

Bucharest, March 30<sup>th</sup> 2026

**To**        **Ministerul Economiei, Digitalizării, Antreprenoriatului și Turismului**  
**Direcția Politici Industriale și Finanțări pentru Industrie**

**Subject** AmCham Romania – Consolidated Position on the Industrial Accelerator Act (COM(2026) 100 final)

Esteemed Officials,

On behalf of AmCham Romania and its member companies active across the energy, industrial, automotive and digital sectors, we are pleased to share our consolidated position on the Proposal for a Regulation establishing a framework of measures for the acceleration of industrial capacity and decarbonisation in strategic sectors (Industrial Accelerator Act).

We would like to begin by expressing our strong support for the overarching objectives of the proposal. The Industrial Accelerator Act comes at a critical juncture for the European Union, where the dual imperative of decarbonisation and industrial competitiveness must be addressed in a coherent and operational manner. Strengthening Europe's industrial base, reducing strategic dependencies and accelerating the clean transition are goals we fully endorse.

At the same time, our contribution aims to support the practical implementation of these objectives, ensuring that the Regulation remains both ambitious and workable in real market conditions. Drawing on the experience of companies directly involved in the deployment of industrial projects, energy infrastructure and complex supply chains, our proposals focus on enhancing feasibility, predictability and cost-efficiency.

In addition, particular attention should be paid to energy-intensive industries characterised by continuous-process operations and stable baseload electricity consumption. For these sectors, electricity is not merely a cost component, but a core technological condition of production. Excessive volatility, interruptions, or structurally uncompetitive prices can generate major operational risks and accelerate the relocation of industrial capacity outside the Union. Measures under this Regulation should therefore explicitly take into account the cumulative impact of regulatory costs on electro-intensive industries, in order to avoid carbon leakage, demand destruction and the erosion of industrial value chains within the Union.

Equally, our contribution includes a dedicated analysis of the provisions related to **foreign direct investment (FDI) screening under the Industrial Accelerator Act**. While we fully recognise the importance of safeguarding economic security and addressing strategic dependencies, we consider that the proposed framework risks introducing **overlapping procedures, extended timelines and additional conditionalities**, beyond existing EU and national screening mechanisms.

In particular, we highlight the importance of:

- ensuring that decarbonisation measures do not lead to disproportionate cost increases that could undermine competitiveness;

- recognising the central role of electricity grids and enabling anticipatory investments supported by clear cost-recovery mechanisms;
- introducing flexibility in “Made in EU” and low-carbon requirements to reflect supply chain realities;
- strengthening permitting frameworks, including through digitalisation, coordination and realistic timelines;
- clarifying key definitions and methodologies to provide legal certainty for investors and operators;
- recognising the specific operational needs of energy-intensive industries with continuous-process production and limited flexibility;
- ensuring coherence with ETS, CBAM, state aid rules and other relevant Union instruments, so as to avoid overlapping obligations and unnecessary administrative burdens.
- ensuring coherence and alignment with existing instruments, including the EU FDI Screening Regulation and the Foreign Subsidies Regulation;
- avoiding duplication of procedures and conflicting assessment outcomes;
- preserving a predictable and investment-friendly framework, particularly for large-scale industrial projects.
- ensuring proportionality in the application of foreign direct investment conditions and public procurement requirements.

Our proposals are intended to contribute constructively to the ongoing legislative process and to support the development of a Regulation that can effectively deliver on its objectives while preserving the attractiveness of the European Union as an investment destination.

We remain at your disposal for any further discussions and would welcome the opportunity to engage in more detail on the elements outlined in the attached document.

Yours sincerely,

**Gabriela Popescu**

AmCham Competition & State Aid Committee  
Chair

**Nicoleta Forfota**

AmCham Energy Committee Chair

## EXECUTIVE SUMMARY

The Industrial Accelerator Act represents a pivotal initiative for aligning Europe’s decarbonisation ambitions with the need to restore industrial competitiveness and resilience. It addresses structural challenges identified across strategic sectors, including high energy costs, supply chain vulnerabilities, and delays in permitting and infrastructure deployment.

AmCham Romania supports the strategic direction of the proposal and considers it a necessary step toward strengthening the European industrial base. At the same time, the effectiveness of the Regulation will depend on its ability to operate within real economic, technological and infrastructural constraints.

Our consolidated position, reflecting input from multiple sectors, is guided by a single overarching objective: **to ensure that the clean transition remains both achievable and economically sustainable.**

A first key dimension concerns **cost and competitiveness**. While the creation of lead markets for low-carbon and EU-origin products is an important policy tool, current cost differentials remain significant. Without appropriate safeguards and flexibility mechanisms, there is a risk that mandatory requirements could translate into higher costs for energy infrastructure, industrial projects and downstream sectors, ultimately weakening the global competitiveness of EU industry. The introduction of explicit cost safeguards and proportionality clauses is therefore essential.

