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#### OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	15352/1/25 REV 1; 15800/25 + COR 1
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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the acceleration of permit-granting for defence readiness projects - Mandate for negotiations with the European Parliament

Delegations will find in the Annex, for information, the text of the mandate for negotiations with the European Parliament on the above-mentioned file as agreed by the Permanent Representatives Committee at its meeting on 26 November 2025.

Changes compared to the Commission proposal are marked in **bold** and deletions in ~~striketrough~~.

2025/0172 (COD)

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL****on the acceleration of permit-granting for defence readiness projects**

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 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<sup>1</sup>,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The Union is facing an acute and growing threat, as underscored in the Joint White Paper on European Defence Readiness 2030<sup>2</sup>, linked to the return of full-scale conflict in Europe. In response to this escalating challenge, it is imperative that the Union takes decisive action to bolster its defence readiness. There is urgency to ramp up European defence readiness to ensure that Europe has a strong and sufficient European defence posture by 2030 at the latest. Based on projections of gradual take-up of the instruments proposed

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<sup>1</sup>

<sup>2</sup> Joint White Paper for European Defence Readiness 2030, JOIN(2025) 120 final, 19 March 2025.

under the ReArm Europe Plan/Readiness 2030, defence investment could reach at least EUR 800bn over the next four years. A crucial aspect of this effort is the need to ramp up the Union's defence production capacity, enabling it to respond effectively to emerging security threats. In order to achieve that goal, regulatory simplification and harmonisation are essential. By streamlining and aligning regulatory frameworks, the Union can create a more conducive environment for defence industries to operate, innovate, and produce the necessary capabilities to ensure European security and defence readiness. **The European Council took stock of work aiming to decisively ramp up Europe's defence readiness by 2030. The European Council confirmed its determination to deliver at pace and at scale on this objective, so that Europe is better equipped to act and deal autonomously, in a coordinated way, and with a 360° approach, with immediate and future challenges and threats.**<sup>3</sup>

- (2) In this context, defence readiness should be understood as the ability of Member States to anticipate, prevent, and respond to defence related crises, as referred to in Directive 2009/81/EC of the European Parliament and of the Council<sup>4</sup>~~through a proactive and coordinated approach~~ **including in order to protect citizens, property and the availability of key resources within the Union in reaction to dynamically changing threats and ensuring the ability to provide military support to partners.** This includes ensuring the availability of defence industrial capacity required to acquire and maintain the necessary resources, capabilities, and infrastructure with the aim of responding effectively to such crises.

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<sup>3</sup> **European Council meeting (23 October 2025) – Conclusions.**

<sup>4</sup> Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC (OJ L 216, 20.8.2009, p. 76, ELI: <http://data.europa.eu/eli/dir/2009/81/oj>).

- (3) Setting up or extending facilities, infrastructure and undertaking activities related to defence readiness often requires applying for several relevant permits and approvals. Existing permitting processes for assessments across various areas are often lengthy and cumbersome. Those procedures currently lack Union-wide provisions for fast-track processes specific to defence readiness activities, which impedes the ramp-up of defence production and related infrastructure in a timely manner and defence readiness activities and investments that are crucial for meeting emerging security demands.
- (4) ~~The national~~**For that reason, permit-granting process ensures that processes of the Member States for defence readiness projects, should be streamlined, while ensuring that such projects** are safe, secure, **environmentally sustainable**, and comply with environmental, social and ~~other~~ safety requirements. Union environmental law sets common conditions for the content **and process** of ~~the national permit-granting process~~, thereby ensuring a high level of environmental protection and allowing for the sustainable exploitation of the Union's potential along the raw materials value chain. **This Regulation does not undermine any obligations arising from other relevant Union legislation.**
- (5) At the same time, the ~~unpredictability, complexity and, often, excessive length of~~**complex and lengthy** national permit-granting processes undermine the investment security needed for the effective strengthening of Member States defence readiness. The structure and length of a permit-granting process for relevant projects can also differ greatly between Member States. Therefore, to ensure and speed up their effective implementation, Member States should apply streamlined and predictable permit-granting processes to defence readiness projects.
- (5a) **In light of these challenges, it is appropriate to establish extraordinary measures to accelerate the permit-granting processes for defence readiness projects. Their use is justified by the urgent need to strengthen the Union's defence readiness and should be limited to cases where Member States identify defence readiness projects within the meaning of this Regulation.**

