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Subject:	Amended proposal for a Regulation of the European Parliament and of the Council establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU – updated 4 column table (Chapter III)

Delegations will find in annex an updated 4-column table on Chapter III (lines 304 - 547) of the Proposal for a Regulation of the European Parliament and of the Council establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU.

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing
a common procedure for international protection in the Union and repealing Directive 2013/32/EU**

2016/0224(COD)

Chapters III (lines 304 – 547)

	Commission Proposal (ST 11317/16)	Amended APR proposal in 2020 (ST 11202/20)	EP Mandate	Council Mandate (ST 10444/23)	Compromise proposal
304	CHAPTER III ADMINISTRATIVE PROCEDURE	CHAPTER III ADMINISTRATIVE PROCEDURE	CHAPTER III ADMINISTRATIVE PROCEDURE	CHAPTER III ADMINISTRATIVE PROCEDURE	CHAPTER III ADMINISTRATIVE PROCEDURE
305	SECTION I Access to the Procedure	SECTION I Access to the Procedure	Access to the Procedure	SECTION I Access to the Procedure	SECTION I Access to the Procedure
Article 25					
306	Article 25 Making an application for international protection	Article 25 Making an application for international protection	Article 25 Making an application for international protection	Article 25 Making an application for international protection	Article 25 Making an application for international protection
Article 25(1), first subparagraph					
307	1. An application for international protection shall be made when a third-	1. An application for international protection shall be made when a third- country national or stateless	1. An application for international protection shall be <i>considered as</i> made when a third-country	1. An application for international protection shall be considered as made when a third-country	<i>1. An application for international protection shall be considered as made when a third- country national or</i>

	country national or stateless person expresses a wish for international protection to officials of the determining authority or other authorities referred to in Article 5(3) or (4).	person expresses a wish for international protection to officials of the determining authority or other authorities referred to in Article 5(3) or (4).	national or stateless person expresses a wish for international protection to officials of the determining authority or other authorities referred to in Article 5.	national or stateless person, including an unaccompanied minor, expresses in person to a competent authority as referred to in Article 5(3aa) a [...] need to receive [...] international protection from a Member State [...].	<i>stateless person, including an unaccompanied minor, expresses to a competent authority as referred to in Article 5[(3aa)] a [...] need to receive [...] international protection from a Member State [...].</i>
Article 25(1), second subparagraph					
308	Where those officials have doubt as to whether a certain declaration is to be construed as an application, they shall ask the person expressly whether he or she wishes to receive international protection.	Where those officials have doubt as to whether a certain declaration is to be construed as an application, they shall ask the person expressly whether he or she wishes to receive international protection.	Where those officials have doubt as to whether a certain declaration is to be construed as an application, they shall ask the person expressly whether he or she wishes to receive international protection.	[...]	Where officials from the competent authority have doubt as to whether a certain declaration is to be construed as an application, they shall ask the person expressly whether he or she is in need of international protection.
Article 25(1a)					
308a				1a. The authorities responsible for the reception facilities in accordance with the Directive XXX/XXX/EU [(Reception Conditions Directive)] shall, where necessary, be informed that an application has	<i>1a. The authorities responsible for the reception facilities in accordance with the Directive XXX/XXX/EU [(Reception Conditions Directive)] shall, where relevant, be informed that an application has</i>

				been made. For third-country nationals subject to the screening referred to in [Article 3(1) of Regulation (EU) XXX/XXX [Screening Regulation]], [...] Member States may choose to apply this provision only after the screening has ended.	<i>been made. For third-country nationals subject to the screening referred to in [Article 3(1) of Regulation (EU) XXX/XXX [Screening Regulation]], [...] Member States may choose to apply this provision only after the screening has ended.</i>
Article 25(2)					
309	2. Where a third-country national or stateless person makes an application for international protection, he or she shall be considered as an applicant for international protection until a final decision is taken on that application.	2. Where a third-country national or stateless person makes an application for international protection, he or she shall be considered as an applicant for international protection until a final decision is taken on that application.	2. Where a third-country national or stateless person makes an application for international protection, he or she shall be considered as an applicant for international protection until a final decision is taken on that application.	[...]	<i>2. Where a third-country national or stateless person makes an application for international protection, he or she shall be considered as an applicant for international protection until a final decision is taken on that application.</i>
Article 26					
310	Article 26 Tasks of the responsible authorities when an application is made	Article 26 Tasks of the responsible authorities when an application is made	Article 26 Tasks of the responsible authorities when an application is made	Article 26 Tasks of the responsible authorities when an application is made	<i>Deleted</i>
Article 26(1)					