The recent energy context reinforces this concern. Although energy prices have declined from the exceptional peaks of 2022, they remain significantly above historical averages and materially higher than in other major industrial regions. This confirms that energy costs remain a structural competitiveness challenge for European industry. More recent geopolitical developments have also renewed upward pressure on forward energy markets, underlining the need for urgent and effective measures to ensure access to competitive energy for industry.

For electro-intensive industries, access not only to low-carbon but also to affordable electricity constitutes a fundamental precondition for decarbonisation. Without competitive electricity prices, regulatory requirements on materials risk becoming economically unsustainable.”

A second critical pillar is **energy infrastructure**, in particular electricity grids. Industrial decarbonisation and the development of acceleration areas are fundamentally dependent on timely and adequate grid capacity. The proposal should more explicitly enable **anticipatory investments in transmission and distribution networks**, supported by regulatory frameworks that ensure cost recovery even in advance of firm demand. At the same time, stronger coordination between industrial planning and network development—supported by mandatory involvement of system operators—is necessary to avoid structural bottlenecks.

This is particularly relevant for energy-intensive industries operating in continuous processes. Such industries depend on stable and uninterrupted electricity supply, have very limited operational flexibility, and face disproportionate losses in the event of outages or extreme price volatility. The Regulation should therefore better reflect the specific needs of baseload industrial consumers when addressing grids, permitting, infrastructure planning and security of supply.

Third, the proposal would benefit from greater **flexibility in the application of “Made in EU” and low-carbon requirements**. While these instruments can strengthen European value chains, overly rigid thresholds risk generating supply shortages, increasing costs and delaying strategic projects. A more

calibrated approach—allowing for justified derogations and taking into account market availability and technological maturity—would better support both industrial policy and decarbonisation objectives.

The proposal should also more clearly link decarbonisation obligations with the availability of financing, infrastructure and mature technological solutions. Preferential demand-side measures alone will not be sufficient where industrial operators continue to face a significant cost gap vis-à-vis global competitors and major investment risks. For energy-intensive sectors in particular, decarbonisation pathways must remain financeable, technologically neutral and grounded in implementation realities.

Another important dimension is **regulatory clarity and predictability**. Several key concepts—such as the definition of Union origin, the calculation of low-carbon content, and the scope of compliance obligations—require further clarification. Without clear and harmonised methodologies, companies face difficulties in assessing compliance pathways and making investment decisions. Providing this clarity directly in the Regulation, rather than deferring it to future implementing acts, would significantly enhance legal certainty.

Equally important is coherence with the wider EU regulatory framework. The effectiveness of the Industrial Accelerator Act will depend on its alignment with ETS, CBAM, the Net-Zero Industry framework, critical raw materials policy, state aid rules and future competitiveness financing tools. Without such alignment, there is a risk of duplicative reporting, overlapping methodologies and cumulative compliance costs that could weaken the business case for industrial investment in Europe.

Equally, **permitting procedures** remain a decisive factor for project delivery. The proposal moves in the right direction by introducing streamlined and digitalised processes. However, additional improvements are needed to ensure effectiveness in practice. These include the use of aggregated baseline permits for industrial areas, enhanced digital interoperability through single access points, and realistic timelines that account for external constraints—particularly in relation to grid connections, where “stop-the-clock” mechanisms may be necessary. A further key dimension relates to the proposed framework on **foreign direct investment (FDI) screening**, which introduces new layers of conditionality linked to industrial policy objectives. While the intention to safeguard strategic sectors is legitimate, the proposed approach risks creating overlaps with existing instruments and adding procedural complexity. In particular, the interaction between national screening mechanisms, the EU FDI framework and the new IAA provisions may result in cumulative notification requirements, extended timelines and legal uncertainty for investors.

This is especially relevant in Member States such as Romania, where existing screening regimes already cover a broad range of sectors. The addition of new approval layers—combined with multiple conditions related to investment thresholds, investor origin and value-added criteria—may affect the predictability and timing of investment decisions. In certain cases, the overall approval process could extend significantly, potentially discouraging large-scale strategic investments.

From the perspective of energy-intensive industry, the credibility of the Industrial Accelerator Act will ultimately depend on whether it delivers not only strategic direction, but also workable conditions for implementation: competitive energy, adequate infrastructure, financeable decarbonisation pathways, and legal certainty. Without these enabling conditions, there is a risk that the Regulation could unintentionally deepen industrial decline instead of reversing it.

Taken together, these adjustments do not alter the ambition of the proposal. On the contrary, they are intended to reinforce its effectiveness by aligning policy objectives with implementation realities. A



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Regulation that successfully balances decarbonisation, competitiveness and security of supply will not only accelerate the clean transition, but also strengthen Europe’s position in an increasingly competitive global landscape.

