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NOTE

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To:	Visa Working Party
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Subject:	Draft Regulation of the European Parliament and of the Council on the Union Code on Visas (Visa Code) (recast)

With a view to the meeting of the Visa Working Party on 13-14 July 2015, on the basis of the comments raised during the last meetings, the Presidency has prepared the following issues :

- the subject matter and scope of the Regulation and the definitions (Articles 1 and 2);
- the authorities taking part in the procedures relating to applications (Articles 4 and 6);
- the application (Articles 8, 9, 10, 11 and 12);
- the examination of and decision on an application (Articles 16, 17, 18, 19 and 20);
- the issuing of the visa (Articles 22, 23, 24, 25, 26, 27, 28 and 29);
- the modification of an issued visa (Article 30).

Consequently, for the purpose of the discussions at the next meeting of the Visa Working Party, the Presidency invites delegations to examine the text of those articles which delegations will find in the Annex.

The text of the draft Regulation as amended by the Working Party appears in **bold** (new text or (...) when text has been deleted). The new drafting suggested by the Presidency is underlined and ~~stroked through~~ when the text has been deleted.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the Union Code on Visas (Visa Code)

(recast)

TITLE I

GENERAL PROVISIONS

Article 1

Subject matter and scope

1. This Regulation establishes the conditions and procedures for issuing visas for intended stays on the territory of the Member States not exceeding 90 days in any 180 days period.
2. The provisions of this Regulation shall apply to any third-country national who must be in possession of a visa when crossing the external borders of the Member States pursuant to Council Regulation (EC) No 539/2001, without prejudice to:
 - (a) the rights of free movement enjoyed by third-country nationals who are family members of citizens of the Union;
 - (b) the equivalent rights enjoyed by third-country nationals and their family members, who, under agreements between the Union and its Member States, on the one hand, and these third countries, on the other, enjoy rights of free movement equivalent to those of Union citizens and members of their families.
3. This Regulation lists the third countries whose nationals are required to hold an airport transit visa by way of exception from the principle of free transit laid down in Annex 9 to the Chicago Convention on International Civil Aviation, and establishes the conditions and procedures for issuing visas for the purpose of transit through the international transit areas of Member States' airports.

Article 2

Definitions

For the purpose of this Regulation the following definitions shall apply:

1. 'third-country national' means any person who is not a citizen of the Union within the meaning of Article 20(1) of the TFEU;
2. 'visa' means an authorisation issued by a Member State with a view to:
 - (a) an intended stay on the territory of the Member States of a duration of no more than 90 days in any 180 days period; or
 - (b) transit through the international transit areas of airports of the Member States;
3. 'uniform visa' means a visa valid for the entire territory of the Member States;
4. 'visa with limited territorial validity' means a visa valid for the territory of one or more Member States but not all Member States;
5. 'airport transit visa' means a visa valid for transit through the international transit areas of one or more airports of the Member States;
6. 'touring visa' means a visa as defined in Article 3(2) of [Regulation No.../...];
7. 'close relatives' means (~~the spouse, children, parents, persons exercising parental authority, grandparents and grandchildren~~):
 - (a) the spouse;
 - (b) the partner with whom the Union citizen has contracted a registered partnership, on the basis of the legislation of a Member State and in accordance with the conditions laid down in the relevant legislation of the host Member State;

(c) the direct descendants who are under the age of 21 or are dependents and those of the spouse or partner as defined in point (b);

(d) persons exercising parental authority over a Union citizen or jointly with a Union citizen;

(e) the dependent direct relatives in the ascending line and those of the spouse or partner as defined in point (b);

8. "VIS registered applicant" means a **visa** applicant whose data are registered in the Visa Information System;

9. "VIS registered regular traveller" means a visa applicant **whose data** are registered in the Visa Information System and who has obtained **at least three uniform visas or visas with limited territorial validity issued in accordance with Article 22(3) within the 24 months prior to the application or one multiple-entry uniform visa or visa with limited territorial validity issued in accordance with Article 22(3) valid for at least one year** within the **36** months prior to the application;

10. 'visa sticker' means the uniform format for visas as defined by Council Regulation (EC) No 1683/95;