- (5b) **As clarified by the Commission in its Communication of 17 June 2025 on the Defence Readiness Omnibus, derogations already exist in various Union legislations and provide grounds of “overriding public interest”, “public safety” or in case of “crisis”, which Member States can use where appropriate for purposes of defence readiness activities and investments. In this context, compensatory or mitigating measures that may be required in the framework of the permit-granting process are tools aimed at ensuring that the interests of relevant sectors are safeguarded in a proportionate manner, with a view to timely achievement of the defence readiness 2030 objective.**
- (6) While certain Member States have taken or are likely to take measures to accelerate the permission-granting processes for the defence industry, this may be done in diverging ways which would result in barriers to the functioning of the internal market in the defence sector. Divergent national ~~legislation, legislations~~ regarding the ~~planning~~ permit-granting process of defence projects have ~~proven to~~ become bottlenecks for European relevant defence products supply chains. To ensure the functioning of the internal market, it is necessary to establish harmonised rules for the acceleration of the permit-granting processes.
- (7) While Union institutions can provide guidance and frameworks, the responsibility for authorisation and facilitating fast-track permitting processes resides primarily with Member States. Member States are best positioned to implement changes that cater to their specific administrative and regulatory landscapes.
- (8) There is a pressing need to reduce the complexity and duration of permitting processes for defence readiness projects. By establishing national permitting frameworks that prioritise these projects and ensure their rapid processing, the Union aims to enhance its defence production capacity and readiness by 2030 at the latest.
- (9) In order to address these challenges, the defence industry should benefit ~~off~~from rules proven to be effective in streamlining industrial permitting processes. Aiming to reduce permitting deadlines for defence industry activities, including construction of new plants and related infrastructure, expansion of existing facilities, establishment of testing sites, training and certifying while also building on and broadening existing applicable provisions.

- (10) Complying with Union law, including for instance in relation to ~~water~~, waste management **and to water**, air, ecosystems, habitats, archaeological, **and** biodiversity ~~and birds~~<sup>2</sup> protection, ~~are~~<sup>is</sup> integral ~~part of~~<sup>part of</sup> the permit granting procedure, also for the defence sector. Such rules are an essential safeguard to ensure negative impacts are prevented or minimised. However, to ensure that permit granting procedures for defence readiness projects are predictable and timely, any potential to streamline the required assessments and authorisations while not lowering the level of, for instance, environmental protection, should be realised. In that regard, it should be ensured that the necessary assessments are bundled to prevent unnecessary overlap.
- (10a) **Each Member State should, in light of its administrative organisation and defence and national security needs, determine upon receipt of a complete permit-granting application, whether a project located on its territory qualifies as a defence readiness project.**
- (11) To facilitate the efficient and timely processing of administrative permitting applications related to defence readiness activities and the scaling up of defence production, Member States need to ensure that the competent national authorities implement fast-track procedures. Those authorities should provide the most rapid legal treatment possible for such **permit-granting** applications, thereby enabling timely responses to defence readiness needs.
- (12) Establishing a single point of contact for industry applications regarding permits related to defence activities is intended to streamline communication, reduce administrative burdens and further expedite the permitting process with clear and legally binding deadlines, thereby providing efficient pathway for defence-related industrial applications. Moreover, it will provide certainty to investors by ensuring the rapid treatment of ~~permit~~**permit-granting** applications and limiting the risks to investments related to lengthy procedures.

- (12a) **Member States should be able, in light of their internal organisation, to choose whether to establish or designate their single points of contact at local, regional or national level, or at any other relevant administrative level. Moreover, the relevant competent authorities should specify and make available to the single point of contact the requirements and extent of information requested of a project promoter before the permit-granting process commences. The single point of contact should be responsible for communicating that information to the project promoter of the defence readiness project. Defence readiness project promoters should be able to interact with a single point contact which is responsible for facilitating and coordinating the entire permit-granting process. It should be for Member States to decide by virtue of national law whether a single point of contact is also an authority that makes permitting decisions. To ensure the effective implementation of their responsibilities, Member States should provide their single points of contact, as well as any authority involved in the permit-granting process with sufficient personnel and resources.**
- (13) To accelerate reaching full operational capacity of the single contact points Member States should, to the extent possible, take advantage of possible complementarity with existing single contact points, for example those established under Regulation (EU) 2024/1735 of the European Parliament and of the Council<sup>5</sup> or Regulation (EU) 2024/1252 of the European Parliament and of the Council<sup>6</sup>.