The success of the Industrial Accelerator Act will ultimately depend on its ability to reconcile decarbonisation objectives with the preservation of globally competitive industrial production within the Union, particularly for electro-intensive sectors.

AmCham Romania remains committed to supporting this objective and to contributing constructively to the legislative process.

## Proposed amendments and observations

### I. Energy, automotive and competitiveness

#### Amendment 1: Cost & competitiveness recital

Location: Page 2, after paragraph ending “engine of industrial growth”

*In order to ensure that the clean transition remains economically sustainable, measures under this Regulation should avoid disproportionate increases in costs for energy infrastructure, renewable deployment, and industrial projects, while preserving the global competitiveness of Union industry.*

- This amendment ensures a balanced approach between decarbonisation and competitiveness. The impact assessment shows that low-carbon products currently involve significant cost premiums, which, if imposed rigidly, risk increasing the cost of energy infrastructure and industrial investments. Without a cost safeguard, the Regulation may unintentionally undermine the affordability of the energy transition and weaken the competitiveness of EU industry, especially in a context of already higher energy prices compared to global competitors.

*Particular consideration should be given to energy-intensive industries operating in continuous processes and relying on stable baseload electricity supply, for which electricity constitutes a core technological input. Measures under this Regulation should therefore be designed so as to preserve security of supply, avoid excessive cost volatility, and prevent the relocation of industrial capacity outside the Union.*

#### Justification:

The proposal does not sufficiently reflect the operational specificities of industries with continuous production processes. For such sectors, electricity is not only a cost factor but a technical condition of production. Interruptions or structurally uncompetitive prices can create disproportionate operational risks and accelerate carbon leakage and deindustrialisation.

#### Amendment 2: Anticipatory investments in networks

Location: Page 4, paragraph starting “To achieve these objectives”

*To achieve these objectives, the proposal introduces a balanced regulatory approach to enhance the competitiveness of the industry and mitigate, as well as prevent, strategic dependencies in key sectors. It is limited to the set of minimum requirements necessary to address the problems currently faced by a selected number of strategic sectors, without unduly constraining the market and technological development or disproportionately increasing the cost of specific materials and products. Moreover, the proposal sets a framework to streamline permitting procedures and promote a coordinated approach to investment projects across the Union. This includes enabling anticipatory investments in electricity transmission and distribution networks, supported by appropriate regulatory frameworks ensuring timely cost recovery.*

- Grid infrastructure is a precondition for industrial decarbonisation and renewable deployment. The proposal identifies infrastructure bottlenecks but does not sufficiently recognise the need for anticipatory investments. Without forward-looking grid expansion and clear cost recovery mechanisms, industrial projects risk being delayed due to connection constraints, undermining the effectiveness of the Regulation and the development of industrial clusters.

### **Amendment 3: Industrial clusters + grids**

Location: Page 4, paragraph on industrial clusters

*Deploy manufacturing projects at scale by speeding-up and simplifying permits for manufacturing projects, as well as by ~~facilitating the development of industrial clusters in industrial manufacturing acceleration areas ('acceleration areas')~~, including coordinated planning and investment in electricity networks, storage infrastructure and system flexibility solutions.*

- Industrial clusters can only function effectively if supported by adequate energy infrastructure. Without explicit reference to grids and system integration, there is a risk that clusters remain a planning concept without the necessary physical enablers. This amendment ensures coherence between industrial policy and energy system development.

### **Amendment 4: Flexibility on “Made in EU”**

Location: Page 4, bullet on “Leverage access to the Single Market”

*Leverage access to and the scale of the Single Market to boost demand for European low-carbon industrial products and net-zero technologies, including by facilitating differentiation for low-carbon steel to increase its value and marketability, while ensuring flexibility where necessary to avoid supply shortages or disproportionate cost increases. The application of such requirements should be conditional upon the availability of sufficient volumes of compliant materials within the Union.*

- Union origin requirements can strengthen industrial capacity but may also create supply constraints and cost increases, particularly in sectors with strong import dependencies. This amendment introduces a necessary flexibility to ensure that policy objectives are achieved without disrupting supply chains or increasing costs for strategic investments such as energy infrastructure and renewables.

### **Amendment 5: Proportionality of FDI conditions for energy infrastructure**

Location: Page 14–15, Chapter IV – Foreign Direct Investment provisions

*Conditions applied to foreign direct investments shall be proportionate and shall not unduly delay or restrict investments in energy infrastructure projects, including electricity networks, renewable energy installations and storage facilities, where such investments contribute to the Union's decarbonisation and security of supply objectives.*

- The proposal introduces mandatory FDI conditions (>€100m). Without safeguards, these could delay critical energy investments.

