Commission Delegated Regulation (EU) 2020/1298 of 13 July 2020 amending the Annex to Regulation (EU) 2019/452 of the European Parliament and of the Council establishing a framework for the screening of foreign direct investments into the Union

COMMISSION DELEGATED REGULATION (EU) 2020/1298

of 13 July 2020

amending the Annex to Regulation (EU) 2019/452 of the European Parliament and of the Council establishing a framework for the screening of foreign direct investments into the Union

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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[(1)], and in particular Article 8(4) thereof,

Whereas:

(1) Article 8(3) of Regulation (EU) 2019/452 provides that projects or programmes of Union interest are to include those projects and programmes which involve a substantial amount or a significant share of Union funding, or which are covered by Union law regarding critical infrastructure, critical technologies or critical inputs which are essential for security or public order.

(2) The list of projects or programmes of Union interest referred to in point (1) is set out in the Annex to Regulation (EU) 2019/452.

(3) The Commission has found that there are several other projects and programmes which involve a substantial amount or a significant share of Union funding, or which are covered by Union law regarding critical infrastructure, critical technologies or critical inputs which are essential for security or public order, and which should therefore also be included in the aforementioned list.

(4) It is appropriate to expressly mention partnerships under Horizon 2020 taking the form of Union participation in programmes undertaken by several Member States, instruments such as Joint Undertakings or bodies such as the European Institute of Innovation and Technology. These partnerships play an important role in EU actions addressing healthcare emergencies such as the COVID-19 pandemic as they support, among other areas, research and innovation related to public health, initiatives improving the efficiency, effectiveness and quality of the drug development process and partnerships between the private sector and academia for improving the sustainability of healthcare systems.

(5) The Annex to Regulation (EU) 2019/452 should therefore be amended accordingly,

Changes to legislation: There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2020/1298. (See end of Document for details)

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) 2019/452 is amended as follows:

(1) Point 3 is replaced by the following:

3. Horizon 2020 including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU:

Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 – the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104), including actions therein relating to Key Enabling Technologies such as artificial intelligence, robotics, semiconductors and cybersecurity.

(2) Point 8 is replaced by the following:

8. Permanent structured cooperation (PESCO):

Council Decision (CFSP) 2018/340 of 6 March 2018 establishing the list of projects to be developed under PESCO (OJ L 65, 8.3.2018, p. 24).

Council Decision (CFSP) 2018/1797 of 19 November 2018 amending and updating Decision (CFSP) 2018/340 establishing the list of projects to be developed under PESCO (OJ L 294, 21.11.2018, p. 18).

Council Decision (CFSP) 2019/1909 of 12 November 2019 amending and updating Decision (CFSP) 2018/340 establishing the list of projects to be developed under PESCO (OJ L 293, 14.11.2019, p. 113).

(3) The following points 9, 10 and 11 are added:

9. Preparatory Action on Preparing the new EU GOVSATCOM programme:

Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 58(2)(b) thereof (OJ L 193, 30.7.2018, p. 1).

10. Preparatory Action on Defence Research:

Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 58(2)(b) thereof (OJ L 193, 30.7.2018, p. 1).

11. European Joint Undertaking for ITER: