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OUTCOME OF PROCEEDINGS

From:	Visa Working Party/Mixed Committee EU-Iceland/Liechtenstein/Norway/Switzerland)
On:	30 September and 1 October 2015
No. prev. doc.:	12068/15 VISA 292 CODEC 1195 COMIX 411 and 12383/15 VISA 315 CODEC 1249 COMIX 436
No. Cion doc.:	8401/14 VISA 90 CODEC 971 COMIX 201 (COM(2014) 164 final)
Subject:	Draft Regulation of the European Parliament and of the Council on the Union Code on Visas (Visa Code) (recast)

1. At its meeting on 30 September - 1 October 2015, the Working Party examined the drafting suggestions made by the Presidency in 12068/15 and in 12383/15.
2. The outcome of the discussions during that meeting is to be found in the Annex attached. Comments in relation to the text are set out in the footnotes to 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 changes suggested by the Presidency, which have not yet been agreed, are underlined.

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 2

Definitions

12. 'valid travel document' means a travel document that ~~has not been usurped or wrongfully obtained,~~¹ is not false, counterfeit or forged and the period of validity of which as defined by the issuing authority has not expired;

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 **or**
- **navigating in international inland waters.**²

¹ The **Chair** explained that this point had been added as a condition for issuing the Multiple Entry Visa (MEV) referred to in Article 21(3) and (4). The **Commission representative** (COM), supported by **PL, BE, RO, NL, HR, EL, PT**, disagreed with adding such a condition under the definition, since this is not one of the entry conditions set out in the Schengen Borders Code, as referred to in Article 18(1). The **Chair** concluded that this point would be deleted.

² **COM** suggested using the same wording as in Article 4(1)(e) of Regulation No 539/2001. **LV** requested that all seafarers be covered, not only those to whom the Maritime Labour Convention applies, as in Article 36(1)(b) of the current Visa Code. **COM** said it would discuss the matter bilaterally with LV.

TITLE II

AIRPORT TRANSIT VISA

Article 3

Third-country nationals required to hold an airport transit visa

1. Nationals of the third countries listed in Annex III shall be required to hold an airport transit visa when passing through the international transit areas of airports situated on the territory of the Member States.
2. The Commission shall be empowered to adopt delegated acts in accordance with Article 48 concerning amendments to the list of the third countries set out in Annex III.
Where in the case of emerging risks, imperative grounds of urgency so require, the procedure provided for in Article 49 shall apply to delegated acts adopted pursuant to this paragraph¹.
3. Where there is a sudden and substantial influx of irregular immigrants, a Member State may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on its territory. The duration of such a measure shall not exceed 12 months. The scope and duration of the airport transit visa requirement shall not exceed what is strictly necessary to respond to the sudden and substantial influx of irregular immigrants.
4. **(moved from paragraph 6)** The Member State may prolong (...) the airport transit visa requirement where the lifting of the requirement would **create a risk of substantial** influx of irregular migrants **or a substantive increase in number of non-readmitted persons**². **Each subsequent prolongations should not exceed 12 months.**³
5. Where a Member State plans to introduce the airport transit visa requirement in accordance with paragraph 3, it shall as soon as possible notify the Commission, and shall provide the following information:
 - (a) the reason for the planned airport transit visa requirement, substantiating the sudden and substantial influx of irregular immigrants;
 - (b) the scope and duration of the planned introduction or prolongation of the airport transit visa requirement.

¹ The **Council Legal Service** explained the purpose of the delegated acts in this context and referred to 8753/1/11, 8970/11 and 14321/13. **FR** and **RO** opposed the use of delegated acts. **BE** and **NL** opposed using delegated acts in the context of the urgency procedure. **SE** stressed the need to define clear criteria for the delegation and the possible revision thereof.

² **COM** stated that it should be specified whether or not the migrants or persons referred to needed to be nationals of the third country concerned by the airport transit visa (ATV). The **Chair** said this needed further reflection.

³ **COM** considered that since paragraph 4 concerned prolongation of the ATV, it constituted a further step in the procedure, so the sequence of paragraphs was more logical in the Commission proposal.

5.1 Where a Member State decides to prolong the airport transit visa requirement in accordance with paragraph 4, it shall notify the Commission six weeks¹ before the prolongation takes effect and provide the information referred to in paragraph 5(a) and (b).

8. The following categories of persons shall be exempt from the requirement to hold an airport transit visa provided for in paragraphs 1 and 3:

(a) holders of a valid uniform visa, touring visa, national long-stay visa or residence permit issued by a Member State;

(b) third-country nationals holding a valid residence permit issued by a Member State which does not take part in the adoption of this Regulation or by a Member State which does not yet apply the provisions of the Schengen acquis in full, or third country nationals holding one of the valid residence permits listed in Annex IV issued by Andorra, Canada, Japan, San Marino or the United States of America guaranteeing the holder's unconditional readmission, or holding a residence permit for the Caribbean parts of the Kingdom of the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba);

(c) third-country nationals holding a valid visa for a Member State which does not take part in the adoption of this Regulation, or for a Member State which does not yet apply the provisions of the Schengen acquis in full, or for a country party to the Agreement on the European Economic Area, or for Canada, Japan or the United States of America, or holders of a valid visa for the Caribbean parts of the Kingdom of the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba), when travelling to the issuing country or to any other third country, or when, having used the visa, returning from the issuing country;

(d) family members of citizens of the Union as referred to in Article 3 of Directive 2004/38/EC;

(e) holders of diplomatic, ~~service, official or special~~² passports;

(f) flight crew members who are nationals of a contracting Party to the Chicago Convention on International Civil Aviation.

9. The Commission shall be empowered to adopt delegated acts in accordance with Article 48 concerning the amendments to the list of valid residence permits entitling the holder to transit through the airports of Member States without being required to hold an airport transit visa, set out in Annex IV.

¹ **COM** preferred two weeks but could agree with six weeks.

² **FR** and **SE** supported the suggestion. However, **CH** was in favour of keeping the text of the Commission's proposal. **COM** recalled that the ATV requirement was already removed for service, official and special passports and stressed the need for harmonisation.

Article 5

Member State competent for examining and deciding on an application

1. The Member State competent for examining and deciding on an application for a uniform visa shall be:

- (a) the Member State whose territory constitutes the sole destination of the visit(s);
- (b) if the visit includes more than one destination, or if several separate visits are to be carried out within a period of two months, the Member State whose territory constitutes the main destination of the visit(s) in terms of the length of stay , counted in days ; or
- (c) if no main destination can be determined, the Member State whose external border the applicant intends to cross in order to enter the territory of the Member States.

2. If the Member State that is competent in accordance with paragraph 1 point (a) or (b), is neither present nor represented in the third country where the applicant lodges the application in accordance with Article 6, the applicant is entitled to lodge the application:

- a) at the consulate of one of the Member States of destination of the envisaged visit,
- b) at the consulate of the Member State of first entry, if point a) is not applicable,
- c) in all other cases at the consulate of any of the Member States that are present in the country concerned.

3. The Member State competent for examining and deciding on an application for an airport transit visa shall be:

- (a) in the case of a single airport transit, the Member State on whose territory the transit airport is situated; or
- (b) in the case of double or multiple airport transit, the Member State on whose territory the first transit airport is situated.

Article 7

Competence to issue visas to third-country nationals legally present within the territory of a Member State

1. Third-country nationals who are legally present in the territory of a Member State and who are required to hold a visa to enter the territory of one or more other Member States shall apply for a visa at the consulate of the Member State that is competent in accordance with Article 5.

2. Third-country nationals who have lost their travel document, or from whom this document has been stolen, while staying in the territory of a Member State, may leave that territory, **without any visa or other authorisation**, on the basis of a valid travel document entitling them to cross the border issued by a consulate of their country of nationality **and the presentation of a declaration of loss or theft of the travel document holding the visa issued by the competent authorities**¹ (...).²

3. Where the third-country national, referred to in paragraph 2, intends to continue travelling in the Schengen area, the authorities in the Member State where he declares the loss or theft of his travel document, shall issue a visa with a duration of validity and period of allowed stay identical to the original visa on the basis of the data registered in the VIS. The visa may also be issued by the representation of the initial issuing Member State or that of another Member State which the primary issuing Member State has concluded a representation agreement with.³

¹ The **Chair** suggested drafting along the following lines: "...the visa issued by the police or the competent authorities...".

² **FR** and **BE** supported the changes. **COM** recalled that the purpose of adding those two new paragraphs in the recast had been to introduce the same procedure for all Member States.

³ **CH** supported the changes. **BE, PL**: said introducing a "may" clause made the procedure less clear. **ES, FR**: said the text of the whole paragraph was not clear enough. **IT** said the central authorities are not equipped to issue visas, it is only those at the borders who are. **LV** raised concerns regarding the term of validity of the travel document as set out in the current Article 12 of the Visa Code. **PT** entered a scrutiny reservation. In reply to a comment made by the **Chair** that it would be useful to list the Member States in which the national authorities do not have competence to issue visas, **COM** informed that within the Visa Committee Member States had specified which of their authorities are allowed to prolong a visa. The **Chair** concluded that the issue needed further consideration.

CHAPTER II
APPLICATION

Article 8

Practical modalities for lodging an application

1. Applications **shall** be lodged **no more than 9 months for seafarers in the performance of their duties and no more than six months for other applicants**¹ before and, **as a rule**, no later than 15 calendar days before the start of the intended visit.
2. **Applicants (...)** may **be required (...)** 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.

¹ **PL, PT:** scrutiny reservation.

Supporting documents

1. When applying for a uniform visa, the applicant shall present:
 - (a) documents indicating the purpose of the journey;
 - (b) documents in relation to accommodation, or proof of sufficient means to cover his accommodation;
 - (c) documents indicating that the applicant possesses 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 that he is in a position to acquire such means lawfully, in accordance with Article 5(1)(c) and (3) of Regulation (EC) No 562/2006 of the European Parliament and of the Council ;
 - (d) information enabling an assessment of the applicant's intention to leave the territory of the Member States before the expiry of the visa applied for.
2. Points (b) and (c) and ~~(d)~~¹ of paragraph 1 **shall** not apply to applicants who are VIS registered regular travellers and who have lawfully used the **visas**.
4. The list of supporting documents which may be requested from the applicant in order to verify the fulfilment of the conditions listed in paragraph 1 is set out in Annex II.²
5. **(moved from paragraph 9)** Within local Schengen cooperation, lists of supporting documents shall be prepared in each jurisdiction in order to take account of local circumstances.
6. **(moved from paragraph 10)** Without prejudice to paragraph 1, Member States may provide exemptions from the list of supporting documents referred to in paragraphs 4 and 9 5 in the case of applicants attending major international events organised in their territory that are considered particularly important due to their tourism and/or cultural impact.
7. **(moved from paragraph 11)** The Commission shall by means of implementing acts adopt **the latest version** of the lists of supporting documents to be used in each jurisdiction in order to take account of local circumstances. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 51(2).

¹ **BE, FR, PT, SE** supported the changes. **COM**, supported by **CH**, disagreed.

² The **Chair** concluded that no changes could be made to that paragraph since it was included in the white part of the recast exercise.

Article 18

Verification of entry conditions and risk assessment

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**.¹

Article 20

Decision on the application

3. Applications of (...) family members of Union citizens as referred to in Article 3(1) of Directive 2004/38/EC shall be decided on as soon as possible ~~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, ~~that period may be extended to a maximum of 10 calendar days~~.²

¹ Since several delegations and COM questioned the added value of the Presidency's suggestion set out in 12068/15, the **Chair** concluded that it would be deleted.

² **PL, FR, NL, NO, CZ, ES, DK, PT, BE, HU, FI**: agreed on "as soon as possible " but said that the deadline for further scrutiny of up to 10 days was too short. **CH** recalled that Switzerland was not bound by Directive 2004/38/EC. **LV** took the view that "as soon as possible" was too vague. **COM** disagreed with the principle of extending the period for deciding on the application lodged by such family members since they had the right of entry anyway and should therefore be issued a visa.

Article 24

Filling in the visa sticker

3. Member States may add national entries in the ‘comments’ section of the visa sticker, which shall **not** duplicate the entries established in accordance with the procedure referred to in paragraph 2 (...).¹

¹ **DE, CH:** scrutiny reservation. **FR** and **COM** agreed.

CHAPTER V

VISAS ISSUED AT THE EXTERNAL BORDERS

Article 32

Visas applied for exceptionally at the external border

2. A visa issued at the external border shall be a uniform visa, entitling the holder to stay for a maximum duration of 15 days, depending on the purpose and conditions of the intended stay. (...)