#### **Amendment 6: Flexibility clause (public procurement)**

Location: Annex II, Part I, Page 2 – after first paragraph

*Where the application of Union origin or low-carbon requirements would lead to insufficient availability of products, significant delays or disproportionate cost increases, contracting authorities may apply a duly justified derogation ensuring security of supply and cost-efficiency.*

- The current text introduces binding thresholds without any flexibility mechanism. Given existing supply chain dependencies and limited availability of certain low-carbon or EU-origin products, strict application could delay projects and increase costs. This clause ensures proportionality and allows contracting authorities to maintain security of supply and cost-efficiency.

#### **Amendment 6bis: Gradual and non-rigid application of minimum shares**

Location: Annex II, Part I (introductory section or general provisions)

*Minimum share requirements for low-carbon and Union-origin materials should be introduced in a gradual and indicative manner, taking into account market availability, cost differentials and industrial capacity within the Union.*

*Such requirements should not be applied as rigid mandatory thresholds where they risk creating supply constraints, disproportionate cost increases or adverse impacts on the competitiveness of electro-intensive industries.*

- Rigid minimum thresholds may not reflect current industrial realities, particularly in sectors with limited availability of low-carbon or Union-origin materials. A gradual and flexible approach ensures that policy objectives are achieved without undermining industrial competitiveness or creating supply bottlenecks.

#### **Amendment 7: Concrete requirement (softening)**

Location: Annex II, Part I, point (b), Page 2

*(b) 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 used, including the clinker and cement used to produce them, ~~shall be low-carbon and of Union origin;~~ should be low-carbon and unless objective, transparent and verifiable data show unavailability, critical-path delay, technical incompatibility, or disproportionate cost, of Union origin;*

- Making Union origin mandatory for materials such as concrete risks increasing costs and limiting supply options, particularly in large infrastructure projects. Introducing a feasibility condition ensures that requirements remain realistic and do not hinder project implementation.

### **Amendment 8: Cost safeguard**

Location: Annex II, end of Part I

*The application of minimum shares shall not result in disproportionate increases in overall project costs, in particular for energy infrastructure, renewable energy projects, and industrial decarbonisation investments nor in the loss of competitiveness for electro-intensive industries exposed to international trade, including through cumulative cost effects across the value chain.*

- Low-carbon materials currently entail higher production costs, which may significantly impact project budgets. This safeguard ensures that the Regulation does not unintentionally increase the cost of the energy transition or delay investments due to financial constraints.

### **Amendment 9: Flexibility in support schemes**

Location: Annex II, Part II, Page 3

*The requirements set out in this Part shall be applied in a proportionate manner, taking into account market availability, supply chain constraints and cost impacts.*

- Support schemes must remain adaptable to market realities. Without proportionality, there is a risk of excluding beneficiaries or distorting investment decisions. This amendment ensures that public support remains effective and aligned with market conditions.

*The implementation of decarbonisation requirements under this Regulation should be accompanied by adequate access to financing, enabling infrastructure and a stable regulatory framework. The application of such requirements should take into account the availability of Union and national support instruments, including industrial decarbonisation support schemes, as well as the maturity of relevant technologies. Particular consideration should be given to electro-intensive industries with high exposure to international competition, ensuring that support frameworks adequately reflect their investment cycles, risk profiles and cost structures.*

- **Justification:** Decarbonisation in energy-intensive sectors requires substantial investments and involves significant technological and commercial risks. Obligations that are not matched by financing, infrastructure and regulatory predictability may delay or cancel strategic industrial projects.

### **Amendment 10: Clarification of “Union origin” definition**

**Location:** Article 7 – Definition of Union origin

**Text amendment:**

The definition of “Union origin” should clearly specify whether the term “content” refers to:

- (a) the final product as a whole; or
- (b) specific components, sub-components or inputs (such as engines, batteries or key parts).

**Proposed wording:**

*“For the purposes of this Regulation, ‘Union origin’ shall be determined with reference to the final product, unless otherwise explicitly specified. Where relevant, specific rules may apply to components or sub-assemblies, provided that such rules are clearly defined.”*

**Justification:**

The current definition creates legal uncertainty and risks inconsistent application. Without clarity, manufacturers cannot determine compliance pathways or adapt supply chains accordingly. This is critical for implementation feasibility and investment planning.

**Amendment 11: Clarification of low-carbon requirements (steel & aluminium)**

**Location:** Article 12 – Low-carbon requirements

**Text amendment:**

Clarify the level at which low-carbon requirements apply (product vs. component level).

**Proposed wording:**

*“Low-carbon requirements shall specify whether compliance is assessed at the level of the final product or at the level of individual materials or components, based on clear and harmonised methodologies. Low-carbon requirements shall be defined in a technology-neutral manner and shall reflect the diversity of energy mixes and production pathways across Member States. Benchmark levels shall be set at realistic and achievable levels, ensuring that existing efficient industrial installations using low-carbon electricity are not placed at a competitive disadvantage”*

**Justification:**

The absence of clear methodology creates compliance risks and potential inconsistencies across Member States. This undermines predictability and could delay industrial investments.

