Inward Investment Screening

Notification Form

**About this form**

Please complete this form if you wish to submit a notification to the Minister for Enterprise, Trade and Employment, in line with the requirements specified in the Screening of Third Country Transactions Act, 2023. Information and guidance on the obligations and responsibilities arising from this Act, as well as information on the screening process is available from [Investment Screening - DETE](https://www.enterprise.gov.ie/en/what-we-do/trade-investment/investment-screening/)

|  |
| --- |
| **Personal Data & Commercial Data**Privacy is important to us, and we are fully committed to processing and keeping any personal information we receive safely. Our “data protection statement” provides information about the personal data we may collect and about how that data may be used and shared in the context of the processing activities undertaken as part of the screening process. This notice also sets out the privacy rights connected with the collection of such data. For further information on the Department's policies in relation to data protection, visit the Department’s website - [Data Protection - DETE](https://enterprise.gov.ie/en/data-protection/).All commercially sensitive data will be protected, and where appropriate, exemptions under Freedom of Information legislation will apply.  |

|  |
| --- |
| **Contact Details of Notifying Party (or their Representatives)** |
| Name: |  |
| Email: |  |
| Telephone:  |  |
| Status of Notifying Party: | [ ]  Investor[ ]  Legal (or other) representative [ ]  Other |

|  |
| --- |
| **For Departmental Use Only** |
| Notification Reference: |  |
| Direct / Intra-EU Investment: |  |
| Date Notification Received: |  | Proceed to screening: | [ ]  No[ ]  Yes |
| Date Screening Notice Issued: |  | Date Screening to be completed (90 days): |  |
| Date Shared with CION (Direct Investment only): |  |
| Initial Response from CION/MS due: |  | Obs & Comments from CION/MS due: |  |

**Summary Information from Notifying Party**

*Applicants are required to download and complete a mandatory investment screening notification form*

|  |  |
| --- | --- |
| **Name of the direct investor(s):** |  |
| **Country of the direct investor(s):** |  |
| **Name of the ultimate owner(s) of the direct investor:** |  |
| **Country of the ultimate investor(s):** |  |
| **Name of the target undertaking or asset:**  |  |
| **Name of the group the target undertaking or asset belongs to:** |  |
| **Country of the group the target undertaking or asset belongs to:** |  |
| **NACE code\* of primary activity of target:**[RAMON, the Eurostat database for NACE codes](https://ec.europa.eu/eurostat/ramon/nomenclatures/index.cfm?TargetUrl=LST_NOM_DTL&StrNom=NACE_REV2&StrLanguageCode=EN&IntPcKey=&StrLayoutCode=HIERARCHIC)*\*4-digit NACE code*  |  |
| **Percentage of shares or voting rights being acquired in the target:** |  |
| **Does the transaction relate, directly or indirectly, to an asset or undertaking in the State:** | [ ]  No[ ]  Yes |
| If yes, briefly explain how:  |
| **Cumulative value of the transaction\* (€):**\**Include each transaction between the parties to the transaction, or persons connected with the parties, in the 12 months before the date of transaction* | [ ]  €2,000,000-€10,000,000[ ]  €10,000,001-€50,000,000[ ]  €50,000,001-€100,000,000[ ]  €100,000,000+ |
| **Sector or activity of relevance:***\*Reason for notification as per S9(1)(c) of the Screening Act* | [ ]  Critical infrastructure [ ]  Critical technologies and dual use items[ ]  Supply of critical inputs, including energy or raw material[ ]  Access to sensitive information[ ]  Freedom and pluralism of the media |
| **Is the transaction likely to affect projects or programmes of EU interest?**\**As referred to in Article 8(3) and Annex of EU Regulation (EU) 2019/452*  | [ ]  No[ ]  Yes |
| If yes, select relevant programmes: [ ]  Galileo & EGNOS[ ]  Copernicus[ ]  EU GOVSATCOM [ ]  Space Programme[ ]  Horizon 2020 [ ]  Horizon Europe[ ]  Euratom Research & Training [ ]  TEN-T (Transport)[ ]  TEN-E (Energy)[ ]  Connecting Europe Facility[ ]  Digital Europe Programme[ ]  European Defence Industrial Development Prog.[ ]  Preparatory Action on Defence Research[ ]  European Defence Fund[ ]  PESCO[ ]  European Joint Undertaking for ITER[ ]  EU4Health Programme[ ]  Other (please specific below) |
|  |  |
| **Are you aware of any other parties submitting notifications relating to this transaction?** | [ ]  No[ ]  Yes |
| If yes, please provide details of the parties concerned or include a link to the notification: |

**Introduction**

This is a standardised form, issued by the European Commission, aimed at covering all the potential information required by the EU Member States and the Commission under their respective investment screening mechanisms.

