



Council of the
European Union

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**VISA 72
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COMIX 146**

OUTCOME OF PROCEEDINGS

From: Permanent Representatives Committee/Mixed Committee
On: 15 February 2017

No. prev. doc.: 6071/17
No. Cion doc.: 10314/1/15 REV 1 (COM(2014) 303 final/2)

Subject: Draft Regulation of the European Parliament and of the Council amending Regulation (EC) No 1683/1995 of 29 May 1995 laying down a uniform format for visas (first reading)
- Preparation for the Trilogue

At its meeting on 15 February 2017, COREPER agreed that the Presidency would continue negotiations with the European Parliament on the basis of the text as set out in the Annex.

Modifications to the Commission proposal are indicated in **bold**.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**amending Regulation (EC) No 1683/1995 of 29 May 1995 laying down
a uniform format for visas**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2)(a) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) Council Regulation (EC) No 1683/95¹ laid down a uniform format for visas.
- (2) The current visa sticker, which has been in circulation for 20 years, has to be considered as compromised in view of serious incidents of counterfeiting and fraud.
- (3) Therefore a new common design should be established with more modern security features to render the visa sticker more secure and prevent forgery.

¹ Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas (OJ L 164, 14.7.1995, p. 1).

(3a) Upon request from Ireland or the United Kingdom, the Commission should enter into appropriate arrangements to exchange technical information with those Member States in relation to the format for visas issued by them.

(4) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union.

(5) This Regulation constitutes a development of the provisions of the Schengen acquis in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC; the United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.

(6) This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.

(7) (...)

(8) (...)

(9) (...)

(10) (...)

(11) This Regulation constitutes an act building upon, or otherwise related to, the Schengen *acquis* within, respectively, the meaning of Article 3(1) of the 2003 Act of Accession, of Article 4(1) of the 2005 Act of Accession and of Article 4(1) of the 2011 Act of Accession.

- (12) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded between the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis* ² which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC ³.
- (13) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁴, which fall within the area referred to in Article 1, point B, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC ⁵.

² OJ L 176, 10.7.1999, p. 36.

³ Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

⁴ OJ L 53, 27.2.2008, p. 52.

⁵ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

- (14) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol signed between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement concluded between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁶, which fall within the area referred to in Article 1, point B, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU ⁷,

HAVE ADOPTED THIS REGULATION:

Article 1

- In Article 7 the following subparagraph is added:

" Upon request from Ireland or the United Kingdom, the Commission shall enter into appropriate arrangements with those Member States to exchange technical information referred to in Article 2. Costs to which Ireland and the United Kingdom do not contribute in accordance with Article 5 of Protocol 21 shall be borne by Ireland or the United Kingdom respectively if they make such request."

- The Annex to Regulation (EC) No 1683/95 is replaced by the text in the Annex to this Regulation.

⁶ OJ L 160, 18.6.2011, p. 21.

⁷ Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

Article 2

Visa stickers conforming to the specifications set out in the annex to Regulation (EC) No 1683/95 which are applicable until the date referred to in the second paragraph of Article 3 may be used for visas issued until six months after that date.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from **fifteen** months after the adoption of the further technical specifications referred to in Article 2 of Regulation (EC) No 1683/95.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels,

For the European Parliament

For the Council

The President

The President

ANNEX

to the

Proposal for a Regulation

amending Regulation (EC) No 1683/1995 of 29 May 1995 laying down a uniform format for visas

Security features

1. An integrated colour portrait of the holder produced to high security standards.
2. An optically variable device ('Kinegram' or equivalent) shall appear in this space. Depending on the angle of view, the letters 'E', 'EU' and kinematic guilloche lines become visible in various sizes and colours.
3. This box shall contain the three-letter country code as set out in ICAO Document 9303 on machine-readable travel documents of the issuing Member State **or the acronym 'BNL', if the issuing Member State is a Benelux Member State**, in optically variable colouring. Depending on the angle of view, it shall appear in different colours.
4. The word "visa" and the issuing Member State in capital letters shall appear in this space.
5. This box shall contain the 9-digit national number of the visa sticker in horizontal orientation, which shall be pre-printed in black. A special font type shall be used.
6. This box shall contain the 9-digit national number of the visa sticker in vertical orientation, which shall be pre-printed in red. A special font type shall be used, different from the one used for box 5. The 'number of the visa sticker' is the three-letter country code **as set out in ICAO Document 9303** and the national number as referred to in box 5 and box 6.

7. This box shall contain the letters ‘EU’ with a latent image effect. These letters shall appear light when held flat and dark when turned by 90°.
8. This box shall contain the codes according to box 3 with a latent image effect. This code shall appear light when held flat and dark when turned by 90°.

Sections to be completed

The words designating the boxes shall appear in English and French. The issuing State may add a third official Union language. However, the word “visa” in the top line may appear in any one official language of the Union. **The visa sticker has to be filled in in accordance with Regulation (EC) No 810/2009 (Visa Code)⁸.**

9. This box shall begin with the words ‘valid for’. The issuing authority **shall** indicate the territory in which the visa holder is entitled to travel.
10. This box shall begin with the word ‘from’ and the word ‘until’ shall appear further along the line. The issuing authority shall indicate the period of the visa holder’s stay as authorised by the visa. Further along the line the words ‘duration of stay’ (i.e. duration of applicant’s intended stay) and again ‘days’ shall appear.
11. This box shall begin with the words ‘type of visa’. The issuing authority shall indicate the category of visa **in accordance with the Visa Code**. Further along the line the words ‘number of passport’ (...) and ‘number of entries’ shall appear.
12. This box shall begin with the words ‘issued in’ and shall be used to indicate **the name of the location where the issuing authority is situated**. Further along the line the word ‘on’ (after which the date of issue shall be filled in by the issuing authority) shall appear.
13. This box shall begin with the words ‘Surname, Name’.

⁸ Regulation (EC) 810/2009 of the European Parliament and the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), OJ L 243 of 15 September 2009, p.1.

14. This box shall begin with the word ‘remarks’. It shall be used by the issuing authority to indicate any further information **in accordance with the provisions of the Visa Code**. The following two and a half lines shall be left empty for such remarks. In addition, part of this box could be used for a future 2D barcode if included in the common technical specifications.

15. This box shall contain the relevant machine-readable information to facilitate e.g. external border controls. The machine-readable zone shall contain a printed text in the background printing, indicating the codes according to box 3 and ‘European Union’ in different languages. This text shall not affect the technical features of the machine readable zone or its ability to be read.

16. This box is reserved for the possible addition of a common 2D barcode.