**Amendment 12: Introduction of clear methodologies and definitions**

**Location:** Article 7 / Article 12 / Annexes

**Text amendment:**

Introduce explicit definitions and methodologies for:

- carbon content calculation
- Union origin calculation for components

- treatment of final assembly

**Proposed wording:**

*"The Commission shall ensure that all key definitions and methodologies necessary for the implementation of this Regulation are established within the Regulation itself or through clearly defined and timely secondary acts."*

**Justification:**

Deferring essential elements to delegated/implementing acts contradicts the objective of regulatory simplification and creates uncertainty for industry.

*Measures, methodologies and reporting obligations under this Regulation shall, to the greatest extent possible, be aligned with existing Union legislation, including the EU Emissions Trading System and the Carbon Border Adjustment Mechanism, in order to avoid duplicative reporting, verification and compliance burdens.*

**Justification:**

The IAA cannot be implemented in isolation. Lack of methodological and administrative alignment with ETS and CBAM would increase complexity and compliance costs, particularly for energy-intensive industries already subject to extensive reporting and verification obligations.

**Amendment 13: Timeline feasibility for low-carbon requirements**

**Location:** Article 12 / Implementation timeline

**Text amendment:**

Adjust the implementation timeline for low-carbon requirements.

**Proposed wording:**

*"The application of minimum low-carbon content requirements shall take into account industrial development cycles and supply chain adaptation timelines, ensuring a realistic transition period of at least five years."*

or

*The application of minimum low-carbon and Union-origin requirements shall take into account industrial development cycles, supply chain adaptation timelines and market availability, and shall become binding only once the relevant sectoral methodologies, verification rules and compliance systems have been adopted and are operational. A realistic transition period of at least five years should be ensured.*

**Justification:**

Binding obligations should not apply before the technical methodologies and compliance architecture are fully in place. Premature implementation would create legal uncertainty, supply bottlenecks and disproportionate burdens for industry.

Also, the proposed 2029 deadline is not feasible given supply chain localisation timelines and industrial constraints. A minimum of five years is required to ensure compliance without disrupting production.

#### **Amendment 14: Alignment with industrial development cycles**

**Location:** General provisions / Implementation

**Text amendment:**

Introduce flexibility regarding implementation timelines.

**Proposed wording:**

*"Implementation timelines shall take into account sector-specific development cycles, particularly in industries with long product development timelines."*

**Justification:**

Heavy-duty vehicle (HDV) sectors operate with long development cycles and pre-existing investment decisions. Immediate application would create disproportionate compliance burdens.

#### **Amendment 15: Differentiation between industrial segments (HDV vs passenger vehicles)**

**Location:** Recitals / Scope

**Text amendment:**

Introduce differentiation across sectors.

**Proposed wording:**

*"The application of requirements under this Regulation shall reflect sector-specific characteristics, including differences in supply chains, development cycles and market structures."*

**Justification:**

A "one-size-fits-all" approach is not appropriate. The HDV sector differs significantly from passenger vehicles and requires tailored treatment.

#### **Amendment 16: Clarification on Customs Union partners**

**Location:** Annex III / Article 13

**Text amendment:**

Clarify treatment of products from Customs Union partners.

**Proposed wording:**

*"Products assembled in countries participating in a Customs Union with the Union shall be considered equivalent to Union-origin products, where appropriate and in line with Union trade commitments."*

**Justification:**

Current ambiguity risks excluding integrated supply chains and undermining trade coherence.

**Amendment 17: Flexibility in public procurement and state aid (vehicles)**

**Location:** Annex III

**Text amendment:**

Introduce flexibility in procurement and support schemes.

**Proposed wording:**

*"Eligibility criteria for public procurement and support schemes shall be applied in a proportionate manner, taking into account supply chain realities, availability of compliant products and cost impacts."*

**Justification:**

Rigid criteria may distort competition and limit access to viable technologies.

**Amendment 18: Integrated competitiveness framework**

**Location:** Recitals

**Text amendment:**

Add broader policy context.

**Proposed wording:**

*"This Regulation should be complemented by coordinated measures addressing energy costs, regulatory complexity, access to critical raw materials and infrastructure deployment."*

**Justification:**

Local content requirements alone are insufficient to restore EU competitiveness. A broader policy framework is necessary.