Under the EU FDI Screening Regulation’s cooperation mechanism, this form, relating to direct investments, is shared with the European Commission and EU Member States for notification purposes.

Whilst intra-EU notifications will not be shared with the Commission or the EU Member States, this single form is used for consistency.

Please provide all mandatory information requested throughout this form.

**Fields are mandatory unless otherwise indicated (\* = where available):**

The information requested in this form and marked with ★ should be provided to a reasonable extent in view of the respective type of transaction and at a reasonable cost on the side of the applicant.

If the requested information is not available or could only be provided with a disproportionate effort, this should be noted in the appropriate column.

***Please note the footnotes associated with this form are located at the end of the document.***

**Section 1: General Information**

|  |
| --- |
| * 1. **Name and country of registration of the direct investor(s)[[1]](#endnote-1)****:**
 |
| Click or tap here to enter text. |
| * 1. **Name and country of registration of the global ultimate owner of the direct investor(s)[[2]](#endnote-2):**
 |
| Click or tap here to enter text. |
| * 1. **Name of the target undertaking or asset[[3]](#endnote-3):**
 |
| Click or tap here to enter text. |
| * 1. **Name and country of registration of the group that the target undertaking or asset belongs to:**
 |
| Click or tap here to enter text. |

**Section 2: Information about the investment**

|  |
| --- |
| * 1. **Description of the investment[[4]](#endnote-4):**
 |
| Click or tap here to enter text. |
| * 1. **Approximate value of the investment (in EUR)[[5]](#endnote-5):**
 |
| Click or tap here to enter text. |
| * 1. **Planned date for completing the transaction[[6]](#endnote-6):**
 |
| Click or tap here to enter text. |
| * 1. **Funding of the investment and its source[[7]](#endnote-7):**
 |
| Click or tap here to enter text. |
| * 1. **What is the investor’s business strategy behind this acquisition?[[8]](#endnote-8)**
 |
| Click or tap here to enter text. |
| * 1. **How will the investor financially ensure the continuity and proper operation of the target undertaking or asset after the acquisition?** ★
 |
| Click or tap here to enter text. |
| * 1. **Does the investment enable or result in the investor’s effective participation in the management of the target undertaking or asset?**
 |
| [ ] No[ ] Yes, please explain how: |
| Click or tap here to enter text. |
| * 1. **Participation of the direct investor and its global ultimate owner in the capital of the target undertaking or asset before the transaction (if applicable) and as a result of the transaction[[9]](#endnote-9):**
 |
| Click or tap here to enter text. |
| * 1. **If the ownership is less than 100%, please explain how the ownership shares translate to control or participation in the effective management.**

**Please describe the modalities of “joint” exercise of control or participation in the effective management[[10]](#endnote-10):** |
| Click or tap here to enter text.  |
| * 1. **Please explain whether any public entity holds shares and/or exercises some form of control, including indirectly, over the investor[[11]](#endnote-11):**
 |
| Click or tap here to enter text. |
| * 1. **Has the transaction been announced to the public? If available, please provide a link or attach the text of the announcement:**
 |
| [ ] No☐Yes: Link(s) to the source(s) below this line. |
| Click or tap here to enter text. |

**Section 3: Information about the target undertaking.**

Please complete the table below with information about the beneficiary/beneficiaries of the investment (i.e., the target) established in the Member State undertaking the screening procedure and, if applicable, the ultimate controlling entity (most relevant entity within the ownership structure). Where the beneficiary of the investment relates to an asset, details of the ownership of the asset should be provided. If required, you may duplicate the table to capture details for each level of ownership for which information is available.

|  |
| --- |
| * 1. **Name of the target company:**
 |
| Click or tap here to enter text. |
| * 1. **Address/domicile/registered office of the target company:**
 |
| Click or tap here to enter text. |
| * 1. **Target company’s national registration number:** ★
 |
| Click or tap here to enter text. |
| * 1. **Date of incorporation:** ★
 |
| Click or tap here to enter text. |
| * 1. **Annual turnover: (EUR)[[12]](#endnote-12):** ★
 |
| Click or tap here to enter text. |
| * 1. **Total number of employees:** ★
 |
| Click or tap here to enter text. |
| * 1. **Listings on stock exchanges (trading code, ticker or stock symbol):** ★
 |
| 1. Country 1 Click or tap here to enter text. |
| 2. Country 2 Click or tap here to enter text. |
| * 1. **Website of the target company/-ies:** ★
 |
| Click or tap here to enter text. |
| * 1. **Role of the target company in the transaction[[13]](#endnote-13):**
 |
| Click or tap here to enter text. |
| * 1. **Does this target company carry on an economic activity in the Member State where the investment is undergoing screening?[[14]](#endnote-14)**
 |
| Click or tap here to enter text. |
| * 1. **Description of the economic activity carried out by the target company including NACE codes:**

