By [OP: Please insert the date three years after the date of entry into force this Regulation], the Commission shall assess the necessity of amending this Regulation, in particular Chapters III, **IIIa and** IV, and related annexes thereof. That review shall be carried out periodically every three years after the first review, based on the outcome of the preceding evaluation.

When carrying out its review, the Commission shall pay particular attention to**:**

(a) the effectiveness, proportionality and practical implementation of this Regulation and the persistence of the circumstances that have justified the adoption of this Regulation;

(b) the necessity to introduce **or remove** Union origin requirements for products from certain sectors critical to the Union’s economic security, including consideration of the building of ships and of rail rolling stock;

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(c) **the necessity to include or remove countries in Annex IIb eligible to be considered to provide products of eligible origin for motor vehicles;**

(d) **in order to achieve the obligations of this Regulation consider the application of Union origin as per Article 7 to energy intensive industries within the scope of Article 6d;**

(e) **the need to decarbonise the chemicals sector in the Union, while supporting demand in downstream industries for chemicals of Union origin derived from low carbon and sustainable carbon sources, including the suitability of demand-side measures, such as Union origin and sustainability criteria in public procurement;**

~~(c)~~**(f)** whether the criteria set out in Article 17 have contributed effectively to achieving the objectives of this Regulation and whether it is necessary, in line with the objectives of this Regulation, to add or remove sectors from Article 17(1).

Article 30

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 referred to in Articles ~~8, 9, 15b, and 16~~**6d, 15b, 16, and 16j** shall be conferred on the Commission for ~~an indeterminate~~**a** period of ~~time~~**five years** from [OP please insert the date = the date of the entry into force of this Regulation]. **The Commission shall draw up a report of the delegation of power not later than nine months before the end of that 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 three months before the end of each period.**

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3. The delegation of power referred to in Articles ~~8, 9, 15b, and 16~~**6d, 15b, 16 and 16j** 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 on 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 Articles ~~8, 9, 15b, and 16~~**6d, 15b, 16 and 16j** shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 31

Committee procedure

1. The Commission shall be assisted by a Committee. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

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Article 32

Penalties

Member States shall lay down rules on penalties applicable to infringements by undertakings of the provisions of this Regulation and shall take all necessary measures to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without delay, notify the Commission of those rules and measures and shall notify it, without delay, of any subsequent amendment affecting them. Those penalties may include administrative fines, the recovery of public support and temporary exclusion from public support schemes.

Article 32a

Guidance

The Commission shall issue guidance on the application of this Regulation with a view to ensuring its uniform implementation across the Member States. This ~~will~~**shall** include guidance on the application of derogations, template self-declarations forms referred to in Article 8(7) and guidance to define the necessary information that vehicle manufacturers shall provide in the document referred to in Article 15, to certify that vehicle versions comply with the relevant Union origin **and low-carbon** requirements laid down in ~~Annex~~**Annexes II and** III. The guidance shall be adopted at least 6 months before the relevant obligations become applicable and shall be prepared in consultation with Member States and relevant stakeholders.

Article 33

Amendments to Regulation (EU) 2018/1724

Annexes I and II to Regulation (EU) 2018/1724 are amended in accordance with Annex IV to this Regulation.

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Article 34

Amendments to Regulation (EU) 2024/1735

Regulation (EU) 2024/1735 is amended as follows:

(1) ~~in~~ Article 3~~, points 23 and 27 are~~ **is** amended as follows ~~and the following points (34), (35) and (36) are added~~:

(a) point 23 is replaced by the following:

‘(23) ‘public procurement procedure’ means either of the following:

(a) a procedure for the award of works or a service concession covered by Directive 2014/23/EU;

(b) any type of award procedure covered by Directive 2014/24/EU for the award of a public contract or Directive 2014/25/EU for the award of a supply, works and service contract with the exception of procedures concerning lots according to Article 5(10) of Directive 2014/24/EU and Article 16(10) of Directive 2014/25/EU;’

(b) point 27 is replaced by the following:

‘(27) ‘auction” means a mechanism for competitive tendering procedures to support the production or consumption of energy from renewable sources, or the deployment, operation or procurement of net-zero technologies exclusively, that does not fall under Directive 2009/81/EC of the European Parliament and of the Council or Directive 2014/23/EU, 2014/24/EU or 2014/25/EU, except for capacity mechanisms, as defined in Article 2(22) of Regulation (EU) 2019/943 on the internal market for electricity;’

(c) the following points are added:

‘(34) ‘industrial battery’ means an industrial battery as defined in Article 3(1), point (13), of Regulation (EU) 2023/1542 of the European Parliament and the Council*;’

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(35) ‘stationary battery energy storage system’ means a stationary battery energy storage system as defined in Article 3(1), point (15), of Regulation (EU) 2023/1542;’

(36) ‘hydronic heat pump’ means a heat generator of any capacity, intended for residential, commercial or industrial applications, with a heat pump cycle to capture ambient heat from air, water or ground sources, and/or waste heat and to generate heat for space heating, or for water heating, or for the heating of industrial processes, delivering the heat through a water circuit.**'**

___

* Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC (OJ L 191, 28.7.2023, p. 1, ELI: http://data.europa.eu/eli/reg/2023/1542/oj).;’

(2) In Article 9, the following paragraph ~~(14)~~ is added:

‘14. The status of strategic projects contributing to resilience and decarbonisation or resource efficiency for the purpose of [Article 14(1)] of [Proposal for a Regulation on speeding-up environmental assessment] shall apply to all net-zero technology manufacturing projects. **[Points 1, 2 and 3 of Article 13 in that Regulation shall apply]**;’

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(3) Article 25 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. For public procurement procedures falling within the scope of Directive 2014/23/EU, 2014/24/EU or 2014/25/EU, where contracts have net-zero technologies listed in Article 4(1), points (a) to (d), (h) and (i), of this Regulation as part of their subject matter, or in the case of works contracts and works concessions including said technology, contracting authorities and contracting entities shall apply minimum mandatory requirements regarding environmental sustainability established in the implementing act referred to in paragraph 5 of this Article.;’

(b) in paragraph 7, the first subparagraph is replaced by the following:

‘The tender’s resilience contribution shall be taken into account in the case of public procurement procedures referred to in paragraph 1, in accordance with this paragraph.’