Article 39

Representation arrangements

1. A Member State may agree to represent another Member State that is competent in accordance with Article 5 for the purpose of examining applications and issuing taking decisions on visa applications on behalf of that Member State. A Member State may also represent another Member State in a limited manner only for the collection of applications and the enrolment of biometric identifiers.

1a. The consulate of the representing Member State may be authorised to refuse issuing a visa after examination of the application.¹

2. Where the representation is limited to the collection of applications, the collection and transmission of files and data to the represented Member State shall be carried out in compliance with the relevant data protection and security rules.

3. A bilateral arrangement shall be established between the representing Member State and the represented Member State. That arrangement:

(a) shall specify the duration of the representation, if only temporary, and the procedures for its termination;

(b) may, in particular when the represented Member State has a consulate in the third country concerned, provide for the provision of premises, staff and payments by the represented Member State.

(c) may² stipulate that applications from certain categories of third-country nationals are to be transmitted by the representing Member State to the central authorities of the represented Member State for prior consultation as provided for in Article 19;

~~(d) may, by way of derogation from paragraph 2 authorise the consulate of the representing Member State to refuse to issue a visa after examination of the application.~~

¹ DE supported the change. COM, supported by BE, FR, SI, SE, AT, opposed the change since full representation should be the rule. ES, DK and PT, while stating that they had concluded full representation arrangements, took the view that it should remain possible to limit the taking of the decision on the visa application to the represented Member State. The Chair concluded that a new suggestion was needed.

² COM disagreed with the "may" clause.

4. Member States lacking their own consulate in a third country shall endeavour to conclude representation arrangements with Member States that have consulates in that country.

5. With a view to ensuring that a poor transport infrastructure or long distances in a specific region or geographical area do not require a disproportionate effort on the part of applicants to have access to a consulate, Member States lacking their own consulate in that region or area shall endeavour to conclude representation arrangements with Member States that have consulates in that region or area.

6. The represented Member State shall notify the representation arrangements or the termination of those arrangements to the Commission at least ~~two~~ one months¹ before they enter into force or are terminated, **except in the case of force majeure**.

7. The consulate of the representing Member State shall, at the same time that the notification referred to in paragraph 6 takes place, inform both the consulates of other Member States and the delegation of the European Union in the jurisdiction concerned about representation arrangements or the termination of such arrangements.

8. If the consulate of the representing Member State decides to cooperate with an external service provider in accordance with Article 41 or with accredited commercial intermediaries as provided for in Article 43, that cooperation shall include applications covered by representation arrangements. The central authorities of the represented Member State shall be informed in advance of the terms of such cooperation.

Article 41

Cooperation with external service providers

12. Member States shall provide the Commission with a copy of the legal instrument referred to in paragraph 2. By **1st March** each year, Member States shall report to the Commission on their cooperation with and monitoring (as referred to in Annex VI, point C) of external service providers worldwide **during the previous calendar year. The Commission shall transmit a summary of these reports to the Member States for information purposes.**

¹ **COM**, supported by **FR** and **BE**, suggested "six weeks".

TITLE V

LOCAL SCHENGEN COOPERATION

Article 46

Local Schengen cooperation between Member States' consulates

1. In order to ensure a harmonised application of the common visa policy taking into account, where appropriate, local circumstances, Member States' consulates and the Commission shall cooperate within each jurisdiction in particular to:

(a) prepare a harmonised list of supporting documents to be submitted by applicants, taking into account Article 13 and Annex II;

(b) ensure a common translation of the application form in accordance with Article 10(6);

(c) establish the list of travel documents issued by the host country and update it regularly.

2. Within local Schengen cooperation a common information sheet shall be established on the basis of the standard information template drawn up by the Commission under Article 45(3).

3. Member States within local Schengen cooperation shall exchange the following:

(a) quarterly statistics on uniform visas, visas with limited territorial validity, airport transit visas and touring visas applied for, issued and refused;

(b) information with regard to the assessment of migratory and/or security risks, in particular on:

(i) the socioeconomic structure of the host country;

(ii) sources of information at local level, including social security, health insurance, fiscal registers and entry-exit registrations;

(iii) the use of false, counterfeit or forged documents;

(iv) irregular immigration routes;

(v) refusals;

(c) information on cooperation with transport companies.

1

¹ FR requested reintegrating the reference to the Travel Medical Insurance (TMI).