[RAMON, the Eurostat database for NACE codes](https://ec.europa.eu/eurostat/ramon/nomenclatures/index.cfm?TargetUrl=LST_NOM_DTL&StrNom=NACE_REV2&StrLanguageCode=EN&IntPcKey=&StrLayoutCode=HIERARCHIC) |
| Click or tap here to enter text. |
| * 1. **Please explain the products, services and business operations of the target company before the transaction[[15]](#endnote-15):**
 |
| Click or tap here to enter text. |
| * 1. **Does the target company own technology, or produce or sell goods subject to export control under EU law or in any EU Member State from which they export?[[16]](#endnote-16)**

[Annex I Regulation (EU) 2021/821](https://eur-lex.europa.eu/eli/reg/2021/821/oj)[Common Military List of the EU](https://op.europa.eu/en/publication-detail/-/publication/1ebbc810-9902-11ec-8d29-01aa75ed71a1)[CN Codes Annex I Regulation (EEC) No 2658/87](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R1832) |
| [ ] No [ ] Yes |
| **Please provide a list of all items subject to EU export control:** |
| Click or tap here to enter text. |
| * 1. **Does the target company own technology, or produce or sell goods subject to export control under EU law or in any EU Member State from which they export?[[17]](#endnote-17)**
 |
| [ ] No [ ] Yes |
| Please provide a list of all items subject to export control in a third country and the respective third country. |
| Click or tap here to enter text. |
| * 1. **Please provide information on the sectors in which the target´s customers in all EU Member States are active[[18]](#endnote-18):** ★
 |
| Click or tap here to enter text. |
| * 1. **Please explain any changes to the products, services, business operations of the target company after the transaction is completed[[19]](#endnote-19):** ★
 |
| Click or tap here to enter text. |
| * 1. **Do the products and services offered by the target company have unique selling points?** ★

**If so, please name these points:** |
| Click or tap here to enter text. |
| * 1. **Are there competitors (national, European, global), that offer goods and services comparable to the goods and services of the target company?** ★

**If so, please provide information on these competitors:** |
| Click or tap here to enter text. |
| * 1. **Does the target company own any patents or other intellectual property rights relevant for a security or public order analysis[[20]](#endnote-20)?** ★

**Please list the patents and, where relevant, the other intellectual property rights:** |
| Click or tap here to enter text. |
| * 1. **Please list the EU Member States in which the target company conducts substantive business operations (e.g., through subsidiaries, branches, and please provide the name(s) of those undertakings):**
 |
| [ ] BE [ ] BG [ ] CZ [ ] DK [ ] DE [ ] EE [ ] IE[ ] EL [ ] ES [ ] FR [ ] HR [ ] IT [ ] CY [ ] LV[ ] LT [ ] LU [ ] HU [ ] MT [ ] NL [ ] AT [ ] PL[ ] PT [ ] RO [ ] SI [ ] SK [ ] FI [ ] SE |
| * 1. **Does the target company maintain business relations with a project or programme of Union interest?[[21]](#endnote-21)**
 |
| [ ] No [ ] Yes |
| **Please specify the project, the relevant EU programme and the type of business relation:**  |
| Click or tap here to enter text. |
| * 1. **Has the target company received funding from projects or programmes of Union interest or participates directly or indirectly in the implementation of such projects or programmes?[[22]](#endnote-22)**

[Financial Transparency System (FTS)](https://ec.europa.eu/budget/fts/index_en.htm) |
| [ ] No [ ] Yes |
| **If yes, please specify amount and relevant EU project or programme:** |
| Click or tap here to enter text. |
| * 1. **Are there natural or legal persons or entities of third countries subject to EU restrictive measures involved in the management or control of the EU target company?[[23]](#endnote-23)**