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<sup>5</sup> Regulation (EU) 2024/1735 of the European Parliament and of the Council of 13 June 2024 on establishing a framework of measures for strengthening Europe's net-zero technology manufacturing ecosystem and amending Regulation (EU) 2018/1724 (Text with EEA relevance) (OJ L, 2024/1735, 28.6.2024, ELI: <http://data.europa.eu/eli/reg/2024/1735/oj>).

<sup>6</sup> Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 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, 2024/1252, 3.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1252/oj>).

- (14) Furthermore, Member States should provide the necessary administrative support to defence readiness projects located on their territory, to facilitate their timely and effective implementation, paying particular attention to the needs of small and medium-sized enterprises and mid-cap enterprises involved in those projects, by providing assistance regarding compliance with applicable administrative and reporting obligations, informing the public to increase acceptance of the projects and guiding project promoters through the permit-granting process.
- (15) The Commission may offer capacity-building support to the single point of contact, including technical assistance, training, monitoring and evaluation, with the aim of developing and strengthening the abilities, processes and resources that the single points of contacts need to develop for the purposes of this Regulation. Such support may be requested by Member States ~~and will fall within the scope of supporting actions under the European Defence Industry Programme [reference to be added once EDIP is adopted]~~.
- (16) In order to ensure clarity about the permitting status of defence readiness projects and to limit the effectiveness of potential abusive litigation, while not undermining effective judicial review, Member States should ensure that any dispute concerning the permit-granting process for defence readiness projects is resolved in a timely manner. To that end, Member States should ensure that project promoters have access to simple dispute settlement procedures and that defence readiness projects are subject to urgent handling in all administrative, judicial and dispute resolution procedures relating to the projects to the extent that national law provides for such urgency procedures.
- (17) In order to provide project promoters and other investors with the security and clarity needed to increase development of defence readiness projects, Member States should ensure that the permit-granting process related to such projects does not exceed set time limits.
- (17a) The permit-granting process should start when the single point of contact notifies the project promoter that the permit-granting application received is complete and end when the single point of contact notifies the project promoter of the outcome of the comprehensive decision.**



- (17b) **Where an environmental impact assessment or other assessments are required by Union or national law as part of an authorisation process, a permit-granting application should only be considered to be complete for the purpose of this Regulation where the environmental impact assessment report or other assessments have been provided by the project promoter. Where relevant, obligations of the competent national authorities, such as for the purpose of completing the environmental impact assessment pursuant to Directive 2011/92/EU, article 1 (2), point (g) (iii), (iv) and (v), are to be carried out before the end of the permit-granting process.**
- (17c) **Where on expiry of these time limits, the project promoter has not been informed of the outcome of the permit-granting process, the permits concerned should be deemed to have been granted and the project promoter authorised to implement the defence readiness project. The single point of contact should have 10 days to inform the project promoter of the tacit approval and where relevant, specify the conditions and requirements which these permits are subject to, in accordance with applicable Union or national law. Such tacit approval is without prejudice to Member States' obligations to perform case-by-case examinations, assessment procedures or public consultations, which are to be carried out pursuant to Union or national law. In order to take into account national specificities in the protection of public health, safety of workers, national security and the environment, Member States should be able to derogate from the general rule by allowing competent authorities not to apply the tacit approval to a specific permit-granting application where credible and grave risks are established.**
- (18) This Regulation is without prejudice to the obligations deriving from international law, where relevant.
- (19) Since the objective of this Regulation 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 the 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.

- (19a) This Regulation is without prejudice to the Member States' responsibility for safeguarding national security and the specific character of the security and defence policy of certain Member States. National security remains the sole responsibility of each Member State,

HAVE ADOPTED THIS REGULATION:

### *Article 1*

### **Definitions**

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

- (1) 'defence readiness project' means ~~set of~~ activities, investments and measures ~~aimed at~~ enhancing the defence readiness of a Member State ~~or several Member States~~, including through the development of the defence industry;
- (2) 'defence industry' means all undertakings engaged in the **research**, development, production, and manufacture of defence-related products as defined in Article 3(1) of Directive 2009/43/EC of the European Parliament and of the Council<sup>7</sup>;
- (3) 'defence readiness' means the state of preparedness of a Member State or several Member States to **anticipate, prevent or** respond to a crisis **as** defined in Article 1, point (10) of Directive 2009/81/EC of the European Parliament and of the Council<sup>8</sup>, which relates to defence;

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<sup>7</sup> Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community (OJ L 146, 10.6.2009, p. 1, ELI: <http://data.europa.eu/eli/dir/2009/43/oj>).