Article 48

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. Powers to adopt delegated acts referred to in Article 3(2) and (9), shall be conferred on the Commission for an indeterminate period of time.
3. The delegation of power referred to in Article 3(2) and (9) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated act already in force.
4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
5. A delegated act adopted pursuant to Article 3(2) and (9) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 53

Repeal

Regulation (EC) No 810/2009 is repealed and replaced by this Regulation from 6 months after the day of entry into force.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex XIII.

Article 55

Entry into force

1. This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.
2. It shall apply from [6 months after the day of entry into force].
3. Article 51 shall apply from [3 months after the day of entry into force].
4. Article 5(2) shall apply from [2 years after the day of entry into force]¹

¹ The **Chair** explained that this provision was to be set aside for the time being.

ANNEX I

Harmonised application form

Application for Schengen Visa

This application form is free



1

Family members of EU, **EEA** or **CH** citizens shall not fill in fields no.21, 22, 32, 33 and 34 (marked with*).

Fields 1-3 shall be filled in in accordance with the data in the travel document.²

1. Surname (Family name) (x)			FOR OFFICIAL USE ONLY Date of application:
2. Surname at birth (Former family name(s)) (x)			
3. First name(s) (Given name(s)) (x) ³			
4. Date of birth (day-month-year)	5. Place of birth	7. Current nationality ⁴	Application lodged at <input type="checkbox"/> Embassy/consulate <input type="checkbox"/> Service provider <input type="checkbox"/> Intermediary <input type="checkbox"/> Border (Name): <input type="checkbox"/> Other
	6. Country of birth	Nationality at birth, if different:	
8. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	9. Marital status <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Registered Partnership ⁵ <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widow(er) <input type="checkbox"/> Other (please specify)		File handled by: Supporting documents: <input type="checkbox"/> Travel document <input type="checkbox"/> Means of subsistence <input type="checkbox"/> Invitation <input type="checkbox"/> Means of transport <input type="checkbox"/> Other:
10. Parental authority/legal guardian(...) : Surname, first name, address (if different from applicant's), telephone no., e-mail address, and nationality			
11. National identity number, where applicable			
12. Personal data of the family member who is an EU, EEA or CH citizen			
Surname ⁶		First name(s)	
Date of birth	Nationality	Number of travel document or ID card	

¹ No logo is required for Norway, Iceland, Liechtenstein and Switzerland.

² **IT** found the lay-out, and in particular the third column, difficult to read for officials.

³ **FI**: official name to be added. **COM** disagreed.

⁴ **FI**: other nationalities to be listed. **COM** found it useful.

⁵ **PL**: no added value. Could be referred to under "Other". **RO**: "registered partnership" not recognised. **SE** supported this addition and suggested, with support from **LV**, adding it also in field 13. **COM**, and **BE**: several Member State have this definition in their legislation.

⁶ **PT**, supported by **EE**, **DK**, **ES** suggested adding a reference to the father's and mother's names. **COM** disagreed since it took the view that this was not helpful.

13. Family relationship with an EU, EEA or CH citizen <input type="checkbox"/> spouse <input type="checkbox"/> child <input type="checkbox"/> grandchild <input type="checkbox"/> dependent ascendant				Visa decision: <input type="checkbox"/> Refused <input type="checkbox"/> Issued: <input type="checkbox"/> A <input type="checkbox"/> C <input type="checkbox"/> LTV <input type="checkbox"/> Valid: From Until Number of entries: <input type="checkbox"/> 1 <input type="checkbox"/> Multiple
14. Type of travel document <input type="checkbox"/> Ordinary passport <input type="checkbox"/> Diplomatic passport <input type="checkbox"/> Service passport <input type="checkbox"/> Official passport <input type="checkbox"/> Special passport <input type="checkbox"/> Other travel document (please specify)				
15. Number of travel document	16. Date of issue	17. Valid until	18. Issued by	
19. Applicant's home address and e-mail address		Telephone number(s)		
20. Residence in a country other than the country of current nationality <input type="checkbox"/> No <input type="checkbox"/> Yes. Residence permit or equivalent No. Valid until				
*21. Current occupation				
* 22. Employer and employer's address and telephone number. For students, name and address of educational establishment				
23. (...) Purpose(s) of the journey: <input type="checkbox"/> Tourism..... <input type="checkbox"/> Business..... <input type="checkbox"/> Visiting family or friends <input type="checkbox"/> Cultural <input type="checkbox"/> Sports <input type="checkbox"/> Official visit <input type="checkbox"/> Medical reasons <input type="checkbox"/> Study <input type="checkbox"/> Airport transit <input type="checkbox"/> Other (please specify):				
24. Member State(s) of main destination (and other Member States of destination , if applicable) ¹		25. Member State of first entry		
26. Number of entries requested <input type="checkbox"/> Single entry.... <input type="checkbox"/> Multiple entries		27. Duration of the intended ² stay Indicate number of days		
28. Intended date of arrival in the Schengen area		29. Intended date of departure from the Schengen area		
30. Fingerprints collected previously for the purpose of applying for a Schengen visa or a touring visa <input type="checkbox"/> No <input type="checkbox"/> Yes. ³ Date, if known Visa sticker number, if known				
31. Entry permit for the final country of destination, where applicable Issued by Valid from until				
28. Intended date of arrival in the Schengen area		29. Intended date of departure from the Schengen area		
* 32. Surname and first name of the inviting person(s) in the Member State(s). If not applicable, name of hotel(s) or temporary accommodation(s) in the Member State(s)				