[Financial Sanctions Files](https://webgate.ec.europa.eu/europeaid/fsd/fsf)[EU Best Practices for the effective implementation of restrictive measures](https://data.consilium.europa.eu/doc/document/ST-8519-2018-INIT/en/pdf)[Commission Opinion of 19.6.2020 on Article 2 of Council Regulation (EU) No 269/2014](https://ec.europa.eu/info/sites/info/files/200619-opinion-financial-sanctions_en.pdf)[Sanctionsmap.eu](https://www.sanctionsmap.eu/#/main) |
| [ ] No [ ] Yes |
| Click or tap here to enter text. |
| * 1. **Ownership structure of the target company – information on the ultimate owner and participation in the capital before the notified transaction:**
 |
| Click or tap here to enter text. |

**Section 4: Information about other legal entities of the corporate group of the target situated in other EU Member States (if applicable)**

In case the beneficiary (i.e., the target) is part of a larger corporate group not headquartered in the Member State undertaking the screening procedure, please provide on a voluntary basis the information for the other legal entities of the same corporate group situated in other EU Member States.

If applicable, one table per legal entity can be provided.

|  |
| --- |
| **4.1. Name of the company:** |
| Click or tap here to enter text. |
| **4.2. Address/domicile/registered office of the company:** |
| Click or tap here to enter text. |
| **4.3. Company’s national registration number:** ★ |
| Click or tap here to enter text. |
| **4.4. Annual turnover (EUR)[[24]](#endnote-24):** ★ |
| Click or tap here to enter text. |
| **4.5. Total number of employees:** ★ |
| Click or tap here to enter text. |
| **4.6. Listings on stock exchanges (trading code, ticker or stock symbol):** ★ |
| 1. Country 1 Click or tap here to enter text. |
| 2. Country 2 Click or tap here to enter text. |
| **4.7. Website of the target company/-ies:** ★ |
| Click or tap here to enter text. |
| **4.8. Role of the company in the transaction[[25]](#endnote-25):**  |
| Click or tap here to enter text.  |
| **4.9. Does this company carry on an economic activity in the Member State where the investment is undergoing screening[[26]](#endnote-26)?**  |
| Click or tap here to enter text.  |
| **4.10. Description of the economic activity carried out by the company including NACE codes[[27]](#endnote-27):** [RAMON, the Eurostat database for NACE codes](https://ec.europa.eu/eurostat/ramon/nomenclatures/index.cfm?TargetUrl=LST_NOM_DTL&StrNom=NACE_REV2&StrLanguageCode=EN&IntPcKey=&StrLayoutCode=HIERARCHIC) |
| Click or tap here to enter text. |
| **4.11. Please explain the products, services and business operations of the company before the transaction:** |
| Click or tap here to enter text. |
| **4.12. Does the company own technology, or produce or sell goods subject to export control under EU law or in any EU Member State from which they export[[28]](#endnote-28)?** [Annex I Regulation (EU) 2021/821](https://eur-lex.europa.eu/eli/reg/2021/821/oj)[Common Military List of the EU](https://op.europa.eu/en/publication-detail/-/publication/1ebbc810-9902-11ec-8d29-01aa75ed71a1)[CN Codes Annex I Regulation (EEC) No 2658/87](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R1832) |
| ☐No ☐Yes |
| **Please provide a list of all items subject to EU export control:** |
| Click or tap here to enter text.  |
| **4.13. Does the company own technology, or produce or sell goods subject to export controls of the country of origin of the investor[[29]](#endnote-29)?**  |
| ☐No ☐Yes |
| **Please provide a list of all items subject to export control in a third country and the respective third country:** |
| Click or tap here to enter text.  |
| **4.14. Please provide information on the sectors in which the target´s customers in all EU Member States are active[[30]](#endnote-30):** |
| Click or tap here to enter text. |
| **4.15. Please explain the products, services, business operations of the company after the transaction is completed[[31]](#endnote-31):**  |
| Click or tap here to enter text.  |
| **4.16. Do the products and services offered by the target company have unique selling points?** ★**If so, please name these points:**  |
| Click or tap here to enter text. |
| **4.17. Are there competitors (national, European, global), that offer goods and services comparable to the goods and services of the target company?** ★**If so, please provide information on these competitors:** |
| Click or tap here to enter text. |
| **4.18. Does the company own any patents or other intellectual property rights relevant for a security or public order analysis[[32]](#endnote-32)?** ★**Please list the patents and, where relevant, the other intellectual property rights:** |
| Click or tap here to enter text. |
| **4.19. Please list the EU Member States in which the company conducts substantive business operations (e.g. through subsidiaries, branches, and please provide the name(s) of those undertakings):** |
| [ ] BE [ ] BG [ ] CZ [ ] DK [ ] DE [ ] EE [ ] IE[ ] EL [ ] ES [ ] FR [ ] HR [ ] IT [ ] CY [ ] LV[ ] LT [ ] LU [ ] HU [ ] MT [ ] NL [ ] AT [ ] PL[ ] PT [ ] RO [ ] SI [ ] SK [ ] FI [ ] SE |
| **4.20. Does the target undertaking maintain business relations with a project or programme of Union interest[[33]](#endnote-33)?**  |
| ☐No ☐Yes |
| **Please specify the project, the relevant EU programme and the type of business relation:**  |
| Click or tap here to enter text. |
| **4.21. Has the company received funding from projects or programmes of Union interest or participates directly or indirectly in the implementation of such projects or programmes[[34]](#endnote-34)?** [**Financial Transparency System (FTS)**](https://ec.europa.eu/budget/fts/index_en.htm) |
| ☐No ☐Yes |
| **Please specify amount and relevant EU project or programme:** |
| Click or tap here to enter text. |
| **4.22. Are there natural or legal persons or entities of third countries subject to EU restrictive measures involved in the management or control of the EU target[[35]](#endnote-35)?** [Financial Sanctions Files](https://webgate.ec.europa.eu/europeaid/fsd/fsf) [EU Best Practices for the effective implementation of restrictive measures](https://data.consilium.europa.eu/doc/document/ST-8519-2018-INIT/en/pdf)[Commission Opinion of 19.6.2020 on Article 2 of Council Regulation (EU) No 269/2014](https://ec.europa.eu/info/sites/info/files/200619-opinion-financial-sanctions_en.pdf)[Sanctionsmap.eu](https://www.sanctionsmap.eu/#/main) |
| Click or tap here to enter text. |