<sup>8</sup> Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC (OJ L 216, 20.8.2009, p. 76, ELI: <http://data.europa.eu/eli/dir/2009/81/oj>).

- (4) ‘middle capitalisation company’ or ‘mid-cap’ means middle capitalisation company as defined in Article 2, point (15), of Regulation (EU) 2021/697 of the European Parliament and of the Council<sup>9</sup>;
- (5) ‘small mid-cap enterprises’ means enterprises as defined in the Annex to Commission Recommendation (EU) 2025/1099<sup>10</sup>;
- (6) ‘permit-granting process’ means a process that covers all relevant permits, including permits necessary to build, expand, convert and operate defence readiness projects and all the necessary administrative steps from the acknowledgement that the **permit-granting** application is complete to the notification of the ~~final~~**comprehensive** decision on ~~that~~ **application** ~~the outcome of the process~~ by the single **point of** contact ~~point~~ concerned;
- (7) ‘project promoter’ means any undertaking or consortium of undertakings developing a defence readiness project;
- (7a) ‘comprehensive decision’ means the decision taken by competent authorities that determine whether a project promoter is authorised to implement a defence readiness project, without prejudice to any decision taken in the context of an appeal procedure;**
- (8) ‘small and medium-sized enterprises’ or ‘SMEs’ means small and medium-sized enterprises as defined in Article 2 of the Annex to Commission Recommendation 2003/361/EC<sup>11</sup>.

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<sup>9</sup> Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149, ELI: <http://data.europa.eu/eli/reg/2021/697/oj>).

<sup>10</sup> Commission Recommendation (EU) 2025/1099 of 21 May 2025 on the definition of small mid-cap enterprises (OJ L, 2025/1099, 28.5.2025, ELI: <http://data.europa.eu/eli/reco/2025/1099/oj> ).

<sup>11</sup> Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36, ELI: <http://data.europa.eu/eli/reco/2003/361/oj>).

## *Article 1a*

### **Designation of a defence readiness project**

**Member States shall decide whether a project qualifies as defence readiness project for the purposes of this Regulation.**

## *Article 2*

### **Single point of contact**

1. By ...[3 months after the date of entry into force of this Regulation], each Member State shall establish or designate one ~~authority~~ **or more authorities** as single point of contact at the relevant administrative level. **The single point of contact shall be the sole point of contact per defence readiness project and can be an administrative authority or digital entity.**
- 1a. **Where a Member State establishes or designates more than one single point of contact pursuant to paragraph 1 of this Article, the Member State shall provide tools to help project promoters identify the appropriate single point of contact for a defence readiness project.**
2. The single point of contact shall be responsible for facilitating and coordinating the permit-granting process for defence readiness projects and for providing information on streamlining the administrative processes in accordance with ~~Article 3, including information to the project promoter on when an application is considered to be completed in accordance with Article 5(6)~~ **Articles 3 and 5.**
3. ~~The single point of contact established or designated pursuant to paragraph 1 shall be~~ **As the sole point of contact for the project promoter in the permit-granting process for a defence readiness project, it, the single point of contact shall coordinate and facilitate the submission of all relevant documents and information and shall notify the project promoter of the final comprehensive decision in that process.**
4. Project promoters shall be allowed to submit any documents relevant to the permit-granting process in electronic form.
5. The competent authorities, **in close coordination with the single point of contact**, shall ensure that any relevant studies carried out, or permits or authorisations issued, for a given

project **and project promoters** are taken into account and that no duplicate studies, permits or authorisations are required, unless otherwise required under Union or national law.

6. Member States shall ensure that the single point of contact and all competent authorities responsible for any step along the permit-granting processes, including all procedural steps, have enough qualified staff and sufficient financial, technical and technological resources ~~necessary~~, including, where appropriate, for up- skilling and re-skilling, for the effective performance of their tasks under this Regulation.
7. The **competent** authorities involved in the permit-granting process and other authorities concerned shall specify and make available to the single point of contact concerned, the requirements and all information requested of a project promoter before the permit-granting process commences. **The single point of contact may engage in, participate and facilitate discussions between the project promoter and competent authorities prior to the permit-granting application without pre-empting the comprehensive decision.**
8. Upon request by a Member State, the Commission may assist the authorities of that Member State with capacity building in support of implementation of this Regulation, notably in establishing or operating a single point of contact.