311	1. The authorities responsible for receiving and registering applications shall:	1. The authorities responsible for receiving and registering applications shall:	1. The authorities responsible for receiving and registering applications shall:	1. [...]	<i>Deleted</i>
Article 26(1), point (a)					
312	(a) inform the applicants of their rights and obligations set out, in particular, in Articles 27, 28 and 31 as regards the registration and lodging of applications, Article 7 as regards the obligations of applicants and consequences of non-compliance with such obligations, Article 9 as regards the right of applicants to remain on the territory of the Member State responsible, and Article 8 as regards the general guarantees for applicants;	(a) inform the applicants of their rights and obligations set out, in particular, in Articles 27, 28 and 31 as regards the registration and lodging of applications, Article 7 as regards the obligations of applicants and consequences of non-compliance with such obligations, Article 9 as regards the right of applicants to remain on the territory of the Member State responsible, and Article 8 as regards the general guarantees for applicants;	(a) inform the applicants <i>in a language they can understand</i> of their rights and obligations set out, in particular, in Articles 27, 28 and 31 as regards the registration and lodging of applications, Article 7 as regards the obligations of applicants and consequences of non-compliance with such obligations, Article 9 as regards the right of applicants to remain on the territory of the Member State responsible, and Article 8 as regards the general guarantees for applicants;	(a) [...]	<i>Deleted</i> <i>Covered in Article 8 (line 162)</i>
Article 26(1), point (b)					

313	(b) register the application in accordance with Article 27;	(b) register the application in accordance with Article 27;	(b) register the application in accordance with Article 27;	(b) [...]	<i>Deleted, covered by line 318</i>
Article 26(1), point (c)					
314	(c) upon registration, inform the applicant as to where and how an application for international protection is to be lodged;	(c) upon registration, inform the applicant as to where and how an application for international protection is to be lodged;	(c) upon registration, inform the applicant as to where and how an application for international protection is to be lodged;	(c) [...]	<i>Deleted</i> <i>Covered in lines 138 and 322b</i>
Article 26(1), point (d)					
315	(d) inform the authorities responsible for the reception conditions pursuant to Directive XXX/XXX/EU (Reception Conditions Directive) of the application.	(d) inform the authorities responsible for the reception conditions pursuant to Directive XXX/XXX/EU (Reception Conditions Directive) of the application.	(d) inform the authorities responsible for the reception conditions pursuant to Directive XXX/XXX/EU (Reception Conditions Directive) of the application.	(d) [...]	<i>Deleted</i> <i>Moved to line 308a</i>
Article 26(2)					
316	2. The Commission may specify the content of the	2. The Commission may specify the content of the information to be provided to	2. The Commission is empowered to adopt delegated acts in	2. [...]	<i>Deleted</i> <i>Covered in line 177a</i>

	information to be provided to applicants when an application is made by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58.	applicants when an application is made by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58.	<i>accordance with Article 59 specifying</i> the content of the information to be provided to applicants when an application is made.		
Article 26(3)					
316a		<u>3. For third-country nationals subject to the screening referred to in Article 3(1) of Regulation (EU) XXX/XXX [Screening Regulation], paragraphs 1 and 2 shall apply only after the screening has ended.</u>	3. For third-country nationals subject to the screening referred to in Article 3(1) of Regulation (EU) XXX/XXX [Screening Regulation], paragraphs 1 and 2 shall apply only after the screening has ended.	See Art 27(5)	<i>Deleted</i> <i>Covered in line 325a</i>
Article 27					
317	Article 27 Registering applications for international protection	Article 27 Registering applications for international protection	Article 27 Registering applications for international protection	Article 27 Registering applications for international protection	<i>Article 27 Registering applications for international protection</i>
Article 27(1), first subparagraph					