11. 'recognised travel document' means a travel document recognised by one or more Member States for the purpose of crossing the external borders and affixing visas, under Decision No 1105/2011/EU of the European Parliament and of the Council;

12. 'valid travel document' means a travel document that is not false, counterfeit or forged and the period of validity of which as defined by the issuing authority has not expired;

13. 'separate sheet for affixing a visa' means the uniform format for forms for affixing the visa issued by Member States to persons holding travel documents not recognised by the Member State drawing up the form as defined by Council Regulation (EC) No 333/2002;

14. 'consulate' means a Member State's diplomatic mission or a Member State's consular post authorised to issue visas and headed by a career consular officer as defined by the Vienna Convention on Consular Relations of 24 April 1963;

15. 'application' means an application for a visa;

16. 'seafarer' means any person who is employed or engaged or works in any capacity on board a ship to which the Maritime Labour Convention, 2006 applies.

17. 'accredited professional, cultural, sports or educational association or institution' means any professional, cultural, sports or educational association or institution which is recognised by Member States' relevant authorities.¹

¹ This point should be read together with Article 8(6)(c). During the first examination of the articles of the draft regulation, some Member States considered the risk of abuse from those beneficiaries listed under Article 8(6) (c) in the absence of any type of monitoring.

TITLE III

CONDITIONS AND PROCEDURES FOR

ISSUING VISAS

CHAPTER I

AUTHORITIES TAKING PART IN THE PROCEDURES RELATING TO APPLICATIONS

Article 4

Authorities competent for taking part in the procedures relating to applications

1. Applications shall be examined and decided on by consulates.
2. By way of derogation from paragraph 1, applications may be examined and decided on at the external borders of the Member States by the authorities responsible for checks on persons, in accordance with Articles 32, 33 and 34.
3. In the non-European overseas territories of Member States, applications may be examined and decided on by the authorities designated by the Member State concerned.
4. A Member State may require the involvement of authorities other than the ones referred to in paragraphs 1 and 2 in the examination of and decision on applications.
5. A Member State may require to be consulted or informed by another Member State in accordance with Articles 19 and 28.

Article 6

Consular territorial competence

1. An application shall be examined and decided on by the consulate of the competent

Member State in whose jurisdiction the applicant legally resides.

2. A consulate of the competent Member State shall examine and decide on an application lodged by a third-country national legally present but not residing in its jurisdiction, if the applicant has provided justification for lodging the application at that consulate.

CHAPTER II

APPLICATION

Article 8

Practical modalities for lodging an application

1. Applications **shall** be lodged **no more than** six months before and, **as a rule**, no later than 15 calendar days before the start of the intended visit.
2. ~~Applicants~~ ~~Consulates~~ may ~~be required~~ ~~applicants~~ to obtain an appointment for the lodging of an application. The appointment shall, as a rule, take place within a period of two weeks from the date when the appointment was requested.
3. ¹The consulate ~~shall~~ may allow to lodge the application either without prior appointment or with an ~~immediate~~ appointment arranged as soon as possible within the consulate's office hours to close relatives of Union citizens who:
 - (a) intend to visit their Union citizen close relatives residing in the Member State of their nationality;
 - (b) intend to travel, together with their Union citizen close relatives residing in a third country, to the Member State of which the Union citizen has the nationality.
4. The consulate shall allow to lodge the application either without prior appointment or with an ~~immediate~~ appointment arranged as soon as possible within the consulate's office hours to family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC.
5. In justified cases of urgency, the consulate ~~shall~~ may allow applicants to lodge their applications either without appointment, or an ~~immediate~~ appointment arranged as soon as possible within the consulate's office hours shall be given.

¹ During the first examination of the articles of the draft regulation, some Member States expressed concerns about the use of the term "immediate appointment" and the definition of "justified cases of urgency".

6. Applications may, without prejudice to Article 12 be lodged:
- (a) by the applicant;
 - (b) by an accredited commercial intermediary referred to in Article 43 or
 - (c) an accredited professional, cultural, sports or educational association or institution.
7. An applicant shall not be required to appear in person at more than one location in order to lodge an application.