### *Article 3*

#### **Online accessibility of information**

Member States shall provide public access to the following information on permit-granting processes relevant to defence readiness projects, online and in a centralised and easily accessible manner:

- (a) the single points of contact referred to in Article 2(1);
- (b) the permit-granting process, including information on dispute settlement concerning the permit-granting process including, where applicable, alternative dispute resolution mechanisms, if such procedures are provided for by national law;
- (c) financing and investment services **for defence readiness projects**;
- (d) funding possibilities at Union or Member State level **for defence readiness projects**;
- (e) business support services, including but not limited to corporate tax declaration, local tax laws or, **where relevant and in accordance with national practices**, labour law, **for defence readiness projects**.

### *Article 4*

#### **Accelerating implementation**

Member States shall provide administrative support for defence readiness projects located on their territory, paying particular attention to SMEs and mid-caps, including small mid-cap enterprises, involved in those projects, including by providing:

- (a) assistance regarding compliance with applicable administrative and reporting obligations;
- (b) assistance to project promoters to inform the public;
- (c) assistance to project promoters along the permit-granting process, ~~in particular for SMEs and small mid-cap enterprises.~~

## *Article 4a*

### **Completeness check of the permit-granting application**

- 1. No later than 20 days from receiving the permit-granting application, the single point of contact shall acknowledge if the Regulation applies, whether the permit-granting application received is complete or request additional information.**
- 2. If information is missing from the permit-granting application, the single point of contact shall request the project promoter to submit the missing information, specifying which information is missing. If the submitted permit-granting application is deemed to be incomplete for a second time, the single point of contact may, within 20 days of the second submission, make a second and final request for information. The single point of contact shall not request information in areas not covered in the first request for information and shall be entitled only to request further evidence to complete the identified missing information. If the submitted permit-granting application is deemed incomplete for a third time, the process shall be considered terminated for the purposes of this Regulation.**
- 3. Where an environmental impact assessment report or other assessments are required as part of the permit-granting application, a permit-granting application shall be considered to be complete for the purposes of this Regulation only once these assessments have been included in the permit-granting application by the project promoter.**
- 4. The date when the single point of contact notifies the project promoter that it has received a complete permit-granting application shall serve as the start of the permit-granting process.**

## Article 5

### Duration of the permit-granting process

1. The permit-granting process for defence readiness projects, including the granting of the relevant permit, shall not exceed ~~{60}~~60 days.
- 1a. **The single point of contact shall, in close cooperation with the competent authorities, draw up a schedule for the permit-granting process, and share this schedule with the project promoter, at the start of the permit granting process.**
2. Where a defence readiness project requires the construction of several facilities or units ~~in one site~~, the project promoter ~~and may, in agreement with the single point of contact may agree on splitting~~, **split** the project into several smaller projects ~~for the purposes of complying with the applicable time limits~~.
3. ~~In exceptional cases~~**By way of derogation from paragraph 1**, where the nature, complexity, location or size of the proposed defence readiness project so requires, **or where the project raises risks for the health and safety of workers or of the general population, a competent authority may** ~~a Member State may once~~ extend the time limits~~limit~~ referred to in paragraph 1 **once or several times** by a maximum of ~~30 days~~**90 days**. **In such case, the total duration of the permit-granting process shall not exceed 150 days. Any such extension shall be notified by the single point of contact to the project promoter in writing within a reasonable time before the expiry of the time limit. Any such notice shall include the reasons for the extension and the date when the final decision is expected**~~and on a case-by-case basis~~.
4. ~~Where a Member State considers that the defence readiness project raises exceptional risks for the health and safety of workers or of the general population, and where additional time is necessary to establish that measures to address identifiable risks have been put in place, it may extend the time limits referred to in paragraph 1 by 60 days, within 30 days of the start of the permit-granting process.~~
5. ~~In the application of paragraph 3 or 4, the single point of contact shall inform the project promoter in writing of the reasons for the extension and of the date when the final decision is expected.~~