(c) in paragraph 7, point (a) is replaced by the following:

‘(a) an obligation for the duration of the contract not to supply more than 50 % of the value of the specific net-zero technology final product referred to in this paragraph from each individual third country as determined by the Commission;’

(d) in paragraph 7, point (b) is replaced by the following:

‘(b) an obligation for the duration of the contract that no more than 50 % of the value of all the main specific components of the specific net-zero technology referred to in this paragraph taken together is supplied or provided directly by the successful tenderer or by a subcontractor from each individual third country as determined by the Commission;;’

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(e) ~~add a new~~**the following** paragraph ~~13 as follows~~**is added**:

‘'(13) The provisions of this Article shall not apply to contracting entities who have participated as bidders in an auction for any of the technologies listed in Article 4,(1), points (a) to (g), (i) and (j), for the purpose of carrying out the project awarded to them in the context of such auction.’

(4) The following Articles ~~28d, 28da and 25a~~ are inserted:

‘Article 28d

Union origin

1. For the purposes of Articles 25a, 26 ~~and~~**,** 28a and 28c, ~~content~~**final products and main specific components** of Union origin refers to ~~content~~**final products and main specific components** originating in the Union.

2. The origin of **final** products and **main specific** components shall be determined in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council.

' Article 28da

Partner origin

1. For the purposes of Articles 25a, 26, 28a, and 28c, ~~content~~**final products and main specific components** of partner origin refers to ~~content~~**final products and main specific components** originating in the third countries included in the ~~list~~**lists** referred to in ~~paragraph 4~~**Article 28db**.

1a. The origin of final products and main specific components shall be determined in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council.

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2. For the purposes of public procurement procedures falling under the scope of this Regulation, countries that are eligible to be considered to provide ~~content~~**final products and main specific components** of partner origin ~~in relation to a particular product~~, shall be any third country**:**

(a) that is party to the ~~WTO~~ GPA, provided that the procurement ~~of the product~~ in question ~~constitutes covered procurement~~**falls** within the ~~meaning of~~**scope of the Union's commitments under** the GPA, or;

(b) with which the Union has concluded an agreement establishing a free trade area or a customs union, provided the procurement of the product in question falls within the scope of the Union's public procurement commitments in that agreement.

3. For the purposes of **auctions and** other forms of public intervention falling under the scope of this Regulation, countries that are eligible to be considered to provide ~~content~~**final products and main specific components** of partner origin ~~in relation to a particular product~~, shall be any third country with which the Union has concluded an agreement establishing a free trade area or a customs union, and subject to the Union having relevant commitments under that agreement.

3a. For the purposes of Member State support to construction and manufacturing of net-zero technologies, countries eligible to be considered to provide final products and main specific components of partner origin shall include any third country with which the Union has concluded an agreement establishing a free trade area or a customs union.

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Article 28db

Assessment of partner origin

41. The Commission shall adopt implementing acts in accordance with Article 45(2) to establish and ~~maintain~~**update** the lists of third countries that provide ~~content~~**final products and main specific components** of partner origin, by product **and by intervention**. The first act to establish ~~the~~**those** lists ~~of countries that provide content of partner origin~~**shall** be adopted within [OP: Please insert the date = 6 months after entry into force of this Regulation]. **The Commission shall subsequently amend the lists of countries if required, through additional implementing acts in accordance with Article 45(2), where a third country becomes a party or ceases to be party to an existing agreement or concludes a new agreement falling within the categories of agreements listed in Article 28da (2), (3) and (3a) or an amendment is provided for under paragraphs 2 and 5 of this Article.**

52. ~~Countries in~~**A third country falling within the** scope of ~~paragraphs (2) and (3) may be~~ **Article 28da (2), (3) and (3a) shall be** included **in** or excluded from the lists of countries that provide ~~content~~**final products and main specific components** of partner origin, as set out in paragraph ~~(4)~~**(1) of this Article**, in relation to one or more products~~, where that~~**. A** third country **may be included or excluded, respectively, where it** has provided, **in law or in practice**~~or failed to provide~~, national treatment to Union products or economic operators under the agreements referred to in paragraphs (2) or (3) **or (3a)**, in relation to any of the sectors listed in Article 4, point (1) or is justified by any other exception provided for under the applicable relevant international agreement.

3. In assessing whether a third country has provided national treatment to Union products or economic operators, consistent with these international agreements, the Commission shall **consult Member States, relevant stakeholders and bodies tracking the implementation of Union trade, such as the Market Access Advisory Committee (MAAC).**

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Where the Commission proposes an exclusion, it shall:

(a) ~~consult Member States, relevant stakeholders and bodies tracking the implementation of EU trade , such as the Market Access Advisory Committee (MAAC)~~;

(b) demonstrate that any exclusion is proportionate to the nature, scale, and effects of the third country's failure to comply with the national treatment obligations of Union products or Union economic operators required under the relevant international agreement~~.~~**;**

(c) ~~Such assessments shall be based on substantive, objective and verifiable data~~**assess the possibility of using alternative means to remedy the issue in an effective and timely manner**.

4. The Commission shall base the assessment referred to in paragraph 3 on substantive, objective and verifiable evidence, and may consider, inter alia, the following elements:

(a) discriminatory administrative practices or technical specifications;

(b) domestic manufacturing or sourcing requirements;

(c) unjust trade defence measures applied in a manner inconsistent with the third country's international obligations or other tariff or non-tariff measures.

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~~65~~. ~~Countries in~~**A third country falling within the** scope of ~~paragraphs (2) and (3)~~**Article 28da (2), (3) and (3a)** may also be included or excluded from the lists of countries ~~that provide content of partner origin, as set out~~**referred to** in paragraph ~~(4)~~**1 of this Article**, in relation to one or more **final** products **or main specific components**, where such inclusion or exclusion is necessary to avoid or mitigate ~~high-risk dependencies, risk of circumvention of the objectives of this Regulation or other developments which are likely to threaten the Union's security of supply of the product in question.~~**the following:**

(i) high-risk dependencies including developments which are likely to threaten the Union's security of supply of the final product or main specific component in question;

(ii) risk of circumvention of the objectives of this Regulation.