318	1. The authorities responsible for receiving and registering applications for international protection shall register an application promptly, and not later than three working days from when it is made. They shall register also the following information:	1. The authorities responsible for receiving and registering applications for international protection shall register an application promptly, and not later than three working days from when it is made. They shall register also the following information:	1. The authorities responsible for receiving and registering applications for international protection shall register an application promptly, and not later than three working days from when it is made. They shall register also the following information:	1. The authorities [...] responsible for registering applications or experts assisting them with that task shall register an application promptly, and not later than [...] seven days from when it is made. [...] For that purpose they shall register, at least, the following information which may come from the screening form referred to in [Article 13 of the Regulation (EU) No XXX/XXX (Screening Regulation)]:	<i>1. Without prejudice to the obligations to collect and transmit data in accordance with Regulation (EU) No XXX/XXX (Eurodac Regulation), the authorities [...] responsible for registering applications or experts deployed by the European Union Asylum Agency assisting them with that task shall register an application promptly, and not later than [...] [three/seven] days from when it is made. [...] For that purpose they shall register, at least, the following information which may come from the screening form referred to in [Article 13 of the Regulation (EU) No XXX/XXX (Screening Regulation)]:</i>
Article 27(1), first subparagraph, point (a)					
319	(a) the name, date of birth, gender, nationality and other personal details of the applicant;	(a) the name, date of birth, gender, nationality and other personal details of the applicant;	(a) the name, date of birth, gender, and nationality or statelessness of the applicant;	(a) the name, date and place of birth, [...] sex, nationality or statelessness, family members as defined in [Article 2(g) of Regulation No (EU)	<i>a) the name, date and place of birth, [...] sex or gender, nationalities or statelessness, family members as defined in [Article 2(g) of</i>

				XXX/XXX (AMMR Regulation)], and in the case of minors, siblings or relatives as defined in [Article 2(h) of Regulation No (EU) XXX/XXX (AMMR Regulation)] present in a Member State, where applicable, [...] as well as other personal details of the applicant relevant for the procedure for international protection and for the determination of the Member State responsible;	<i>Regulation No (EU) XXX/XXX (AMMR Regulation)], and in the case of minors, siblings or relatives as defined in [Article 2(h) of Regulation No (EU) XXX/XXX (AMMR Regulation)] present in a Member State, where applicable, [...] as well as other personal details of the applicant relevant for the procedure for international protection and for the determination of the Member State responsible;</i>
Article 27(1), first subparagraph, point (b)					
320	(b) the type and number of any identity or travel document of the applicant;	(b) the type and number of any identity or travel document of the applicant;	(b) the type and number of any identity or travel document of the applicant, <i>where available</i> ;	(b) where available , the type, [...]number and period of validity of any identity or travel document of the applicant and the country that issued that document , as well as other documents of the applicant which the competent authority deems relevant for his or her identification and for the procedure for international protection and for the determination	(b) <i>where available</i> , the type, [...]number and period of validity of any identity or travel document of the applicant and the country that issued that document , as well as other documents of the applicant which the competent authority deems relevant for his or her identification and for the procedure for international protection and for the

				of the Member State responsible;	<i>determination of the Member State responsible[, and if not available, the explanation for not being in possession of such documents];</i>
Article 27(1), first subparagraph, point (ba)					
320a				(ba) the date of the application, place where the application was made and the authority to which the application was made;	<i>Moved from line 321 (ba) the date of the application, place where the application was made and the authority to which the application was made;</i>
Article 27(1), first subparagraph, point (bb)					
320b				(bb) the applicant's location or the applicant's place of residence or address and where available a telephone number and an e-mail address where he or she may be reached.	<i>Linked to 153b (bb) the applicant's location or the applicant's place of residence or address and where available a telephone number and an e-mail address where he or she may be reached.</i>
Article 27(1), first subparagraph, point (c)					
321	(c) the date of the application, place where the	(c) the date of the application, place where the application is made and the	(c) the date of the application, place where the application is made and the	[...] Moved to new (ba)	<i>Moved to new (ba)</i>