**Amendment 19: Energy planning for acceleration areas (anticipatory grids)**

**Location:** Recital 59, Page 29

**Text amendment:**

**Proposed wording:**

*"Sufficient and timely energy supply to the acceleration areas constitutes a fundamental enabling condition for their effective deployment and for the development of manufacturing activities. Reliable and accurate information on future energy demand contributes to cost-effective grid development."*

*Member States should therefore prepare an analysis for each acceleration area, identifying its future energy needs. Such analysis should serve the purpose of providing information for national grid planning, thereby*

*enabling anticipatory investments in electricity networks, supported by regulatory frameworks ensuring timely cost recovery through distribution tariffs, including before firm connection requests are submitted.*

*The results of these assessments should be reflected in national network development plans to adequately capture future points of energy demand."*

**Justification:**

Grid infrastructure is a prerequisite for industrial deployment. Without anticipatory investments and cost recovery mechanisms, industrial acceleration areas risk remaining theoretical constructs. This amendment ensures alignment between industrial planning and network development.

**Amendment 20: Aggregated baseline permit & DSO involvement**

**Location:** Recital 61, Page 29

**Text amendment:**

**Proposed wording:**

*"To promote the development of industrial manufacturing acceleration areas and to expedite permit-granting procedures, Member States should establish an aggregated baseline permit reflecting the characteristics of each acceleration area.*

*When designating such areas, distribution system operators (DSOs) shall be involved and shall issue a mandatory pre-feasibility opinion to assess grid capacity and necessary reinforcements.*

*This aggregated baseline permit shall cover permits commonly required for activities within the area, excluding installation-specific permits. Project promoters shall be required to obtain additional permits only for aspects not covered by the baseline permit."*

**Justification:**

Without mandatory DSO involvement, there is a risk of designating industrial areas where grid capacity is insufficient or expansion costs are prohibitive. This amendment ensures realistic and coordinated infrastructure planning while reducing administrative burden.

**Amendment 21: Definition of permit-granting procedure (grid clarity)**

**Location:** Article 3(6) and (7), Page 35

**Text amendment:**

**Proposed wording:**

*"'permit-granting procedure' means a process that covers all relevant permits to build, expand, convert and operate industrial manufacturing projects, including building permits, environmental assessments, and grid connection permits, as defined under relevant Union legislation.*

*'Grid connection permits' shall be clearly defined and aligned with Union legislation to ensure consistency and legal certainty."*

**Justification:**

Clear inclusion and definition of grid connection permits is essential, as grid access is a critical bottleneck for industrial projects. Lack of clarity risks delays and inconsistent interpretation across Member States.

**Amendment 22: DSO access to data via single access points**

**Location:** Article 4(3), Page 39

**Text amendment:**

**Proposed wording:**

*"The single access points shall ensure mandatory, free and automated access for distribution system operators to relevant cadastral and urban planning data through the European Business Wallets."*

**Justification:**

Access to spatial and planning data is essential for timely grid design and expansion. This amendment significantly accelerates infrastructure development for industrial sites and reduces administrative inefficiencies.

**Amendment 23: Enhanced functionality of single access points**

**Location:** Article 4(3), Page 39

**Text amendment:**

**Proposed wording:**

*"Through the use of European Business Wallets, single access points shall enable:*  
*(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 data integrity;*  
*(d) transparency and accountability of permit-granting procedures."*

**Justification:**

Digitalisation is a key enabler of faster permitting. Strengthening functionality ensures efficiency, reduces duplication and enhances trust in administrative processes.

**Amendment 24: Flexibility in permit timelines ("stop the clock")**

**Location:** Article 5(3), Pages 39–40

**Text amendment:**

**Proposed wording:**

*"Where grid connection depends on upstream network reinforcements beyond the control of the distribution system operator, competent authorities shall allow for the temporary suspension ('stop-the-clock') of the permit-granting procedure timelines, until the necessary conditions are fulfilled."*

**Justification:**

Grid connection timelines are often dependent on upstream infrastructure. Without flexibility, rigid deadlines may lead to procedural non-compliance or unrealistic obligations. This amendment ensures practical feasibility of permitting timelines.

**Proposed wording:**

*Strategic industrial projects and acceleration areas should be explicitly reflected in national electricity network development planning, in order to ensure timely connection capacity and avoid infrastructure-related delays in project implementation.*

**Justification:**

Simplified permitting alone will not be sufficient where projects cannot be connected to the grid in a timely manner. Explicit integration into network planning is necessary to ensure that industrial acceleration objectives are supported by real infrastructure availability.

## **II. Observations on FDI provisions**

We acknowledge the legitimate objectives of the initiative – strengthening industrial competitiveness, reducing strategic dependencies, and enhancing resilience in critical sectors. At the same time, the effectiveness of the IAA will depend on avoiding excessive protectionism and unnecessary administrative complexity. In an interconnected global economy, resilience is best achieved through diversified partnerships with trusted countries and by attracting high-quality investments.

Certain elements of the proposal, however, risk creating uncertainty and may affect investment attractiveness. In this context, we would like to submit the following observations:

### **1. Risk of overlap with existing instruments**

The proposed FDI provisions extend the EU screening framework beyond national security considerations to broader industrial policy objectives, while introducing additional procedural layers. Under the IAA, investors must notify national authorities, followed by a Commission opinion, before a final decision can be adopted. In certain cases, the Commission may also intervene directly.