Article 9

General rules for lodging an application

1. Applicants shall appear in person when lodging an application for the collection of fingerprints, in accordance with Article 12 (2) and (3).
2. **¹Except in the case of an applicant for whom the fingerprinting was temporarily impossible at a previous application as referred to in Article 12(7)(b),** VIS registered applicants shall not be required to appear in person when lodging an application, where their fingerprints have been entered into the VIS less than 59 months before. Applicants shall not be required to appear in person when lodging an application if their permanent impossibility to deliver fingerprints has been previously registered in the VIS less than 59 months before the date of the new application.

¹ This paragraph should be read together with Article 12(2) and Article 12(7). While Article 12(7) exempts certain categories, including applicants who have a permanent impossibility to deliver their fingerprints, Article 9(2) exempts applicants to appear in person when lodging an application but does not include applicants under permanent impossibility to deliver their fingerprints. Hence, the Presidency suggests specifying that any person under permanent impossibility to deliver fingerprints is not required to appear personally at the consulate under certain conditions.

3. When lodging the application, the applicant shall:

- (a) present an application form in accordance with Article 10;
- (b) present a travel document in accordance with Article 11;
- (c) present a photograph in accordance with the standards set out in Regulation (EC) No 1683/95 or, where the VIS is operational pursuant to Article 48 of Regulation (EC) No 767/2008, in accordance with the standards set out in Article 12 of this Regulation;
- (d) allow the collection of his fingerprints in accordance with Article 12, where applicable;
- (e) pay the visa fee in accordance with Article 14;
- (f) provide supporting documents in accordance with Article 13 and Annex II.

Article 10

Application form

1. Each applicant shall submit a manually or electronically completed ~~and signed~~ application form signed manually or electronically, as set out in Annex I. Persons included in the applicant's travel document shall submit a separate application form. Minors shall submit an application form signed manually or electronically by a person exercising permanent or temporary parental authority or legal guardianship.
2. The content of the electronic version of the application form, if applicable, shall be as set out in Annex I.
3. Consulates shall make the application form widely available and easily accessible to applicants free of charge.
4. The form shall as a minimum be available in the following languages:
 - (a) the official language(s) of the Member State for which a visa is requested; and
 - (b) the official language(s) of the host country.

In addition to the language(s) referred to in point (a), the form may be made available in any other official language(s) of the institutions of the European Union.

5. If the application form is not available in the official language(s) of the host country, a translation of it into that/those language(s) shall be made available separately to applicants.
6. The translation of the application form into the official language(s) of the host country shall be produced under local Schengen cooperation as set out in Article 46.
7. The consulate shall inform applicants of the language(s) which may be used when filling in the application form.

Article 11

Travel document

The applicant shall present a valid travel document satisfying the following criteria:

- (a) without prejudice to Article 21(2), it shall be valid for at least three months after the intended date of departure from the territory of the Member States or, in the case of several visits, after the last intended date of departure from the territory of the Member States. However, in a justified case of emergency, this obligation may be waived;
- (b) it shall contain at least ~~one~~ two consecutive blank ~~double~~ pages, and if several applicants are covered by the same travel document it shall contain ~~one~~ two consecutive blank ~~double~~ pages per applicant;
- (c) it shall have been issued within the previous 10 years.

Article 12

Biometric identifiers

1. Member States shall collect biometric identifiers of the applicant comprising a photograph of him and his 10 fingerprints in accordance with the safeguards laid down in the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms, in the Charter of Fundamental Rights of the European Union and in the United Nations Convention on the Rights of the Child.
2. At the time of submission of the first application, the applicant shall be required to appear in person. At that time, the following biometric identifiers of the applicant shall be collected:
 - a photograph, scanned or taken at the time of application, and
 - his 10 fingerprints taken flat and collected digitally.

3. Where fingerprints collected from the applicant as part of an earlier application for a short stay visa or a touring visa were entered in the VIS for the first time less than 59 months before the date of the new application, they shall be copied to the subsequent application.

However, where there is reasonable doubt regarding the identity of the applicant, the consulate shall collect fingerprints within the period specified in the first subparagraph.

Furthermore, if at the time when the application is lodged, it cannot be immediately confirmed that the fingerprints were collected within the period specified in the first subparagraph, the applicant may request that they be collected.

4. In accordance with Article 9(5) of Regulation (EC) No 767/2008, the photograph attached to each application shall be entered in the VIS.

