

# **Directive 2003/55**

## **New investments under Article 22**

Madrid Forum XIII  
16/17 October 2007

- **GIE supports the retention of Article 22 as one of the tools to facilitate investments in major infrastructure facilities.**
- **The number of exemptions granted to date is reasonable and demonstrates the success of article 22 in attracting investments.**
- **Exemptions are judged on a case by case basis and thus GIE considers customized NRA approaches appropriate. Cross-border investments do require consistency between relevant NRA's.**
- **A survey among GIE members on additional guidelines to clarify article 22 indicates that in principle the existing note from the Commission (30.01.2004) is sufficient; if modification or further clarification should be introduced GIE would welcome to be involved in the process.**
- **The process of granting exemptions could be improved in some specific items, for instance:**
  - **Timeliness of the process**
  - **Transparency on NRA considerations**
  - **Appeal mechanism**