For the purposes of this Chapter, practices of circumvention shall include artificial practices, processes or arrangements, or a series thereof, the purpose of which is solely to avoid, wholly or partially, the requirements laid down in this Regulation, including the requirements for obtaining treatment equivalent to Union origin.

In assessing the existence or likelihood of high-risk dependencies or circumvention, the Commission shall consider input from Member States and relevant stakeholders.

Where the Commission proposes an exclusion, it shall:

(i) demonstrate that any exclusion is proportionate to the nature, scale, and effects of the identified risk; and

(ii) assess the possibility of using alternative means to remedy the issue in an effective and timely manner, where any exclusion is deemed necessary.

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6. Where the Commission proposes an inclusion or exclusion in accordance with paragraph 5, it shall demonstrate the existence of at least one of the following factors:

(a) regarding high-risk dependencies:

(i) the dependency consists of 50% or more of the Union supply being controlled by a single third country or a single third country's operators;

(ii) the dependency risks preventing the Union from meeting the benchmarks referred to in Article 5;

(iii) the product in question has systemic value for the Union's economy due to its role in multiple sectors;

(iv) the product in question is critical to the Union's strategic capacities or specific critical technology supply chains;

(v) the third country has weaponised economic dependencies or threatened to do so, e.g. through export restrictions;

(vi) there is already non-market overcapacity or it is being created.

(b) regarding the risk of circumvention:

(i) transactions, arrangements, business operations, activities, or series thereof including but not limited to establishment, acquisition, or relocation of investment, that lack sufficient economic justification and is used to avoid, wholly or partially, any of the obligations laid down in this Regulation;

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(ii) the reorganisation by exporters or producers, whose beneficial owners are from a third country not considered to provide products of partner origin, of their patterns and channels of sales in order to undermine the impact of the measures set out in this Regulation.

7 The Commission shall base the assessment referred to in paragraph 5 on substantive, objective and verifiable evidence, and may consider, inter alia, the following elements:

(a) any significant or otherwise unexplained changes in trade flows between the third country and the Union;

(b) reported and projected future trends in Union production capacity and union demand for the specified products;

(c) substantial changes in industry investments, foreign direct investment, or availability of key product components, or raw materials, in the supply of specified products or product components.

(d) significant changes in investment trends in countries that provide products of partner origin by persons or undertakings whose beneficial owners are from non-partner origin third countries;

(e) discrepancies between the production capacity, actual production volumes and exports to the Union of products originating in a partner origin country.

~~7~~**8**. The implementing acts under paragraph 4**1** shall align with the dispute settlement procedures under the relevant agreements concluded between the Union and a third country establishing a free trade area or a customs union.

8. ~~The Commission shall subsequently amend the lists of countries if required, through additional implementing acts in accordance with Article 45(2), where a third country becomes a party to an existing agreement or concludes a new agreement falling within the categories of agreements listed in paragraphs 2 and 3 and/or an amendment is justified by an assessment of the criteria set out in paragraphs 5 and 6.~~

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9. Where the implementing acts establishing the lists of countries ~~that provide products of partner origin~~ referred to in paragraph 4**1 of this Article that provide final products and main specific components of partner origin** have not entered into force six months after entry into force of this Regulation **as set out in paragraph 1**, the application of the Union origin requirements set out in Annex II shall be postponed ~~until six months after the entry into force of those implementing acts~~**by the same amount of time as the delay**.

Article 25a

Origin requirements for public procurement procedures

1a. For public procurement procedures referred to in **Part I of** Annex II, contracting authorities and contracting entities shall apply the Union origin requirements laid down therein. Requirements relating to individual main specific components shall only apply to the extent that those components are included in the final product.

1b. Notwithstanding Article 28d, for the purposes of public procurement, partner origin as defined in Article 28da shall be treated as Union origin.

1d From the date of entry into force of the implementing act referred to in Article 28da(4), the Commission shall make available and ~~maintain~~**update in line with the implementing acts in Article 28db(1)**, through the Access2Markets portal, a freely accessible digital tool that lists by **final** product **and main specific components** the relevant **countries which provide final products and main specific components of** partner origin ~~countries~~ referred to in paragraph 1b **of this Article**, in order to assist contracting authorities, contracting entities and economic operators with the implementation of this Article.

Incorrect determination of coverage arising solely from the use of the digital tool shall not be considered as an infringement of Union law in the field of public procurement.

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1. Contracting authorities and contracting entities shall exclude access to procurement procedures referred to in **Part I of** Annex II by economic operators originating in third countries which have not concluded an international agreement with the Union guaranteeing such access. The origin of economic operators shall be determined in accordance with Article 3(1) of Regulation (EU) 2022/1031.

3. Contracting authorities and contracting entities may decide not to apply one or several requirements set out in Annex II where any of the following conditions are fulfilled:

   (a) the required products can only be supplied by one specific economic operator, and no reasonable alternative or substitute exists, and the absence of competition is not the result of an artificial narrowing down of the parameters of the public procurement procedure;

   (b) no suitable tenders or no suitable requests to participate have been submitted, including in response to a similar former public procurement procedure launched by the same contracting authority or contracting entity in the two years preceding the start of the planned new procurement procedure;

   (c) their application would require a contracting authority or contracting entity to acquire goods, services or works having disproportionate costs or would result in technical incompatibility in operation and maintenance.**;** estimated cost differences in excess of 25%, based on objective and transparent data, may be presumed by contracting authorities and contracting entities to be disproportionate.

   (d) their application would lead to significant delays to the delivery of the project due to the unavailability of the required components or final products. Estimated delays in excess of seven months, based on objective, transparent and verifiable data, may be presumed to be significant.

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(da) the contract in question is governed by Article 32(2)(c) of Directive 2014/24/EU and Article 50(d) of Directive 2014/25/EU.

4. Contracting authorities and contracting entities shall require economic operators supplying **final** products **and main specific components** falling within the scope of this Article to submit a self-declaration, or an equivalent document, demonstrating compliance with the requirements set out in this Article. **Where doubt arises regarding the accuracy or validity of the self-declaration, any additional verification by the contracting authority or contracting entity shall be carried out on a risk-based and proportionate basis.'**

(5) Article 26 is amended as follows:

(a) the heading is replaced by the following:

'Auctions for net-zero technologies'

(b) paragraph 1 is amended as follows:

(i) the introductory wording is replaced by the following:

'When designing auctions for net-zero technologies listed in Article 4(1), points (a) to (g), (i) and (j), Member States shall include:''

(ii) in point (a), the following point ~~(iv)~~ is added:

'(iv) limitation to high-risk suppliers as defined in Article 28b of this Regulation;'

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(iii) point (b)~~,~~ is replaced by the following: '**(b)** pre-qualification criteria or award criteria as referred to in paragraphs 2 and 2a'.