The technical requirements for the photograph shall be in accordance with the international standards as set out in the International Civil Aviation Organization (ICAO) document 9303 Part 1, 6th edition.

5. Fingerprints shall be taken in accordance with ICAO standards and Commission Decision 2006/648/EC.

6. The biometric identifiers shall be collected by qualified and duly authorised staff of the authorities competent in accordance with Article 4(1), (2) and (3). Under the supervision of the consulates, the biometric identifiers may also be collected by qualified and duly authorised staff of an honorary consul as referred to in Article 40 or of an external service provider as referred to in Article 41. The Member State(s) concerned shall, where there is any doubt, provide for the possibility of verifying at the consulate fingerprints which have been taken by the external service provider.

7. The following applicants shall be exempt from the requirement to give fingerprints:

- (a) children under the age of 12;
- (b) persons for whom fingerprinting is physically impossible. If the fingerprinting of fewer than 10 fingers is possible, the maximum number of fingerprints shall be taken. However, should the impossibility be temporary, the applicant shall be required to give the fingerprints at the following application. The authorities competent in accordance with Article 4(1), (2) and (3) shall be entitled to ask for further clarification of the grounds for the temporary impossibility. Member States shall ensure that appropriate procedures guaranteeing the dignity of the applicant are in place in the event of there being difficulties in enrolling;
- (c) heads of State or government and members of a national government with accompanying spouses, and the members of their official delegation when they are invited by Member States' governments or by international organisations for an official purpose;
- (d) sovereigns and other senior members of a royal family, when they are invited by Member States' governments or by international organisations for an official purpose;
- (e) persons in situation of medical urgency attested by a medical certificate;
- (f) persons summoned before the International Criminal Court.

8. In the cases referred to in paragraph 7, the entry 'not applicable' shall be introduced in the VIS in accordance with Article 8(5) of Regulation (EC) No 767/2008.

CHAPTER III
EXAMINATION OF AND DECISION ON AN APPLICATION

Article 16

Verification of consular competence

1. When an application has been lodged, the consulate shall verify whether it is competent to examine and decide on it in accordance with the provisions of Articles 5 and 6.
2. If the consulate is not competent, it shall, without delay, return the application form and any documents submitted by the applicant, reimburse the visa fee, and indicate which consulate is competent.

Article 17

Admissibility

1. The competent consulate shall verify whether:
 - (a) the application has been lodged within the period referred to in Article 8(1),
 - (b) the application contains the items referred to in Article 9(3)(a) to (c),
 - (c) the biometric data of the applicant have been collected, and
 - (d) the visa fee has been collected.
2. Where the competent consulate finds that the conditions referred to in paragraph 1 have been fulfilled, the application shall be admissible and the consulate shall:
 - (a) follow the procedures described in Article 8 of (EC) No 767/2008, and
 - (b) further examine the application.

Data shall be entered in the VIS only by duly authorised consular staff in accordance with

Articles 6(1), 7, 9(5) and 9(6) of Regulation (EC) No 767/2008 .

3. Where the competent consulate finds that the conditions referred to in paragraph 1 have not been fulfilled, the application shall be inadmissible and the consulate without delay shall:

- (a) return the application form and any documents submitted by the applicant,
- (b) destroy the collected biometric data,
- (c) reimburse the visa fee, and
- (d) not examine the application.

4. By way of derogation, an application that does not meet the requirements set out in paragraph 1 may be considered admissible on humanitarian grounds or for reasons of national interest.

Article 18

Verification of entry conditions and risk assessment

1. In the examination of an application for a uniform visa, it shall be ascertained whether the applicant fulfils the entry conditions set out in Article 5(1)(a), (c), (d) and (e) of Regulation (EC) No 562/2006, and particular consideration shall be given to assessing whether the applicant presents a risk of irregular immigration or a risk to the security of the Member States and whether the applicant intends to leave the territory of the Member States before the expiry of the visa applied for.

2. In the examination of an application for a uniform visa lodged by a VIS registered regular traveller who has lawfully used the **visas obtained within the respective time-limits referred to in Article 2(9)**, it shall be presumed that the applicant fulfils the entry conditions regarding the risk of irregular immigration (...) and the possession of sufficient means of subsistence.

3. The presumption referred to in paragraph 2 shall not apply where the consulate has reasonable doubts about the fulfilment of these entry conditions based on information stored in the VIS, such as decisions annulling a previous visa, or in the passport, such as entry and exit stamps **or any other relevant information**. In such cases, the consulates may carry out an interview and request additional documents **as referred to in paragraph 10**.

4. In respect of each application, the VIS shall be consulted in accordance with Articles 8(2) and 15 of (EC) No 767/2008. Member States shall ensure that full use is made of all search criteria pursuant to Article 15 of Regulation (EC) No 767/2008 in order to avoid false rejections and identifications.

5. Without prejudice to paragraph 2, while checking whether the applicant fulfils the entry conditions, the consulate shall verify:

(a) that the travel document presented is ~~not false, counterfeit or forged~~ a valid travel document;

(b) the applicant's justification for the purpose and conditions of the intended stay, and that he has sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is in a position to acquire such means lawfully;

(c) whether the applicant is a person for whom an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry;

(d) that the applicant is not considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of Regulation (EC) No 562/2006 or to the international relations of any of the Member States, in particular where no alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds.

6. The consulate shall, where applicable, verify the length of previous and intended stays in order to verify that the applicant has not exceeded the maximum duration of authorised stay in the territory of the Member States, irrespective of possible stays authorised under a touring visa, a national long-stay visa or a residence permit.

7. The means of subsistence for the intended stay shall be assessed in accordance with the duration and the purpose of the stay and by reference to average prices in the Member State(s) concerned for board and lodging in budget accommodation, multiplied by the number of days stayed, on the basis of the reference amounts set by the Member States in accordance with Article 34(1)(c) of Regulation (EC) No 562/2006. Proof of sponsorship and/or private accommodation may also constitute evidence of sufficient means of subsistence.

8. In the examination of an application for an airport transit visa, the consulate shall in particular verify:

(a) that the travel document presented is ~~not false, counterfeit or forged~~ a valid travel document;

(b) the points of departure and destination of the third-country national concerned and the coherence of the intended itinerary and airport transit;

(c) proof of the onward journey to the final destination.

9. The examination of an application shall be based notably on the authenticity and reliability of the documents submitted and on the veracity and reliability of the statements made by the applicant.

10. During the examination of an application, consulates may in justified cases carry out an interview and request additional documents.

11. A previous visa refusal shall not lead to an automatic refusal of a new application. A new application shall be assessed on the basis of all available information.

Article 19

Prior consultation of central authorities of other Member States

1. A Member State may require the central authorities of other Member States to consult its central authorities during the examination of applications lodged by nationals of specific third countries or specific categories of such nationals. Such consultation shall not apply to applications for airport transit visas.
2. The central authorities consulted shall reply definitively **as soon as possible but not later than** within **seven** calendar days after being consulted. The absence of a reply within this deadline shall mean that they have no grounds for objecting to the issuing of the visa.
3. Member States shall notify the Commission of the introduction or withdrawal of the requirement of prior consultation, **as a rule**, at the latest 15 calendar days before it becomes applicable. This information shall also be given within local Schengen cooperation in the jurisdiction concerned.
4. The Commission shall inform Member States of such notifications.

Article 20

Decision on the application

1. Applications shall be decided on within **15** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17.
2. That period may be extended up to a maximum of **45** calendar days in individual cases, notably when further scrutiny of the application is needed.
3. Applications of close relatives of the Union citizens referred to in Article 8(3) and of family members of Union citizens as referred to in Article 3(1) of Directive 2004/38/EC shall be decided on within 5 calendar days of the date of the lodging of an application. That period may be extended up to a maximum of 10 calendar days in individual cases, notably when further scrutiny of the application is needed.

4. The deadlines provided for in paragraph 3 shall apply as a maximum to family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC, in accordance with Article 5(2) of that Directive.

5. Unless the application has been withdrawn, a decision shall be taken to:

- (a) issue a uniform visa in accordance with Article 21;
- (b) issue a visa with limited territorial validity in accordance with Article 22;
- (c) issue an airport transit visa in accordance with Article 23; or
- (d) refuse a visa in accordance with Article 29.

The fact that fingerprinting is physically impossible, in accordance with Article 12(7)(b), shall not influence the issuing or refusal of a visa.

CHAPTER IV

ISSUING OF THE VISA

Article 22

Issuing of a visa with limited territorial validity

1. A visa with limited territorial validity shall be issued exceptionally, in the following cases:
 - (a) when the Member State concerned considers it necessary on humanitarian grounds, for reasons of national interest or because of international obligations,
 - (i) to derogate from the principle that the entry conditions laid down in Article 5(1)(a), (c), (d) and (e) of Regulation (EC) No 562/2006 must be fulfilled;
 - (ii) to issue a visa despite an objection by the Member State consulted in accordance with Article 19 to the issuing of a uniform visa; or
 - (iii) to issue a visa for reasons of urgency, although the prior consultation in accordance with Article 19 has not been carried out;
 - (b) when for reasons deemed justified by the consulate, a new visa is issued for a stay during the same 180-day period to an applicant who, over this 180-day period, has already used a uniform visa or a visa with limited territorial validity allowing for a stay of 90 days.
2. A visa with limited territorial validity shall be valid for the territory of the issuing Member State. It may exceptionally be valid for the territory of more than one Member State, subject to the consent of each such Member State.
3. If the applicant holds a travel document that is not recognised by one or more, but not all Member States, a visa valid for the territory of the Member States recognising the travel document shall be issued. If the issuing Member State does not recognise the applicant's travel document, the visa issued shall only be valid for that Member State.

4. When a visa with limited territorial validity has been issued in the cases described in paragraph 1(a), the central authorities of the issuing Member State shall circulate the relevant information to the central authorities of the other Member States without delay, by means of the procedure referred to in Article 16(3) of Regulation (EC) No 767/2008.

5. The data set out in Article 10(1) of Regulation (EC) No 767/2008 shall be entered into the VIS when a decision on issuing such a visa has been taken.

Article 23

Issuing of an airport transit visa

1. An airport transit visa shall be valid for transiting through the international transit areas of the airports situated on the territory of Member States.

2. Without prejudice to Article 11(a), the period of validity of the visa shall include a 'period of grace' of 15 days.

Member States may decide not to grant such a period of grace for reasons of public policy or because of the international relations of any of the Member States.

3. Without prejudice to Article 11(a), multiple airport transit visas may be issued with a period of validity of a maximum six months.

4. The following criteria in particular are relevant for taking the decision to issue multiple airport transit visas:

(a) the applicant's need to transit frequently and/or regularly; and

(b) the integrity and reliability of the applicant, in particular the lawful use of previous uniform visas, visas with limited territorial validity or airport transit visas, his economic situation in his country of origin and his genuine intention to pursue his onward journey.

5. If the applicant is required to hold an airport transit visa in accordance with the provisions of Article 3(2), the airport transit visa shall be valid only for transiting through the international transit areas of the airports situated on the territory of the Member State(s) concerned.
6. The data set out in Article 10(1) of Regulation (EC) No 767/2008 shall be entered into the VIS when a decision on issuing such a visa has been taken.

Article 24

Filling in the visa sticker

1. When the visa sticker is filled in the machine-readable zone shall be filled in, as provided for in ICAO document 9303, Part 2.
2. The Commission shall by means of implementing acts adopt the details for filling in the visa sticker. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 51(2).
3. Member States may add national entries in the ‘comments’ section of the visa sticker including the specific travel purpose, which shall ~~neither not~~ duplicate the entries established in accordance with the procedure referred to in paragraph 2 ~~nor indicate a specific travel purpose~~.
4. All entries on the visa sticker shall be printed, and no manual changes shall be made to a printed visa sticker.
5. A visa sticker for a single entry visa may be filled in manually only in case of technical force majeure. No changes shall be made to a manually filled in visa sticker.
6. When a visa sticker is filled in manually in accordance with paragraph 4 of this Article, this information shall be entered into the VIS in accordance with Article 10(1)(k) of Regulation (EC) No 767/2008.