	application is made and the authority with which the application is made.	authority with which the application is made.	authority with which the application is made.		
			Article 27(1), second subparagraph		
322	Where the data referred to in points (a) and (b) has already been obtained by the Member States before the application is made, it shall not to be requested again.	Where the data referred to in points (a) and (b) has already been obtained by the Member States before the application is made, it shall not to be requested again.	Where the data referred to in points (a) and (b) has already been obtained by the Member States before the application is made, it shall not to be requested again.	[...]	<i>Where the data referred to in points (a) and (b) has already been obtained by the Member States before the application is made, it shall not to be requested again.</i>
			Article 27(1a)		
322a			<i>1a. Where an individual claims not to have a nationality, that fact shall be clearly registered pending a full determination of whether the individual is stateless, either in parallel with or following the consideration of the application for international protection. That determination shall be conducted without prejudice to the primacy of international protection status and with full respect</i>	1a. The competent authorities shall take biometric data referred to in Regulation (EU) No XXX/XXX (Eurodac Regulation) upon the making or upon the registration of an application for international protection, as applicable, and transmit those data in accordance with that Regulation.	<i>1a. Where an individual claims not to have a nationality, that fact shall be clearly registered pending a full determination of whether the individual is stateless.</i>

			<i>of the principle of confidentiality.</i>		
				[...]	
Article 27(1b)					
322b				1b. Where an application is made to an authority entrusted with the task of receiving applications for international protection which is not responsible for registering applications, that authority shall, if necessary, promptly and at the latest within [...]three working days from when the application was made inform the authority responsible for registering applications, and the application shall be registered by the responsible authority as soon as possible and at the latest within [...] seven days from when the information is received by the authority responsible for registering applications.	<i>1b.</i> Where an application is made to an authority entrusted with the task of receiving applications for international protection which is not responsible for registering applications, that authority shall promptly and at the latest within [...] three working days from when the application was made inform the authority responsible for registering applications, and the application shall be registered by the responsible authority as soon as possible and at the latest within [...] [three/seven days] from when the information is received by the authority responsible for registering applications.
Article 27(2)					
323	2. Where the information is	2. Where the information is collected by the determining	2. Where the information is collected by the	[...]	See non-exhaustive list as per line 318 (“at least”)

	collected by the determining authority or by another authority assisting it for the purpose of examining the application, additional data necessary for the examination of the application may also be collected at the time of registration.	authority or by another authority assisting it for the purpose of examining the application, additional data necessary for the examination of the application may also be collected at the time of registration.	determining authority or by another authority assisting it for the purpose of examining the application, additional data necessary for the examination of the application may also be collected at the time of registration.		
Article 27(3)					
324	3. Where simultaneous applications for international protection by a disproportionate number of third-country nationals or stateless persons make it difficult in practice to register applications within three working days from when the application is made, the authorities of the Member State may extend that time-limit to ten working days.	3. Where simultaneous applications for international protection by a disproportionate number of third-country nationals or stateless persons make it difficult in practice to register applications within three working days from when the application is made, the authorities of the Member State may extend that time-limit to ten working days.	3. Where simultaneous applications for international protection by a disproportionate number of third-country nationals or stateless persons make it difficult in practice to register applications within three working days from when the application is made, the authorities of the Member State may extend that time-limit to <i>seven</i> working days.	3. Where [...] there is a disproportionate number of third-country nationals or stateless persons that make an application within the same period of time, making it difficult in practice to register applications within the deadlines provided for in paragraphs 1 and 1b, [...] the application shall be registered at the latest within [...] twenty-one days.	3. Where [...] there is a disproportionate number of third-country nationals or stateless persons that make an application within the same period of time, making it difficult in practice to register applications within the deadlines provided for in paragraphs 1 and 1b, [...] the application shall be registered at the latest within [...] [seven/twenty-one] days