'(c) the following paragraph ~~2a~~ is inserted: '2a. Where the auctions have net-zero technologies listed in Annex II as part of their subject-matter, Member States shall include the pre-qualification or award criteria laid down in Annex II.' Criteria relating to individual main specific components shall only apply to the extent that those components are included in the final product.';

(d) in paragraph 3, the first subparagraph is replaced by the following: 'The Commission is empowered to adopt an implementing act further specifying the pre-qualification and award criteria referred to in paragraph 1points (a), (i), (ii) and (iii), and paragraph 2.'

(da) The following paragraph ~~3a~~ is inserted: '**3a.** With respect to the Union origin requirements for auctions for net-zero technologies, notwithstanding Article 28d, partner origin as defined in Article 28da shall be treated as Union origin.'

The digital tool referred to in Article 25a (1d) shall assist relevant public authorities with the implementation of this Article**.**

(e) paragraph 4 is replaced by the following: '4. Member States shall give to each of the criteria referred to in paragraphs 2 and 2a, when applied as award criteria, a minimum weight of 5 % and a combined weight of between 15 % and 30 % of the award criteria. That is without prejudice to the possibility to give a higher weighting to the criteria referred to in the fourth subparagraph of paragraph 2, in accordance with any limit for non-price criteria set out in State aid rules.'.

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(f) paragraph 5 is replaced by the following: ‘5. Member States shall not be required to apply one or several of the pre-qualification and award criteria laid down in paragraph 1, points (a), (i), (ii) and (iii), and paragraph 1, point (b), where the application of those criteria would result in disproportionate costs or in significant delays to the delivery of the project due to the unavailability of the required components or final products. Estimated cost differences in excess of 20% per auction, based on objective and verifiable data, may be presumed by Member States to be disproportionate. Delays in excess of seven months, based on objective, transparent and verifiable data, may be presumed to be significant.’

(g) paragraph 7 is replaced by the following: ‘7. Paragraphs 1 to 5 shall apply to at least 40% of the volume auctioned per year per Member State or alternatively to at least 8 Gigawatt per year per Member State. Paragraph 1, points (a)(ii) and (iv), shall apply to 100% of the volume auctioned per Member State.’

(h) in paragraph 8, the introductory wording is replaced by the following: ‘By 31 December 2027, the Commission shall carry out a comprehensive assessment of the application of the criteria referred to in paragraph 2 and their effect on the accelerated deployment of renewable energy technologies. By 31 December 2029 and every two years thereafter, the Commission shall carry out a comprehensive assessment of the application of the criteria referred to in paragraphs 2 and 2a and their effect on the accelerated deployment of renewable energy technologies. In particular, the Commission shall assess the impact of the criteria on:’’

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(6) The following Articles ~~28a to 28e~~ are inserted:

‘Article 28a

Origin requirements for other forms of public intervention

1. Without prejudice to Articles 107 and 108 TFEU, support schemes referred to in Annex II shall include the requirements laid down therein. Requirements relating to individual main specific components shall only apply to the extent that those components are included in the final product.

3. When additional financial compensation is granted, it shall not exceed ~~15%~~**30 %** of the cost of the final product for the consumer, including transport and installation costs where relevant, with the exception of schemes targeting citizens living in energy poverty, as defined in Article 2, point (1), of Regulation (EU) 2023/955 of the European Parliament and of the Council ([57]), for which the limit shall be ~~20~~**35** %.

3a. Notwithstanding Article 28d, for the purposes of other forms of public intervention, partner origin as defined in Article 28da shall be treated as Union origin.

3c. The digital tool referred to in Article 25a (1d) shall assist relevant public authorities with the implementation of this Article.

3d When designing and implementing a scheme pursuant to paragraph 1, the authority shall assess the fulfilment of the requirements on the basis of an open, non-discriminatory and transparent process.

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Article 28c

Origin requirements for Member State support to construction and manufacturing of net-zero technologies

1. Without prejudice to Articles 107 and 108 TFEU and in accordance with the Union's international commitments, when supporting the construction or manufacturing of net-zero technology final products referred to in Annex II of this Regulation, Member States shall ensure that the Union origin requirements laid down in that Annex are met. Requirements relating to individual main specific components shall only apply to the extent that those components are included in the final product.

1a. Notwithstanding Article 28d, for the purposes of this Article, content of partner origin as defined in Article 28da**(3a)** shall also be treated as Union origin.

2. Member States may decide not to apply one or several requirements referred to in paragraph 1 where any of the following conditions are fulfilled:

(a) the required components can only be supplied by one specific economic operator, and no reasonable alternative or substitute exists, and the absence of competition is not the result of an artificial narrowing down of the parameters of the public procurement procedure;

(b) their application would result in disproportionate costs or technical incompatibility in operation or maintenance.**;** estimated cost differences in excess of 25%, based on objective and transparent data, may be presumed to be disproportionate;

(c) their application would jeopardise the project or lead to significant delays to the delivery of the project due to the unavailability of the required components or final products.**;** delays in excess of seven months, based on objective, transparent and verifiable data, may be presumed to be significant.

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Article 28b

Limitations to high-risk suppliers

3a. When designing auctions referred to in Article 26, Member States shall include the pre-qualification criterion referred to in paragraph 3d.

3b. When deciding to set up new schemes or to update existing schemes referred to in Articles 28 and 28a, Member States, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law shall design those schemes in such a way as to ensure that beneficiaries shall be eligible to the scheme only where the requirement referred to in paragraph 3d is fulfilled.

3c. When supporting the construction or manufacturing of net-zero technology final products referred to in Annex II to this Regulation, Member States shall ensure that the requirement referred to in paragraph 3d is fulfilled.