According to the proposed Article 20: *"The Investment Authority shall decide on the admissibility of the notification pursuant to Articles 17 and 19 within 30 days of receiving the notification. That deadline may be extended by a further 15 days where the Investment Authority demonstrates satisfactorily that an extension is justified by the circumstances. Where the Investment Authority decides a notification is admissible, it shall immediately transmit the full notification to the Commission including all documents received (...) No sooner than receiving the opinion of the Commission or the lapse of the deadline referred to in paragraph 2 and no*

*later than 60 days, or 75 days if the deadline was extended in accordance with paragraph 1, after receipt of the notification, the Investment Authority shall issue a reasoned decision approving or declining the foreign direct investment. The Investment Authority shall approve the foreign direct investment if it fulfils 4 out of 6 conditions set out in Article 18. The deadline for issuing the reasoned decision may be extended by a further 30 days where the Investment Authority demonstrates satisfactorily that an extension is justified by the circumstances.”*

With the introduction of these additional provisions, a foreign investor in Romania could face a waiting period of **3 to 8 months** before receiving final approval for a strategic investment, depending on whether extensions and divergence assessments apply. Romania has consistently sought to **streamline administrative procedures and reduce approval timelines** to remain attractive to foreign investors. Introducing multiple layers of conditionalities, deadlines, and potential reassessments represents a **significant step backward**, increasing regulatory uncertainty and potentially deterring the large-scale investments Romania aims to attract in emerging strategic sectors.

This multi-step process risks extending timelines and increasing uncertainty for investors.

For Romania, the impact is particularly significant. Romania operates one of the EU's most wide-reaching FDI screening regimes, with relatively low notification thresholds covering most investments across a broad range of sectors. The introduction of a parallel EU-level conditionality regime risks creating compounding notification obligations, conflicting approval conditions, and significant legal uncertainty for investors already navigating the Romanian regime.

There is also a clear risk of overlap with existing instruments, notably the EU FDI Screening Regulation and the Foreign Subsidies Regulation. In practice, an investment cleared under national screening could still face additional conditions under the IAA, creating procedural bottlenecks without clear added value.

More broadly, **the EU is already facing a growing accumulation of regulatory requirements, where simplification efforts struggle to keep pace with new initiatives**. Introducing additional layers of conditionality without strict alignment with existing instruments risks adding friction to an already complex system, where compliance costs are reaching significant levels.

According to the OECD<sup>1</sup>, *“In the EU, the number of Commission legislative proposals has increased from 374 in the 1999-2004 to 431 in 2019-2024, while the average length of each proposal has almost doubled and the language has also become increasingly complex. In addition, overlapping and frequently-changing legislation and fragmented national transposition of EU directives into national laws represent large regulatory burdens for firms in the EU, and especially for SMEs. Finally, the cost of compliance with new EU regulations, standards, or certifications has become the major obstacle to firms’ trade-related activity”*.

This is emphasised also by the European Investment Bank<sup>2</sup>: *“About 86% of EU firms employ staff to deal with regulatory compliance. The regulatory burden is particularly high for SMEs, given their small size. For 22% of EU SMEs, over 10% of the staff is devoted to assessing and complying with regulation. The wage bill of*

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<sup>1</sup> OECD Economic Outlook, Volume 2025 Issue 2, [https://www.oecd.org/content/dam/oecd/en/publications/reports/2025/12/oecd-economic-outlook-volume-2025-issue-2\\_413f7d0a/9f653ca1-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2025/12/oecd-economic-outlook-volume-2025-issue-2_413f7d0a/9f653ca1-en.pdf)

<sup>2</sup> EIB Investment Survey 2025: European Union overview [https://www.eib.org/attachments/lucalli/2025\\_0216-141025-econ-eibis-2025-eu-en.pdf](https://www.eib.org/attachments/lucalli/2025_0216-141025-econ-eibis-2025-eu-en.pdf)

employees devoted to regulatory assessment and compliance over the firm's total turnover is used as a proxy for the cost of bureaucracy. **On average, the cost of bureaucracy is estimated at 1.1% of turnover for EU firms and 1.8% for SMEs.** The share of firms employing a relatively large share of employees in order to assess and comply with regulatory requirements and standards is highest in Latvia, Estonia and Romania: in these countries, around 30% of firms devote more than 10% of staff to regulatory requirements, well above 4% in Finland”.

In this context, additional regulatory layers – without strict alignment with existing frameworks – are unlikely to enhance competitiveness and may instead reduce the EU's attractiveness as an investment destination. Clear rules on interaction with national regimes and avoidance of duplicative processes will be essential.

**We therefore consider it important to:**

- avoid duplication of assessment processes;
- assess the effectiveness of existing instruments before introducing new mechanisms;
- ensure coherence and alignment across different regulatory regimes.