**Section 5: Information about the Greenfield investment (if applicable)**

International greenfield investment typically involves the creation of a new company or establishment of facilities abroad, whereas an international merger or acquisition amounts to transferring the ownership of existing assets to an owner abroad.

|  |
| --- |
| * 1. **Name of the new company:**
 |
| Click or tap here to enter text. |
| * 1. **Location/Address of the new undertaking:**
 |
| Click or tap here to enter text.  |
| * 1. **Country where the new undertaking is headquartered:**
 |
| Click or tap here to enter text. |
| * 1. **Company’s national registration number:** ★
 |
| Click or tap here to enter text. |
| * 1. **Date of incorporation:** ★
 |
| Click or tap here to enter text. |
| * 1. **Description of the economic activity carried out by the company including NACE codes[[36]](#endnote-36):**

[RAMON, the Eurostat database for NACE codes](https://ec.europa.eu/eurostat/ramon/nomenclatures/index.cfm?TargetUrl=LST_NOM_DTL&StrNom=NACE_REV2&StrLanguageCode=EN&IntPcKey=&StrLayoutCode=HIERARCHIC) |
| Click or tap here to enter text. |
| * 1. **Please explain the products, services and business operations of the undertaking after the transaction is completed:**
 |
| Click or tap here to enter text. |
| * 1. **Please provide information about the main competitors (national, European, global):** ★
 |
| Click or tap here to enter text. |
| * 1. **Estimated total number of employees:** ★
 |
| Click or tap here to enter text. |
| * 1. **Website of the company:** ★
 |
| Click or tap here to enter text. |
| * 1. **Ownership structure of the new undertaking – information on the ultimate owner and participation in the capital after the notified transaction[[37]](#endnote-37):**
 |
| Click or tap here to enter text. |

**Section 6: Information about the investor**

Please complete the table below with information about the direct investor and, if applicable, the ultimate controlling entity (most relevant entity within the ownership structure). If required, you may add duplicates of the table to capture details for each level of ownership for which information is available (i.e., direct, intermediary, and ultimate investor(s)).

In case the investment is made by multiple investors, please provide the information above for each investor separately by multiplying the table hereunder. If available, please provide an organigram to explain the horizontal and vertical relationship between the companies referred.