3d. When net-zero technologies or their main specific components include control systems, management control systems, supervisory control and data acquisition systems, remote access systems or firewalls, suppliers identified as high-risk suppliers in accordance with Regulation xxxx/xxxx [CSA2] shall not be involved in the following processes:

(a) the supply of those products or systems;

(b) the design, development or production of those products or systems;

(c) the management, control or operation of those products or systems;

(d) the development, maintenance, operation, or updating of their software.

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Article 28h

Delegation of power

1. In order to contribute to the decarbonisation and competitiveness of the Union's economy, while increasing the Union's resilience and security of supply in the field of net-zero technologies, the Commission is empowered to adopt delegated acts in accordance with Article 44 to amend the Union origin requirements laid down in Annex II by amending the list and/or number of main specific components under the following conditions:

   (a) At least one of the following situations applies to the net-zero technology:

      (i) the share of deployment within the Union of the net-zero technology final product or main specific component originating from the Union is declining;

      (ii) the Union industry for the manufacturing of the net-zero technology final product or its main specific components is producing below capacity;

      (iii) there is a high-risk of dependency on a third country for the net-zero technology final product or its main specific components, which is detrimental to the security of supply of the net-zero technology in the Union;

      (iv) the Union manufacturing of the net-zero technology final product or its main specific components is not sufficient to achieve the Union's objective of economic security, resilience and climate neutrality as set out in Regulation (EU) 2021/1119;

   (b) Sufficient data is available to determine the impact of proposed conditions. The data ~~should~~**shall** cover the following elements:

      (i) the impact of public procurement, auctions or public support on the deployment of net-zero technology;

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(ii) existing and potential manufacturing capacity for the net-zero technology final product or its main specific components;

(iii) the impact of setting Union origin requirements on the overall competitiveness of the relevant sectors, as well as on downstream costs for consumers and small and medium enterprises;

(iv) the current trade balance for the net-zero technology final product or its main specific components, and the potential implications on such trade balance as a result of proposed Union origin requirements.

2. In order to contribute to the decarbonisation and competitiveness of the Union's economy, while increasing the Union's resilience and security of supply in the field of net-zero technologies, the Commission is empowered to adopt delegated acts to supplement Annex II with Union origin requirements for additional net-zero technologies referred to in Article 4(1), points (g), (h), (j), (k), (n), (p), and (s), as well as solar thermal technologies referred to in Article 4(1), point (a), nuclear fuel cycle technologies referred to in Article 4(1), point (i), and electric propulsion technologies for transport referred to in Article 4(1), point (r), by setting Union origin requirements for specific net-zero technology final products and/or main specific components which shall be required in accordance with Articles 25a, 26, 28a and 28c. In the preparation of the delegated acts, the Commission shall take into account evidence, obtained through monitoring activities or input by relevant stakeholders, including Member States and the industry sector, demonstrating compliance with criteria set out in paragraph (1) above, and adopting the same approach to designing Union origin requirements.'

(6a) Article 29 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. Where relevant, the Commission shall provide guidance on the application of the resilience, sustainability and Union origin requirements for net-zero technology final products and main specific components covered by the forms of public intervention referred to in Articles 25 to 28c.;'

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(aa) paragraph 3 is replaced by the following:

'3. The Platform shall discuss measures carried out by Member States to implement Articles 25 to 28c and exchange best practices, inter alia, with regard to the practical use of resilience, sustainability and Union origin criteria in public procurement procedures, auctions or schemes incentivising the purchase of net-zero technology final products.'

(7) Article 42 is amended as follows:

(a) the following paragraph ~~2a~~ is inserted:

'2a. Member States, public authorities, contracting authorities and contracting entities applying Chapter IV of this Regulation shall report on the application of exemptions in accordance with the provisions of that Chapter.'

(b) paragraph 3 is replaced by the following:

'3. Where they are not already included in, or in accordance with the elements of, the national energy and climate plans, each Member State shall submit to the Commission a report setting out the data referred to in paragraphs 2 ~~and 2a~~ by 15 March 2027 ~~and~~**with the addition of the information referred to in paragraph 2a** every three years thereafter.;'

(8) The following Annex II is added:

'ANNEX II

Union origin requirements for net-zero technologies

Part I – Public procurement

1. In accordance with Article 25a, for public procurement procedures for which the call for competition or commencement takes place after the entry into force of this Regulation falling within the scope of Directives 2014/23/EU, 2014/24/EU or 2014/25/EU where contracts, works contracts or work concessions include the procurement of the following net-zero technologies, procurement documents shall include the requirements laid down below:

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(a) Battery energy storage systems:

From [OP: Please insert the date = 1 year after **the date of** entry into force of this Regulation] until [3 years after **the date of** entry into force of this Regulation], the battery energy storage systems shall originate in the Union and, for projects including battery energy storage exceeding 1 Megawatt-hour, contain a battery management system that originates in the Union.

From [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation], the battery energy storage systems shall originate in the Union and contain battery cells, a battery management system as well as ~~one~~**two** additional main specific ~~component~~**components** that originate in the Union.

(b) Solar PV technologies:

From [OP: Please insert the date = 1 year until 2 years after **the date of** entry into force of this Regulation], the PV inverter **and one main specific component** shall originate in the Union.

From [OP: Please insert the date = 2 years after **the date of** entry into force of this Regulation], the PV inverter, PV modules and the PV cells or equivalent **and one main specific component** shall originate in the Union.

(c) Hydronic heat pumps: From [OP: Please insert: 3 years after the **date of** entry into force of this Regulation] the hydronic heat pump shall originate in the Union.

(d) Onshore wind technologies:

From [OP: Please insert the date = 1 year after the **date of** entry into force of this Regulation] until [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation], two main specific components shall originate in the Union.

From [OP: Please insert the date = 3 years after the **date of** entry into force of this Regulation], three main specific components shall originate in the Union.

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(da) Offshore wind technologies:

From [OP: Please insert the date = 1 year after the **date of** entry into force of this Regulation] until [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation], three main specific components shall originate in the Union.

From [OP: Please insert the date = 3 years after the **date of** entry into force of this Regulation], four main specific components shall originate in the Union.

(e) Nuclear fission energy technologies:

For public procurement procedures for which the call for competition or commencement takes place after [OP: Please insert the date = 4 years after **the date of** entry into force of this Regulation] where works contracts or work concessions include the construction of a new-build nuclear power plant, including small modular nuclear reactors (SMR), at least two main specific components shall originate in the Union.