Article 25

Invalidation of a completed visa sticker

1. If an error is detected on a visa sticker which has not yet been affixed to the travel document, the visa sticker shall be invalidated.
2. If an error is detected after the visa sticker has been affixed to the travel document, the visa sticker shall be invalidated by drawing a cross with indelible ink on the visa sticker, the optically variable device shall be destroyed and a new visa sticker shall be affixed to a different page.
3. If an error is detected after the relevant data have been introduced into the VIS in accordance with Article 10(1) of Regulation (EC) No 767/2008, the error shall be corrected in accordance with Article 24(1) of that Regulation.

Article 26

Affixing a visa sticker

1. The printed visa sticker containing the data provided for in Article 24 shall be affixed to the travel document.
2. The Commission shall by means of implementing acts adopt the details for affixing the visa sticker. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 51(2).
3. Where the issuing Member State does not recognise the applicant's travel document, the separate sheet for affixing a visa shall be used.
4. When a visa sticker has been affixed to the separate sheet for affixing a visa, this information shall be entered into the VIS in accordance with Article 10(1)(j) of Regulation (EC) No 767/2008.
5. Individual visas issued to persons who are included in the travel document of the applicant shall be affixed to that travel document.
6. Where the travel document in which such persons are included is not recognised by the issuing Member State, the individual stickers shall be affixed to the separate sheets for affixing a visa.

Article 27

Rights derived from an issued visa

Mere possession of a uniform visa or a visa with limited territorial validity shall not confer an automatic right of entry.

Article 28

Informing central authorities of other Member States

1. A Member State may require that its central authorities be informed of visas issued by consulates of other Member States to nationals of specific third countries or to specific categories of such nationals, except in the case of airport transit visas.
2. Member States shall notify the Commission of the introduction or withdrawal of the requirement for such information at the latest 15 calendar days before it becomes applicable. This information shall also be given within local Schengen cooperation in the jurisdiction concerned.
3. The Commission shall inform Member States of such notifications.

Refusal of a visa

1. Without prejudice to Article 22(1), a visa shall be refused:
 - (a) if the applicant:
 - (i) presents a travel document which is ~~false, counterfeit or forged~~ not a valid travel document;
 - (ii) does not provide justification for the purpose and conditions of the intended stay;
 - (iii) does not provide proof of sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is not in a position to acquire such means lawfully;
 - (iv) has already stayed for 90 days during the current 180-day period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial validity;
 - (v) is a person for whom an alert has been issued in the SIS for the purpose of refusing entry;
 - (vi) is considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of Regulation (EC) No 562/2006 or to the international relations of any of the Member States, in particular where an alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds; or
 - (b) if there are reasonable doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for.
2. A decision on refusal and the reasons on which it is based shall be notified to the applicant by means of the standard form set out in Annex V.

3. Applicants who have been refused a visa shall have the right to appeal. Appeals shall be instituted against the Member State that has taken the final decision on the application and in accordance with the national law of that Member State. Member States shall provide applicants with detailed information regarding the procedure to be followed in the event of an appeal, as specified in Annex V.

4. Information on a refused visa shall be entered into the VIS in accordance with Article 12 of Regulation (EC) No 767/2008.

CHAPTER V
MODIFICATION OF AN ISSUED VISA

Article 30

Extension

1. The period of validity and/or the duration of stay of an issued visa shall be extended where the competent authority of a Member State considers that a visa holder has provided proof of force majeure or humanitarian reasons preventing him from leaving the territory of the Member States before the expiry of the period of validity of or the duration of stay authorized by the visa. Such an extension shall be granted free of charge.
2. The period of validity and/or the duration of stay of an issued visa may be extended if the visa holder provides proof of serious personal reasons justifying the extension of the period of validity or the duration of stay. The visa holder shall pay a visa fee for such an extension. The Commission shall by means of implementing acts fix the amount of the visa fee, which can be no less than EUR 30. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 51(2).
3. Unless otherwise decided by the authority extending the visa, the territorial validity of the extended visa shall remain the same as that of the original visa.
4. The authority competent to extend the visa shall be that of the Member State on whose territory the third-country national is present at the moment of applying for an extension.
5. Member States shall notify to the Commission the authorities competent for extending visas.
6. Extension of visas shall take the form of a visa sticker.
7. Information on an extended visa shall be entered into the VIS in accordance with Article 14 of Regulation (EC) No 767/2008.
