II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2020/1298
of 13 July 2020
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.


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:


(2) Point 8 is replaced by the following:

‘8. Permanent structured cooperation (PESCO):


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

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


10. Preparatory Action on Defence Research:


11. European Joint Undertaking for ITER:


Article 2

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

This Regulation shall be published in the Official Journal of the European Union once the period for objection by either the European Parliament or the Council has expired, or the European Parliament and the Council have both informed the Commission that they will not object, pursuant to Article 16(6) of Regulation (EU) 2019/452.
This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 July 2020.

For the Commission
The President
Ursula VON DER LEYEN