For public procurement procedures for which the call for competition or commencement takes place after [OP: Please insert the date = 6 years after **the date of** entry into force of this Regulation] where works contracts or work concessions include the construction of a new-build nuclear power plant, including small modular nuclear reactors (SMR), at least three main specific components shall originate in the Union.

These requirements shall not apply to research, development and innovation projects including first industrial deployment of nuclear power plants.

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Part II – Auctions

In accordance with Article 26, when auctions have the following net-zero technologies as part of their subject-matter, Member States shall include the pre-qualification or award criteria laid down below:

(a) Battery energy storage systems:

For auctions published from [OP: Please insert the date = 1 year after entry into force of this Regulation] until [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation], the battery energy storage system shall originate in the Union and, for projects including battery energy storage exceeding 1 Megawatt-hour, contain a battery management system that originates in the Union.

For auctions published after [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation], the battery energy storage system shall originate in the Union and contain battery cells, a battery management system as well as ~~one~~**two** additional main specific components that originate in the Union.

(b) Solar PV technologies:

For auctions published from [OP: Please insert the date = 1 year after **the date of** entry into force of this Regulation] until [OP: Please insert the date = 2 years after **the date of** entry into force of this Regulation], the PV inverter **and one main specific component** shall originate in the Union.

For auctions published after [OP: Please insert the date = 2 years after **the date of** entry into force of this Regulation], the PV inverter, PV modules and the PV cells or equivalent **and one main specific component** shall originate in the Union.

(c) ~~Hydrogen~~**Electrolysers**:

For auctions published after [OP: Please insert the date = 1 year after the **date of** entry into force of this Regulation], ~~the electrolysers used to produce the hydrogen shall originate in the Union, and~~ the stacks as well as one additional main specific component shall originate in the Union.

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For auctions published after [OP: Please insert the date = 3 years after the **the date of** entry into force of this Regulation], ~~the electrolysers used to produce the hydrogen shall originate in the Union, and~~ the stacks as well as two additional main specific components shall originate in the Union.

(d) Onshore wind technologies:

For auctions published from [OP: Please insert the date = 1 year after **the date of** entry into force of this Regulation] until [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation], two main specific components ~~of the wind turbine~~ shall originate in the Union.

For auctions published after [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation], three main specific components ~~of the wind turbine~~ shall originate in the Union.

(da) Offshore wind technologies:

For auctions published from [OP: Please insert the date = 1 year after **the date of** entry into force of this Regulation] until [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation], three main specific components ~~of the wind turbine~~ shall originate in the Union.

For auctions published after [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation], four main specific components ~~of the wind turbine~~ shall originate in the Union.

Part III – Other forms of public intervention

In accordance with Article 28a, when deciding to set up new schemes or to update existing schemes benefitting households ~~or~~**,** companies ~~that support the demand for~~**or consumers which incentivise the purchase of** net-zero technology final products listed in this paragraph, Member States, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, shall design the schemes in such a way as to ensure that beneficiaries shall be eligible to the scheme or to additional financial compensation only where the requirements laid down below are fulfilled:

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(a) Battery energy storage systems:

For schemes set up or updated between [OP: Please insert the date = 1 year after **the date of** entry into force of this Regulation] and [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation], the battery energy storage systems shall originate in the Union and, for projects including battery energy storage exceeding 1 Megawatt-hour, contain a battery management system that originates in the Union.

For schemes set up or updated from [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation], the battery energy storage systems shall originate in the Union and contain battery cells, a battery management system as well as ~~one~~**two** additional main specific components that originate in the Union.

(b) Solar PV technologies:

For schemes set up or updated from [OP: Please insert the date = 1 year until 2 years after **the date of** entry into force of this Regulation], the PV inverter **and one main specific component** shall originate in the Union.

For schemes set up or updated from [OP: Please insert the date = 2 years after **the date of** entry into force of this Regulation], the PV inverter, PV modules and the PV cells or equivalent**, and one main specific component** shall originate in the Union.

(c) Hydronic heat pumps: For schemes set up or updated from [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation], the hydronic heat pump shall originate in the Union.

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Part IV – Member State support to construction or manufacturing of net-zero technologies

In accordance with article 28c, when supporting the construction or manufacturing of the following net-zero technology final products, Member States shall ensure that the Union origin requirements laid down below are fulfilled:

(a) ~~Hydrogen~~**Electrolysers**:

From [OP: Please insert the date = 1 year after **the date of** entry into force of this Regulation] when setting up new support schemes for investments into supporting the manufacturing capacity of electrolysers, Member States shall ensure that the ~~electrolyser originates in the Union and the~~ stack and at least one additional main specific component of the electrolyser originate in the Union.

From [OP: Please insert the date = 3 years after **the date of** entry into force of this Regulation] when setting up new support schemes for investments into supporting the manufacturing capacity of electrolysers, Member States shall ensure that the ~~electrolyser originates in the Union and the~~ stack and at least two additional main specific components of the electrolyser originate in the Union.

(b) Nuclear fission energy technologies:

For projects for which the application for support takes place after [OP: Please insert the date = 4 years after **the date of** entry into force of this Regulation] when supporting the construction of new-build nuclear power plants, including small modular nuclear reactors (SMR), Member States shall ensure that at least two main specific components of the nuclear fission energy technology final products originate in the Union.

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For projects for which the application for support takes place after [OP: Please insert the date = 6 years after **the date of** entry into force of this Regulation] when supporting the construction of new-build nuclear power plants, including small modular nuclear reactors (SMR), Member States shall ensure that at least three main specific components of the nuclear fission energy technology final products originate in the Union.

These requirements shall not apply to research, development and innovation projects including first industrial deployment of nuclear power plants.'

Article 35

Amendments to Regulation (EU) 2024/3110

In Article 22(9) of Regulation (EU) 2024/3110, the first subparagraph is replaced by the following:

'In order to ensure transparency for users and to promote sustainable products, the Commission is empowered to adopt delegated acts in accordance with Article 89 to supplement this Regulation, by establishing specific environmental sustainability labelling requirements for particular product families and product categories.'