|  |
| --- |
| **6.1. Role of the company in the transaction:**  |
| Click or tap here to enter text. |
| **6.2. Name:** |
| Click or tap here to enter text. |
| **6.3. Address/domicile/registered office:** |
| Click or tap here to enter text. |
| **6.4. Country under whose laws the company is duly constituted or otherwise organised:**  |
| Click or tap here to enter text. |
| **6.5. Company’s national registration number:** ★ |
| Click or tap here to enter text. |
| **6.6. Date of incorporation:** ★ |
| Click or tap here to enter text. |
| **6.7. Annual turnover:** ★ |
| Click or tap here to enter text. |
| **6.8. Total number of employees:** ★ |
| Click or tap here to enter text. |
| **6.9. Listings on stock exchanges (trading code, ticker or stock symbol):** ★ |
| **1. Country 1** Click or tap here to enter text. |
| **2. Country x** Click or tap here to enter text. |
| **6.10. Website of the company:** ★ |
| Click or tap here to enter text. |
| **6.11. Branch of industry/economic activities carried out:** [RAMON, the Eurostat database for NACE codes](https://ec.europa.eu/eurostat/ramon/nomenclatures/index.cfm?TargetUrl=LST_NOM_DTL&StrNom=NACE_REV2&StrLanguageCode=EN&IntPcKey=&StrLayoutCode=HIERARCHIC) |
| Click or tap here to enter text. |
| **6.12. Please explain the products, services and business operations of the company:**  |
| Click or tap here to enter text. |
| **6.13. Does the investor receive directly or indirectly significant funding from a non-EU government?**  |
| [ ] No [ ] Yes |
| Click or tap here to enter text. |
| **6.14. Please provide information about the main competitors (national, European, global):** ★ |
| Click or tap here to enter text. |
| **6.15. EU Member States in which the company conducts substantive business operations:** |
| ☐BE ☐BG ☐CZ ☐DK ☐DE ☐EE ☐IE☐EL ☐ES ☐FR ☐HR ☐IT ☐CY ☐LV☐LT ☐LU ☐HU ☐MT ☐NL ☐AT ☐PL☐PT ☐RO ☐SI ☐SK ☐FI ☐SE |
| **6.16. Is the company subject to EU financial restrictive measures (sanctions)?** [Financial Sanctions Files](https://webgate.ec.europa.eu/europeaid/fsd/fsf) [EU Best Practices for the effective implementation of restrictive measures](https://data.consilium.europa.eu/doc/document/ST-8519-2018-INIT/en/pdf)[Commission Opinion of 19.6.2020 on Article 2 of Council Regulation (EU) No 269/2014](https://ec.europa.eu/info/sites/info/files/200619-opinion-financial-sanctions_en.pdf)[Sanctionsmap.eu](https://www.sanctionsmap.eu/#/main) |
| [ ] No [ ] Yes |
| Click or tap here to enter text. |
| **6.17. Is the company subject to restrictive measures by third countries?** ★[OFAC Sanctions List Search](https://sanctionssearch.ofac.treas.gov/) |
| [ ] No [ ] Yes |
| Click or tap here to enter text. |
| **6.18. Ownership structure of the investor, including information on its ultimate owner(s) and participation in the capital:**  |
| Click or tap here to enter text (*Such information can be provided as a separate PDF attachment*). |
| **6.19 Details of any convictions of a party, and of persons connected with a third country undertaking that is a party as set out under Sections 10(1)(b)(xii) and 10(1)(b)(xiii) of the Screening of Third Country Transactions Act 2023:** |
| Click or tap here to enter text. |

**Section 7: Other scrutiny proceedings pursuant to EU or national rules**

|  |
| --- |
| **7.1. Is (or will) the transaction (be) subject to merger review under the EC Merger Regulation?** |
| ☐Yes☐Yes, but the case has not been filed for Merger Review yet. Planned date or timeframe of filing (please provide in space below).☐No |
| Click or tap here to enter text. |
| **7.2. If yes, please provide the case number and refer to the database of Merger Cases:** |
| Click or tap here to enter text. |
| **7.3. Is the investment subject to any other assessment, authorisation or monitoring in the Member State undertaking the screening, in another Member State or in a third country)?** ★ |
| ☐No☐Yes, please specify type of scrutiny and country undertaking the scrutiny: |
| Click or tap here to enter text. |

**Section 8: Any additional information that you wish to disclose for the assessment?** ★

Click or tap here to enter text.

**Section 9: Declaration**

*To be signed by the individual making the notification on behalf of the parties to the transaction*

I hereby confirm, to the best of my knowledge, that the information provided herein is accurate, correct, and complete and that all documents submitted along with this notification form are genuine.