- ¹ **BE** stressed that the competent Member State should be referred to and found the new formulation too complicated. **COM**: replied that Article 5 only concerned the main destination.
- ² **AT** suggested "Intended total stay". **COM** disagreed since it considered that "total" was unclear.
- ³ **FI**: to be reformulated. What if applicant cannot remember ? **COM** disagreed since "if known" was mentioned in the field.

Address and e-mail address of inviting person(s)/hotel(s)/temporary accommodation(s)		Telephone and telefax	
*33. Name and address of inviting company/organisation		Telephone and telefax of company/organisation	
Surname, first name, address, telephone , telefax, and e-mail address of contact person in company/organisation			
*34. Cost of travelling and living during the applicant's stay is covered:			
<input type="checkbox"/> by the applicant himself/herself Means of support <input type="checkbox"/> Cash <input type="checkbox"/> Traveller's cheques <input type="checkbox"/> Credit card <input type="checkbox"/> Pre-paid accommodation <input type="checkbox"/> Pre-paid transport <input type="checkbox"/> Other (please specify)		<input type="checkbox"/> by a sponsor (host, company, organisation), please specify <input type="checkbox"/> referred to in field 32 or 33 <input type="checkbox"/> other (please specify) Means of support <input type="checkbox"/> Cash <input type="checkbox"/> Accommodation provided <input type="checkbox"/> All expenses covered during the stay <input type="checkbox"/> Pre-paid transport <input type="checkbox"/> Other (please specify)	
33. Personal data of the family member who is an EU, EEA or CH citizen			
Surname		First name(s)	
Date of birth	Nationality	Number of travel document or ID card	
34. Family relationship with an EU, EEA or CH citizen			
<input type="checkbox"/> spouse <input type="checkbox"/> child <input type="checkbox"/> grandchild <input type="checkbox"/> dependent ascendant			
I am aware that the visa fee is not refunded if the visa is refused.			
<p>I am aware of and consent to the following: the collection of the data required by this application form and the taking of my photograph and, if applicable, the taking of fingerprints, are mandatory for the examination of the visa application; and any personal data concerning me which appear on the visa application form, as well as my fingerprints and my photograph will be supplied to the relevant authorities of the Member States and processed by those authorities, for the purposes of a decision on my visa application.</p> <p>Such data as well as data concerning the decision taken on my application or a decision whether to annul, revoke or extend a visa issued will be entered into, and stored in the Visa Information System (VIS) for a maximum period of five years, during which it will be accessible to the visa authorities and the authorities competent for carrying out checks on visas at external borders and within the Member States, immigration and asylum authorities in the Member States for the purposes of verifying whether the conditions for the legal entry into, stay and residence on the territory of the Member States are fulfilled, of identifying persons who do not or who no longer fulfil these conditions, of examining an asylum application and of determining responsibility for such examination. Under certain conditions the data will be also available to designated authorities of the Member States and to Europol for the purpose of the prevention, detection and investigation of terrorist offences and of other serious criminal offences. The authority of the Member State responsible for processing the data is: [.....].</p> <p>I am aware that I have the right to obtain in any of the Member States notification of the data relating to me recorded in the VIS and of the Member State which transmitted the data, and to request that data relating to me which are inaccurate be corrected and that data relating to me processed unlawfully be deleted. At my express request, the authority examining my application will inform me of the manner in which I may exercise my right to check the personal data concerning me and have them corrected or deleted, including the related remedies according to the national law of the State concerned. The national supervisory authority of that Member State [contact details:] will hear claims concerning the protection of personal data.</p> <p>I declare that to the best of my knowledge all particulars supplied by me are correct and complete. I am aware that any false statements will lead to my application being rejected or to the annulment of a visa already granted and may also render me liable to prosecution under the law of the Member State which deals with the application.</p> <p>I undertake to leave the territory of the Member States before the expiry of the visa, if granted. I have been informed that possession of a</p>			