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Article 36

Entry into force and application

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

Article 4 shall apply from [OP: Please insert the date = [~~x~~**2**] ~~year~~**years** after ~~the~~ date of ~~entry into force of this Regulation~~**application of the last implementing acts referred to in Articles 5(5), 6(5), 7(6c), 8(7), 9(4), 10(6), 11(2c) of the [Proposal for European Business Wallets]**].

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

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ANNEX I

Priority sectors for industrial manufacturing acceleration

1. Energy-intensive industries:

   (a) Manufacture of paper and paper products, as classified under NACE Code C17;

   (b) Manufacture of coke and refined petroleum products, as classified under NACE Code C19;

   (c) Manufacture of chemicals and chemical products, as classified under NACE Code C20;

   (d) Manufacture of rubber and plastic products, as classified under NACE Code C22;

   (e) Manufacture of other non-metallic minerals, as classified under NACE Code C23;

   (f) Manufacture of basic metals, as classified under NACE Code C24.

2. Automotive industry: Manufacture of motor vehicles, trailers and semi-trailers, as classified under NACE Code C29;

3. Net-zero technologies, as referred to in Article 4(1) of Regulation (EU) 2024/1735;

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ANNEX II

Low-carbon and Union origin requirements for energy intensive industries

Part I

Public procurement procedures

Where, in the context of public procurement procedures for which the call for competition or commencement takes place on or after 1 January 2029 falling within the scope of Directives 2014/23/EU, 2014/24/EU or 2014/25/EU, where the contracts, works contracts or work concessions include the procurement of products set out under points (a) to (c), contracting authorities and contracting entities shall require the following minimum percentage shares:

(a) Steel, cast iron, and any product the performance of which depends mainly on steel, intended for use in buildings, infrastructure and motor vehicles for civil purposes: at least 25% of the total volume of steel used shall be low-carbon and of Union origin;

(b) cement, concrete and mortar, and any product the performance of which depends mainly on concrete and mortar, intended for use in buildings and infrastructure for civil purposes: at least 5% of the total volume of concrete and mortar shall be low-carbon, and all of the cement and clinker used to produce that low-carbon volume, shall be of Union origin;

(c) aluminium, and any product the performance of which depends mainly on aluminium, intended for use in buildings, infrastructure and motor vehicles for civil purposes: at least 25% of the total volume of aluminium used shall be low-carbon and of Union origin.

Where the delegated acts and harmonised technical specifications or European Technical Assessments establishing the relevant criteria and methodology referred to in Article ~~7b~~**7c** have not entered into application at least six months before the date referred to in the first paragraph, the application of the low-carbon requirements set out in this Part shall be postponed until six months after the entry into force of those delegated acts.

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Part II

Other forms of public intervention

For schemes established or updated on or after 1 January 2029 that benefit households or companies and that primarily aim to support the construction or renovation of buildings for residential and commercial purposes and infrastructure and the lease and purchase of motor vehicles for civil purposes, Member States, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, shall ensure that only beneficiaries that comply with the following minimum requirements, are eligible.

(a) steel, cast iron, and any product the performance of which depends primarily on steel : at least 25% of the total volume of steel used in the product or project that receives support shall be low-carbon and of Union origin;

(b) cement, concrete and mortar, and any product the performance of which depends mainly on concrete and mortar: at least 5% of the total volume of concrete and mortar shall be low-carbon, and all of the cement and clinker used to produce that low-carbon volume, in the product or project that receives support, shall be of Union origin;

(c) aluminium, and any product the performance of which depends mainly on aluminium: at least 25% of the total volume of aluminium used in the product or project that receives support shall be low-carbon and of Union origin.

Where the delegated acts and harmonised technical specifications or European Technical Assessments establishing the relevant criteria and methodology referred to in Article ~~7b~~**7c** have not entered into application at least six months before the date referred to in the first paragraph, the application of the low-carbon requirements set out in this Part shall be postponed until six months after the entry into force of those delegated acts.

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Annex IIa

Products falling within the scope of Annex II

Part I

Products intended for use in buildings and infrastructure

SECTION 1

STEEL AND CAST IRON

SECTION 2

ALUMINIUM

SECTION 3

CONCRETE AND MORTAR

Part II

Products intended for use in motor vehicles

SECTION 1

STEEL

SECTION 2

ALUMINIUM

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Annex IIb

Third countries eligible to be considered to provide products of eligible origin for motor vehicles

1. **Japan;**

2. **Republic of Korea;**

3. **Switzerland;**

4. **United Kingdom of Great Britain and Northern Ireland.**

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ANNEX III

Union origin requirements for motor vehicles

Part I

Union Origin requirements for motor vehicles

Motor Vehicles referred to in Parts II and III **of this Annex** and in Article ~~13~~**16f shall be assembled in the Union, in non-EEA EFTA members or in third countries which were part of the Single Market as of 01/01/2020, subject to their inclusion in the lists referred to in Article 16b, and** shall meet the following Union origin requirements:

Non-Battery Component Requirements:

(a) ~~the motor vehicle is assembled within the Union;~~

(b) **From [OP: Please insert the date = six months after the date of entry into force of this Regulation]** the ratio between the total ex-works price of vehicle components - excluding the vehicle battery - ~~originating in the~~**of** Union **origin** and the total ex-works price of all components – excluding the battery – is at least 70%;

(c) **From [OP: Please insert the date** ~~=the vehicle's traction battery contains at least~~ three ~~main specific~~**years after the date of entry into force of this Regulation] the ratio between the total ex-works price of e-powertrain** components of ~~batteries, among which the battery cells, originating in the Union~~**Union origin and the total ex-works price of all e-powertrain components is at least 50%**;

(d) **From [OP: Please insert the date = three years after the date of entry into force of this Regulation] the ratio between the total ex-works price of main electronic systems of Union origin**~~the vehicle's traction battery contains at least five main specific components of batteries, among which the battery cells, the cathode active material,~~ and the ~~battery management system, originating in the Union;~~**total ex-works price of all main electronic systems is equal to or greater than 50%.**

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(e) ~~the ratio between the total ex-works price of e-powertrain components originating in the Union and the total ex-works price of all e-powertrain components is at least 50%;~~

(f) ~~the ratio between the total ex-works price of main electronic systems originating in the Union and the total ex-works price of all main electronic systems is equal to or greater than 50%.~~

~~The~~**Battery Component** Requirements ~~set out in points d), e) and f) apply from [OP: please insert date 3 years after the date of entry into force of this Regulation].~~

(a) **From [OP: Please insert the date = eighteen months after the date of entry into force of this Regulation] the vehicle's traction battery contains at least two main specific components of batteries, among which the battery cells, are of Union origin;**

(b) **From [OP: Please insert the date = four years after the date of entry into force of this Regulation] the vehicle's traction battery contains at least fourmain specific components of batteries, among which the battery cells, the cathode active material, and the battery management system, are of Union origin.**

In case of completed vehicles produced in multiple stages**, the requirement related to the location of assembly referred to in the first paragraph of Part I does** ~~the requirements set out in points from a) to f) do~~ not apply to the vehicle components and equipment installed or modified in the last stage.