**2. Impact on investment attractiveness**

The proposal introduces additional conditions for certain large foreign investments in strategic manufacturing sectors, applying where:

- the investment exceeds €100 million,
- it concerns emerging strategic manufacturing sectors, and
- the investor originates from a country holding more than 40% of global manufacturing capacity in that sector.

From Romania's experience, it is critical to establish **clear criteria for calculating “investment value”** for the €100 million notification threshold, including whether it captures staged capital injections, project finance, and asset deals.

The combination of **cumulative conditions** – thresholds, investor origin criteria, and value-added requirements – may influence investment decisions, particularly for large-scale projects. Questions remain regarding their applicability to **greenfield investments** and whether mechanisms exist to circumvent these rules.

Additional requirements – such as **ownership caps below 49%**, local sourcing obligations, workforce conditions, or technology transfer mandates – can significantly affect project structuring and feasibility. **Romania has historically relied heavily on FDI as a driver of industrial development.** The combination of a 49% ownership cap, IP licensing obligations, workforce thresholds, and input sourcing requirements may deter precisely the type of large-scale foreign investment Romania seeks to attract – particularly in emerging sectors where local supply chains are nascent.

There is a tangible risk that such conditions may discourage **large-scale, strategic investments**, limiting Romania's ability to develop industrial capacity and integrate into global value chains.

**3. Clarity and predictability in implementation**

Several elements of the proposal would benefit from further clarification to ensure predictability for investors.

In particular:

- The methodology for calculating the “over 40% of global production capacity” criterion should be clearly defined (data sources, update frequency, institutional responsibility). This is especially relevant in emerging sectors where market data is volatile.
- The definition of strategic sectors should be clear and stable over time.
- The broad definitions of “foreign investor” and subsidiaries may capture entities already integrated into the EU economy, potentially creating uncertainty.

Without clear guidance, these elements may lead to inconsistent application across Member States.

#### **4. Control thresholds and notification obligations**

The proposed 30% threshold for control, combined with mandatory ex-ante notification, may significantly expand the scope of transactions subject to review.

Alignment with existing EU and national practices will be important to avoid disproportionate administrative burdens.

Clarification would also be useful regarding the treatment of minority investments that do not confer effective control.

#### **5. Conditions for approval**

The requirement to meet at least four out of six “value-added” criteria introduces direct industrial policy conditionality into the investment approval process.

While the objective of ensuring benefits for the EU economy is understandable, these requirements may limit investors’ flexibility in structuring projects.

It is important that their application remains proportionate and adapted to sector-specific realities. Clarification is also needed on whether these conditions are mandatory or subject to negotiation.

#### **6. “Made in EU” – an opportunity dependent on design**

“Made in EU” initiatives can support industrial policy objectives, but their impact will depend heavily on design and implementation. If applied in a restrictive manner, such requirements may reduce competition, increase costs, and disrupt globally integrated supply chains. Excluding companies from partner countries – including EU-based subsidiaries – may reduce the quality of offers and create trade tensions.

AmCham Romania supports a “**Made with Europe**” approach. A balanced framework would: diversify risk and enhance security of supply, prevent sudden inflationary shocks, maintain competition and innovation, give investors predictable, phased signals, reward tangible European value creation, including employment, R&D, and compliance with EU standards. Localisation should follow capacity – not precede it. When thresholds outrun industrial reality, shortages increase, projects are postponed, financing costs rise and public support weakens. By contrast, predictable and gradual measures attract investment and allow manufacturing ecosystems to grow in parallel with market demand.

Strategic autonomy must reinforce Europe’s ability to deliver affordable, reliable energy. A “Made with Europe” pathway keeps the transition moving now while building stronger capabilities for the future.

**We therefore consider it important to:**

- maintain openness of the Single Market to companies contributing to European value chains;
- avoid criteria that may indirectly discriminate against investors from partner countries;
- ensure clarity regarding access to public procurement and support schemes.

**7. Strategic projects and simplification measures**

The classification of decarbonisation projects as strategic projects, combined with streamlined permitting procedures, is a positive element of the proposal.

However, the effectiveness of these measures will depend on their practical implementation and alignment with existing legislation.

Clear eligibility criteria and consistent application at national level will be essential.

**8. Conclusions**

The objectives of the IAA are relevant for strengthening the European industrial base and supporting the green transition.

To achieve these objectives, it is essential that the initiative:

- avoids creating additional barriers to investment;
- ensures a predictable and coherent regulatory framework;
- builds on existing economic partnerships and global value chain integration.

Maintaining a balance between economic security objectives and the need to attract investment will be critical for long-term competitiveness.

We support a strong industrial Europe, but believe that **open strategic autonomy** remains the most effective approach. Overly rigid protectionist measures risk disconnecting the EU from global innovation flows, potentially slowing down the very acceleration the IAA aims to achieve.