visa is only one of the prerequisites for entry into the European territory of the Member States. The mere fact that a visa has been granted to me does not mean that I will be entitled to compensation if I fail to comply with the relevant provisions of Article 5(1) of Regulation (EC) No 562/2006 (Schengen Borders Code) and I am therefore refused entry. The prerequisites for entry will be checked again on entry into the European territory of the Member States.

Place and date	Signature ((...)) signature of parental authority/legal guardian, if applicable):
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Annex II

List of supporting documents

The below generic list of supporting documents shall be subject of assessment and alteration in local Schengen cooperation, under Articles 13(9) (4), 13(5) and 46(1)(a).

B. DOCUMENTATION ALLOWING FOR THE ASSESSMENT OF THE APPLICANT'S INTENTION TO LEAVE THE TERRITORY OF THE MEMBER STATES

1. reservation of or return or round ticket;¹

Annex V

Standard form for notifying grounds for refusal, annulment or revocation of a visa

Addition of Field 1a: "there are reasonable doubts as to the authenticity of the supporting documents submitted or the veracity of their contents"

Addition of Field 7a: "there are reasonable doubts as to the reliability of the statements made"²

¹ **FR:** no added value since it does not constitute proof of the intention to return.. **CH** said it preferred the text of the Commission's proposal. **DE:** scrutiny reservation. **BE, PT** supported the change. **COM** disagreed with the change.

² **BE, CH, DE, COM** disagreed with the changes. However, **FR, PT, HU** supported the changes.

Annex VIII

Annual statistics on visas¹

1. Data shall be submitted for each location where individual Member States issue visas; this includes both consulates and border crossing points (cf. Regulation (EC) No 562/2006, Article 5 (4)(b)).
 2. The following data shall be submitted to the Commission within the deadline set out in Article 44 using common templates provided by the Commission, and disaggregated by citizenship of the applicant when relevant, as indicated in the templates:
 - Number of A visas applied for (single and multiple airport transit)
 - Number of A visas issued, disaggregated by:
 - Number of A visas issued for single airport transit,
 - Number of A visas issued for multiple airport transits,
 - Number of A visas not issued,
 - Number of C visas applied for (single-entry and multiple-entry C visas),
 - Disaggregated by purpose of travel (cf; field 21 of the application form set out in Annex I
 - Number of C visas issued, disaggregated by:
 - Number of C visas issued for single entry,
 - Number of C visas issued for multiple entry with a period of validity of less than 1 year,
 - Number of C visas issued for multiple entry with a period of validity of at least 1 year but less than 2 years,
 - Number of C visas issued for multiple entry with a period of validity of at least 2 years but less than 3 years,
 - Number of C visas issued for multiple entry with a period of validity of at least 3 years but less than 4 years,
 - Number of C visas issued for multiple entry with a period of validity of more than 4 years.
 - Number of LTV visas issued, disaggregated by the reason why they were issued (cf. Article 22(1) and (3), and Article 33(3),
 - Number of C visas not issued because the visa was refused, disaggregated by the reason why the visa was refused,
 - Number of appeals introduced against refused applications,
 - Number of decisions maintained after an appeal,
 - Number of decisions overturned,
 - Number of visas applied for free of charge.
 - Number of visas issued under representation agreements.
- If data is neither available nor relevant for one particular category and a third country, the cell shall be left empty and no other value shall be entered.

¹ **BE, PT, AT, ES** said they had reservations on some statistics, in particular those entailing costs to be incurred for adapting the IT programmes. **NL**: scrutiny reservation. **COM** stressed that there was a need for more details concerning the implementation of the common visa policy and believed that the relevant information could be found in the VIS.