**Signed: Role:**

|  |  |  |
| --- | --- | --- |
|  |  |  |

 **Date:**

|  |
| --- |
|  |

**Additional Signatures (if required)**

*To be signed by additional relevant parties in the event of a joint notification*

**Signed: Role:**

|  |  |  |
| --- | --- | --- |
|  |  |  |

 **Date:**

|  |
| --- |
|  |

**Section 10: Checklist**

Please ensure that:

The form is completed in full [ ]

The form is signed and dated [ ]

All relevant supporting documentation is attached [ ]

**Notes**

1. 1.1. Please provide the name in the Latin alphabet and any local alphabets used in the company´s country of origin. [↑](#endnote-ref-1)
2. 1.2. Please provide the name in the Latin alphabet and any local alphabets used in the company´s country of origin. [↑](#endnote-ref-2)
3. 1.3. Please provide the name of the entrepreneur to whom (or the undertaking to which) the capital is made available in order to carry on an economic activity in a Member State. [↑](#endnote-ref-3)
4. 2.1. Please describe the structure of the transaction and explain how the change in ownership or control of the target company is executed and how the new assets will fit into the company structure of the investor. [↑](#endnote-ref-4)
5. 2.2. If the investment subject to this notification is part of a broader transaction, please disclose the total value and the investment provided to the undertaking(s) on the territory of the Member State undertaking the screening separately.

Value of global transaction

Value of investment provided to the national target undertaking [↑](#endnote-ref-5)
6. 2.3. Please provide information either as a specific date/period or in function of the completion of ongoing authorisation processes. [↑](#endnote-ref-6)
7. 2.4. On the basis of the best information available, cf. Article 9(2)(e) please explain the origin of the funds and the degree to which they come from external sources. If the investment subject to this notification is part of a broader transaction, please specify the funding of the investment into the companies established in the territory of the Member State undertaking the screening, as well as sources of funding for the transaction as a whole. [↑](#endnote-ref-7)
8. 2.5. Please explain why the investor is interested in making the investment and the circumstances of the investment by the target. [↑](#endnote-ref-8)
9. 2.8. Please specify the votes conferred by the shares purchased as a percentage of the total number of votes, whether there are any specific voting rights arrangements, regime concerning effective participation in the management like veto rights or the right to appoint Board Members etc.

Before

As a result of the transaction [↑](#endnote-ref-9)
10. 2.9. Please specify the votes conferred by the shares purchased as a percentage of the total number of votes, whether there are any specific voting rights arrangements, regime concerning effective participation in the management like veto rights or the right to appoint Board Members etc., or any other source of influence beyond voting or appointment rights. [↑](#endnote-ref-10)
11. 2.10. Please specify the votes conferred by the shares purchased as a percentage of the total number of votes, whether there are any specific voting rights arrangements, regime concerning effective participation in the management like veto rights or the right to appoint Board Members etc. [↑](#endnote-ref-11)
12. 3.4. Please provide the EUR amount over the last fiscal year and please indicate if the fiscal year does not correspond to the calendar year. [↑](#endnote-ref-12)
13. 3.9. For example:

direct recipient of the investment (target)

significant intermediate entity

global ultimate owner

company group. [↑](#endnote-ref-13)
14. 3.10. Art. 2.1 Regulation (EU) 2019/452: ‘foreign direct investment’ means an investment of any kind by a foreign investor aiming to establish or to maintain lasting and direct links between the foreign investor and the entrepreneur to whom or the undertaking to which the capital is made available in order to carry on an economic activity in a Member State, including investments which enable effective participation in the management or control of a company carrying out an economic activity. [↑](#endnote-ref-14)
15. 3.12. Art. 2.1 Regulation (EU) 2019/45: ‘foreign direct investment’ means an investment of any kind by a foreign investor aiming to establish or to maintain lasting and direct links between the foreign investor and the entrepreneur to whom or the undertaking to which the capital is made available in order to carry on an economic activity in a Member State, including investments which enable effective participation in the management or control of a company carrying out an economic activity. [↑](#endnote-ref-15)
16. 3.13. Where available please provide the relevant classification of the products supplied by the target such as

the relevant Export Control Code (see Annex I of Regulation (EU) 2021/821 of the EP and of the Council setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items)

the relevant military items code according to the current Common Military List of the EU (equipment covered by the Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment)

