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COVER NOTE

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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	SEC(2026) 504 final
Subject:	Regulatory Scrutiny Board Opinion Impact Assessment accompanying the proposal on the European Chips Act 2.0

Delegations will find attached document SEC(2026) 504 final.

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EUROPEAN COMMISSION

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REGULATORY SCRUTINY BOARD OPINION

Impact assessment / European Chips Act 2.0

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EUROPEAN COMMISSION
REGULATORY SCRUTINY BOARD

Brussels,
RSB

Opinion

Title: Impact assessment / European Chips Act 2.0

Overall 2nd opinion: POSITIVE WITH RESERVATIONS

(A) Policy context

The Chips Act has been in force since September 2023. It was set up to reinforce the semiconductor ecosystem in the EU, ensure the security of supply chains and reduce external dependencies. Since the adoption of the Chips Act, the dynamics of the semiconductor market have shifted drastically, with AI becoming a pervasive end application, while clear gaps in European capabilities remain. A Chips Act 2.0 was included in the President's mission letter to the Executive Vice-President for Tech Sovereignty, Security and Democracy and called for in the recommendations of the Draghi Report.

(B) Key issues

The Board notes the improvements done to the draft report, in particular for the analysis of the chips value chain and the EU's position.

However, the report still contains significant shortcomings. The Board gives a positive opinion with reservations because it expects the lead Service to rectify the following aspects:

(1) The measure to incentivise trusted chips is not sufficiently described to allow for the assessment of impacts.

(2) The report does not adequately analyse coherence with the existing and forthcoming policy initiatives and instruments. It is not sufficiently clear how interplay will be ensured to achieve synergies between the supply- and demand-side measures.

(3) The analysis of the risk of inefficient allocation of resources is not sufficient.

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(C) What to improve

(1) The measure to incentivise trusted chips in public procurement (policy measure 10) should be better described including regarding elements inspired by NZIA. The fact that it creates incentives, not mandatory obligations, should be made clear. The interplay with mandatory obligations in other legislation such as the Cyber Resilience Act (CRA) should be clarified. The assessment of impacts should be revised taking into account the improved description of the measures; it should include the risks that the expected benefits resulting from PM8 and the demand side measures may not materialise as envisaged. The total overview of costs and benefits should be improved, including by presenting the main assumptions underpinning the assessment of costs and benefits, including the related uncertainties.

(2) The report should provide a detailed analysis of coherence for the preferred package, in particular in relation to the Cybersecurity Act 2, public procurement rules, including their upcoming revisions, forthcoming initiatives related to R&D&I and other relevant instruments.

(3) The synergies and interdependencies of the strategic projects (PM8) paired with demand-side measures (PM9, PM10) should be further analysed, including the practical steps necessary to ensure that they support each other and are both timely. The relationship between R&D&I (PM1), strategic projects (PM8) and innovation procurement (PM9) requires deeper analysis, in particular with regard to the potential risk of fragmentation or dilution of efforts. The analysis of risks and unintended consequences related to possible inefficiencies in allocating public and private capital and impacts in the downstream value chain should be improved. The report should further discuss the long-term competitiveness, including structural cost disadvantages, in various key segments of the EU chips production that will be supported by the intervention.

(4) The revised objectives should be substantiated by evidence, in line with the stated levels of the EU's technological sovereignty to be reached for the various chip types. The assumptions behind the targets should be provided and justified. The improved objectives should also be reflected in a more complete performance monitoring framework.

(D) Conclusion

The lead Service may proceed with the initiative.

The lead Service must revise the report and its executive summary in accordance with the Board's findings before launching the interservice consultation.

Full title	European Chips Act 2.0
Reference number	PLAN/2025/2008
Submitted to RSB on	11 March 2026
Date of RSB meeting	Written procedure

EUROPEAN COMMISSION
REGULATORY SCRUTINY BOARD

Brussels,
RSB

Opinion

Title: Impact assessment / European Chips Act 2.0

Overall opinion: NEGATIVE

(A) Policy context

The Chips Act has been in force since September 2023. It was set up to reinforce the semiconductor ecosystem in the EU, ensure the security of supply chains and reduce external dependencies. Since the adoption of the Chips Act, the dynamics of the semiconductor market have shifted drastically, with AI becoming a pervasive end application, while clear gaps in European capabilities remain. A Chips Act 2.0 was included in the President's mission letter to the Executive Vice-President for Tech Sovereignty, Security and Democracy and called for in the recommendations of the Draghi Report.

(B) Key issues

The Board notes the additional information provided and commitments to make changes to the report.

However, the Board gives a negative opinion because the report contains the following serious shortcomings that the lead Service must address:

(1) The analysis of the problem is not sufficiently developed. Current and required EU capabilities and production capacities concerning critical elements of the value chain for both mature and leading-edge chips are not sufficiently analysed.

(2) The objectives are not clearly defined, in particular in relation to the technological sovereignty desired for the different types of chips.

(3) Concerning the intervention logic, the interplay between different measures, including the supply-side and demand-side measures and how they will ensure reaching the required level of sovereignty is not clearly demonstrated.

(4) Measures are not sufficiently defined, which hinders the assessment of their impacts. The total costs of the intervention and their distribution is not clear. The risks related to the inefficiency of the allocation of resources are not assessed.

(5) The report is not sufficiently transparent on uncertainties linked to the next MFF. The report does not adequately analyse coherence with the existing and forthcoming policy initiatives.

(C) What to improve

(1) The results of evaluation of Chips Act 1.0, in particular on effectiveness and efficiency should be nuanced given the early implementation stage. The assessment of relevance should analyse problem evolution and continued necessity of intervention. Given strong global and EU demand for various chip types, the conclusions on the need for demand-side measures addressed to the EU market should be better substantiated or omitted.

(2) The report should present in greater detail the key components of the EU chips ecosystem. The lack of granularity in the analysis does not allow the precise identification of the problems and their root causes, and then to ascertain that the intervention targets the right elements. The text should highlight a current EU capabilities, production capacities and remaining gaps within the value chain for various types of chips, including mature and leading-edge chips; particular attention should be paid to explanation of what constitutes critical elements in the chips ecosystem and how their control should be managed.

(3) The objectives should be clearly articulated and underpinned by evidence to reflect the levels of EU's technological sovereignty for the various chip types to be reached. Specific objectives should be SMART.

(4) Based on a clear understanding of the steps necessary to address the gaps and investment needs, the report should better articulate the various policy measures. The report should lay down clear timelines for the effects of various measures to materialise and how they will be capitalised on with subsequent measures so as to ensure the assessment of their effectiveness. The interplay between the various measures, in particular the supply side and demand side measures, covering the whole value chain should be explained.

(5) The report should clearly present the costs of individual measures, the total costs of the intervention and who will bear the costs. It should analyse the risks and unintended consequences, in particular examining possible inefficiencies in allocating public and private capital and impacts in the downstream value chain.

(6) Assumptions should be clarified, acknowledging uncertainties, in particular linked to ongoing negotiations on the next MFF. Coherence with other existing or upcoming policy measures and instruments should be better explained in the report, notably in relation to State aids.

Some more technical comments have been sent directly to the author Service.

(D) Conclusion

The DG must revise the report in accordance with the Board's findings and resubmit it for a final RSB opinion.

Full title	European Chips Act 2.0
Reference number	PLAN/2025/2008
Submitted to RSB on	23 December 2025
Date of RSB meeting	28 January 2026