~~2.~~ By way of derogation to the requirements set out above, small electric vehicles of subcategory M1E, as defined in Regulation (EU) 2018/858, shall ~~include~~**be assembled in the Union, in non-EEA EFTA members or in third countries which were part of the Single Market as of 01/01/2020, subject to their inclusion in the lists referred to in Article 16b, and shall meet** the following Union origin requirements:

1. ~~the vehicle is assembled within the Union; and~~

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2. ~~one of the following criteria is fulfilled:~~

(a) the ratio between the total ex-works price of vehicle components - excluding the vehicle battery - ~~originating in the~~**of** Union **origin** and the total ex-works price of all vehicle components – excluding the battery – is equal to or greater than 70%; or

(b) the vehicle's traction battery contains at least three main specific components of batteries, among which the battery cells, ~~originating in the~~**are of** Union **origin**.

Part II

Public procurement procedures

New pure electric vehicles (PEV), off-vehicle charging hybrid electric vehicles (OVC-HEV) or fuel cell vehicles (FCV) purchased, leased, rented or hire-purchased in public procurement procedures that fall within the scope of Directive 2014/24/EU, or Directive 2014/25/EU, for which the call for competition has been sent or commencement takes place on or after [OP: Please insert the date = six months after the date of entry into force of this Regulation] shall comply with Union origin requirements set out above in Part I of this Annex and the definition of Union origin as per Article ~~8~~**7 and eligible origin for motor vehicles as per Article 16b** of this Regulation.

New PEV, OVC-HEV and FCV that are used for the provision of transport services, refuse transport services and refuse collection services sourced through public procurement procedures that fall within the scope of Directive 2014/24/EU, or Directive 2014/25/EU, shall comply with Union origin requirements set out in Part I of this Annex and the definition of Union origin as per Article ~~8~~ **7 and eligible origin for motor vehicles as per Article 16b** of this Regulation.

Where public procurement procedures concern ~~public~~ service contracts, motor vehicles ~~already~~ registered **before [OP: Please insert the date = six months after the date of entry into force of this Regulation]** in the Union shall be deemed to comply with the Union origin requirements set out in this Annex.

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Part III

Other forms of public intervention

For schemes established or updated after [OP: Please insert the date = six months after the date of entry into force of this Regulation] that support the purchase, lease, rent or hire-purchase of new PEV, OVC-HEV or FCV, Member States, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, shall ensure that only motor vehicles that comply with the ~~minimum~~ Union origin requirements– set out in Part I of this Annex and the definition of Union origin as per Article ~~9~~**7 and eligible origin for motor vehicles as per Article 16b** of this Regulation, are eligible under the scheme.

Part IV

Super credits for small zero-emission vehicles

For the purpose of considering vehicles as "made in the EU" in accordance with Article 5 of Regulation (EU) 2019/631 [as amended by the Proposal for a Regulation of 16 December 2025 amending Regulation (EU) 2019/631 as regards CO2 emission performance standards for new light duty vehicles and vehicle labelling], the definition of Union origin in Article 7 of this regulation and the below requirements apply:

1. the vehicle is assembled within the Union; and

2. one of the two criteria below:

   (a) the ratio between the total ex-works price of vehicle components - excluding the vehicle battery - originating in the Union and the total ex-works price of all vehicle components – excluding the battery – is equal to or greater than 70%; or

   (b) the vehicle's traction battery contains at least three main specific components of batteries, among which the battery cells, originating in the Union.

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ANNEX IV

Amendment to Regulation (EU) 2018/1724

Annexes I and II are amended as follows:

1. Annex I is amended as follows:

(a) the following row 'Permit-granting procedures' is added in the table for 'Areas of information related to businesses' before the row 'AJ. Critical raw materials projects':

''Permit-granting procedures	Information on permit-granting procedures for industrial manufacturing projects including Net-zero technology manufacturing and critical raw material projects.';'

(b) in row 'R. Net-zero technology manufacturing projects', in the second column, point 1 is deleted;

(c) in row 'AJ. Critical raw materials projects', in the second column, point 2 is deleted;

2. Annex II is amended as follows:

(a) row 'Starting, running, and closing business' is amended as follows:

'(a) in the second column, the following second subparagraph is added:

'Permission for exercising a business activity, including procedures related to all relevant permits to build and operate critical raw materials projects[1], procedures for all relevant permits to build, expand, convert and operate net-zero technology manufacturing projects[2], and procedures related to industrial manufacturing projects.';

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(b) in the third column, the following second subparagraph is added:

'Confirmation of the request for permission for business activity, as well as all outputs pertaining to the procedures related to critical raw material, net-zero technology manufacturing and manufacturing industry projects (ranging from the acknowledgement that the application is complete to the notification of the comprehensive decision on the outcome of the procedure, including by the designated contact point).;

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[1] Procedure related to all relevant permits to build and operate critical raw materials projects, including building, chemical and grid connection permits and environmental assessments and authorisations where these are required, and encompassing all applications and procedures from the acknowledgment that the application is complete to the notification of the comprehensive decision on the outcome of the procedure by the single point of contact concerned pursuant to Article 9 of Regulation (EU) 2024/1252.

[2] Procedures for all relevant permits to build, expand, convert and operate net-zero technology manufacturing projects, and net-zero strategic projects, including building, chemical and grid connection permits, environmental assessments and authorisations where required, and encompassing all applications and procedures.'

(b) rows 'Critical raw materials projects' and 'Net-zero technology manufacturing projects' are deleted.

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