6. ~~No later than 15 days from the receipt of the permit-granting application, the single point of contact concerned shall acknowledge that the application is complete and whether this Regulation applies or, if the project promoter has not sent all the information required to process the application, request the project promoter to submit a complete application without undue delay, specifying which information is missing. If the submitted application is deemed to be incomplete for a second time, the single point of contact may, within [15] days of the second submission, make a second request for information. The single point of contact shall not request information in areas not covered in the first request for information and shall be entitled only to request further evidence to complete the identified missing information. The date of the acknowledgement of the completeness of the application from the single point of contact shall serve as the start of the permit-granting process for that application.~~
7. The time limits set in this Article for any of the permit-granting processes shall be without prejudice to any shorter time limits set by Member States.
8. Where the single point of contact does not inform the project promoter of the outcome of the permit-granting process within the time ~~limit~~**limits** set out in paragraph 1 and extended, where applicable, in accordance with ~~paragraphs 3 and 4~~**pursuant to paragraphs 3 and 4** ~~1 to 3~~, the permits covered by the application **comprehensive decision** shall be deemed to be granted. ~~The single point of contact shall promptly deliver written confirmation to the project promoter, indicating that the permits have been implicitly granted based on the application submitted.~~

**Where permits are tacitly granted, the single point of contact shall within 10 days from the expiry of the time limits set out pursuant to paragraphs 1 to 3, inform the project promoter thereof and where relevant, specify the conditions and requirements which these permits are subject to, in accordance with applicable Union or national law.**

**Member States shall ensure that tacit decisions granting permits pursuant to this paragraph may be challenged by affected parties.**

9. **Member States' national law may provide that, as a derogation to the general rule referred to in paragraph 8, tacit approval shall not apply in duly justified cases where substantiated evidence demonstrates the existence of a credible and grave risk to human health, the safety of workers, national security or the environment. Any decision to not apply tacit approval to a specific permit-granting application shall be adopted and notified to the project promoter before the end of the time limits set out pursuant to paragraphs 1 to 3.**

#### *Article 6*

#### **Planning**

1. National, regional and local authorities responsible for preparing plans, including zoning, spatial plans and land use plans, shall include in such plans, where appropriate, provisions for the development of defence readiness activities, projects as well as the necessary infrastructure. To facilitate the development of defence readiness projects, Member States shall ensure that all relevant spatial planning data is available online in accordance with Article 3.

2. Where plans include provisions for the development of defence readiness projects, and their required infrastructure, and are subject to an assessment pursuant to Directive 2001/42/EC of the European Parliament and of the Council<sup>12</sup> and pursuant to Article 6 of Council Directive 92/43/EEC<sup>13</sup>, those assessments shall be combined. Where applicable, the combined assessment shall also address the impact on potentially affected water bodies referred to in Directive 2000/60/EC of the European Parliament and of the Council<sup>14</sup>. Where relevant, the Member States are required to assess the impacts of existing and future activities on the marine environment, including land-sea interactions, as referred to in Article 4 of Directive 2014/89/EU of the European Parliament and of the Council<sup>15</sup> those impacts shall also be covered in the combined assessment. The fact that assessments are combined pursuant to this paragraph shall not affect their content or quality. ~~The combined assessment shall be carried out within the time limits set out in this Regulation.~~

#### *Article 7*

#### **Priority status of defence readiness projects**

All dispute resolution procedures, litigation, appeals and judicial remedies as well as all administrative proceedings related to defence readiness projects before any national courts, tribunals, bodies or panels, including with regard to mediation or arbitration, where they exist in national law, shall be treated as urgent if and to the extent to which national law concerning relevant permit-granting processes provides for such urgency procedures and provided that the applicable rights of defence of individuals or of local communities are respected. Project promoters of defence readiness projects shall participate in such urgency procedures, where applicable.

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<sup>12</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30, ELI: <http://data.europa.eu/eli/dir/2001/42/oj>).

<sup>13</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7, ELI: <http://data.europa.eu/eli/dir/1992/43/oj>).

<sup>14</sup> Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1, ELI: <http://data.europa.eu/eli/dir/2000/60/oj>).

<sup>15</sup> Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning (OJ L 257, 28.8.2014, p. 135, ELI: <http://data.europa.eu/eli/dir/2014/89/oj>).

## *Article 8*

### **Applicability of UNECE Conventions**

This Regulation is without prejudice, where relevant, to the obligations under the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed at Aarhus on 25 June 1998, and under the UNECE Convention on environmental impact assessment in a transboundary context, signed at Espoo on 25 February 1991 and its Protocol on Strategic Environmental Assessment, signed in Kyiv on 21 May 2003.

## *Article 9*

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

It shall apply only to ~~permit~~**permit-granting** applications for defence readiness projects submitted **3 months** after ~~that date~~**the entry into force**.

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

Done at Strasbourg,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

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