CN Codes according to Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff [↑](#endnote-ref-16)
17. 3.14. If there is more than one company from a third country in the investor chain, please provide this information for all foreign investors. [↑](#endnote-ref-17)
18. 3.15. To the extent possible, please provide information of all sectors in which the customers of the target are active including indirect customers where this information is available. Alternatively, please provide a list of (direct and to the extent possible indirect) customers of the target in the EU. [↑](#endnote-ref-18)
19. 3.16. This is applicable to FDI resulting in a change of operations in the target undertaking. [↑](#endnote-ref-19)
20. 3.19. Such patents or other intellectual property might include those in relation to critical infrastructure, critical technologies, or critical inputs. Criticality of a patent can be established by the level of the reliance of companies on the licences to it. [↑](#endnote-ref-20)
21. 3.21. Please explain e.g. whether the target undertaking supplies goods, services, technology, etc. to the project or programme or to participants in these projects or programmes. [↑](#endnote-ref-21)
22. 3.22. The list of projects or programmes of Union interest is set out in the Annex of Regulation (EU) 2019/452. The Financial Transparency System (FTS) (<https://ec.europa.eu/budget/fts/index_en.htm> ) allows to search the beneficiaries of funding from the EU budget implemented directly by the Commission (at Headquarters or in EU delegations to non-EU countries) and other EU bodies such as executive agencies ('direct management'), and beneficiaries of the European Development Fund. Please note that the FTS does not provide information on funding from the EU budget implemented by both the Commission and Member States ('shared management') or implemented indirectly by other international organisations or non-EU countries ('indirect management'). [↑](#endnote-ref-22)
23. 3.23. The consolidated list of persons, groups and entities subject to EU financial sanctions can be downloaded from Financial Sanctions Database - FSF platform, which is accessible via the following address: <https://webgate.ec.europa.eu/europeaid/fsd/fsf>. In order to access this platform, you need to have an "EU Login" account. For further background on ownership and control in the context of EU sanction, please consult the EU Best Practices for the effective implementation of restrictive measures and Commission Opinion of 19.6.2020 on Article 2 of Council Regulation (EU) No 269/2014. Please note that additional sectorial sanctions (not included in the FSF platform) could apply to the proposed transaction. Please visit [www.sanctionsmap.eu](http://www.sanctionsmap.eu) for a full list of EU sanctions. [↑](#endnote-ref-23)
24. 4.4. Please provide the EUR amount over the last fiscal year and please indicate if the fiscal year does not correspond to the calendar year. [↑](#endnote-ref-24)
25. 4.8. For example: the direct recipient of the investment (target); significant intermediate entity; global ultimate owner; company group, etc. [↑](#endnote-ref-25)
26. 4.9 Art. 2.1 Regulation (EU) 2019/452 defines ‘foreign direct investment’ as an investment of any kind by a foreign investor aiming to establish or to maintain lasting and direct links between the foreign investor and the entrepreneur to whom or the undertaking to which the capital is made available in order to carry on an economic activity in a Member State, including investments which enable effective participation in the management or control of a company carrying out an economic activity. [↑](#endnote-ref-26)
27. 4.10 Please provide a brief description of the activities being carried out and include the relevant NACE sub-category to the greatest possible granularity (4-digits). [↑](#endnote-ref-27)
28. 4.12 Where available please provide the relevant classification of the products supplied by the target such as:

the relevant Export Control Code (see Annex I of Regulation (EU) 2021/821 of the EP and of the Council setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items)

the relevant military items code according to the current Common Military List of the EU (equipment covered by the Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment)

CN Codes according to Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff [↑](#endnote-ref-28)
29. 4.13. If there is more than one company from a third country in the investor chain, please provide this information for all foreign investors. [↑](#endnote-ref-29)
30. 4.14. To the extent possible, please provide information of all sectors in which the customers of the target are active including indirect customers where this information is available. Alternatively, please provide a list of (direct and to the extent possible indirect) customers of the target in the EU. [↑](#endnote-ref-30)
31. 4.15. This is applicable to FDI resulting in a change of operations in the target undertaking. [↑](#endnote-ref-31)
32. 4.18. Such patents or other intellectual property might include those in relation to critical infrastructure, critical technologies or critical inputs. Criticality of a patent can be established by the level of the reliance of companies on the licences to it. [↑](#endnote-ref-32)
33. 4.20. Please explain, for example, whether the undertaking supplies goods, services, technology, etc. to the project or programme or to participants in these projects or programmes. [↑](#endnote-ref-33)
34. 4.21. See endnote 22 for details. [↑](#endnote-ref-34)
35. 4.22. See endnote 23 for details. [↑](#endnote-ref-35)
36. 5.6. Please provide a brief description of the activities being carried out and include the relevant NACE sub-category to the greatest possible granularity (4-digits). NACE is the European standard classification of productive economic activities. NACE presents economic activities partitioned in such a way that a NACE code can be associated with a statistical unit carrying them out. The NACE codes can be found in RAMON, the Eurostat database for NACE codes. [↑](#endnote-ref-36)
37. 5.11. If the ownership structure is complex, please provide details on the direct beneficiary, its ultimate owner and any significant intermediate entities to the extent available. If available, please provide an organigram to explain the horizontal and vertical relationship between the companies referred and the overall structure of the company group before and after the transaction. The information can also be presented in the form of a chart (as an Annex). [↑](#endnote-ref-37)