			Article 27(4)		
325	4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2, for ten years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship.	4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2, for ten years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship.	4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2 for five years from the date of a final decision on the application for international protection, including after all levels of appeal . The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship.	4. [...]Member States may regulate exceptions from paragraphs 1 (a), (b), (bb) and 1a in cases of subsequent applications, provided that the information referred to in these paragraphs is already available to the competent authority.	4. [...]Member States may regulate exceptions from paragraphs 1 (a), (b), (bb) and 1a in cases of subsequent applications, provided that the information referred to in these paragraphs is already available to the competent authority.
			Article 27(5)		
325a		<u>5. For third-country nationals subject to the screening referred to in Article 3(1) of Regulation (EU) No XXX/XXX</u>	5. For third-country nationals subject to the screening referred to in Article 3(1) of Regulation (EU) No XXX/XXX	5. For third-country nationals subject to the screening referred to in Article 3(1) of Regulation (EU) No XXX/XXX	5. For third-country nationals subject to the screening referred to in Article 3(1) of Regulation (EU) No XXX/XXX [Screening Regulation],

		<u>[Screening Regulation], paragraphs 1 to 4 shall apply only after the screening has ended.</u>	[Screening Regulation], paragraphs 1 to 4 shall apply only after the screening has ended.	[Screening Regulation], paragraphs 1 to 4 shall apply only after the screening has ended.	<i>paragraphs 1 to 4 shall apply only after the screening has ended.</i>
		Article 27(6)			
325b		<u>6. Where biometric data could not be taken during the screening in accordance with Regulation (EU) No XXX/XXX [Eurodac Regulation] or where the applicant was not subject to a screening, the competent authorities shall take the biometric data at the latest upon the registration of the application for international protection and transmit them together with the data referred to in Article 12 (c) to (p) of Regulation (EU) No XXX/XXX [Eurodac Regulation] to the Central System and to the Common Identity Repository respectively in accordance with that Regulation.'</u>	6. Where biometric data could not be taken during the screening in accordance with Regulation (EU) No XXX/XXX [Eurodac Regulation] or where the applicant was not subject to a screening, the competent authorities shall take the biometric data at the latest upon the registration of the application for international protection and transmit them together with the data referred to in Article 12 (c) to (p) of Regulation (EU) No XXX/XXX [Eurodac Regulation] to the Central System and to the Common Identity Repository respectively in accordance with that Regulation.'	[...]	
		Article 28			
326	Article 28 Lodging of an application for	Article 28 Lodging of an application for international protection	Article 28 Lodging of an application for international protection	Article 28 Lodging of an application for international protection	Article 28 Lodging of an application for international protection

	international protection				
			Article 28(1)		
327	1. The applicant shall lodge the application within ten working days from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit.	1. The applicant shall lodge the application within ten working days from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit.	1. The applicant shall lodge the application within fifteen working days from the date when the application is registered or at the latest on the date that the appointment referred to in paragraph 5 is given , provided that he or she is given an effective opportunity to do so within that time-limit.	1. The applicant shall lodge the application with the competent authority of the Member State where the application is made as soon as possible and no later than twenty-one [...] days from [...] when the application is registered, provided that he or she is given an effective opportunity to do so [...] in accordance with this Article. By way of exception, in the cases referred to in Article 32, the application shall be lodged no later than twenty-one days from when the representative is designated. Where the application is not lodged with the determining authority, the competent authority shall promptly inform the determining authority that an application has been lodged.	1. The applicant shall lodge the application with the competent authority of the Member State where the application is made as soon as possible and no later than XX days from when the application is registered, provided that he or she is given an effective opportunity to do so in accordance with this Article. Where the application is not lodged with the determining authority, the competent authority shall promptly inform the determining authority that an application has been lodged.
			Article 28(1a)		

327a				1a. Following a transfer in accordance with [Article 26(1)(a) of AMMR Regulation], the applicant shall lodge the application with the competent authorities of the Member State responsible as soon as possible and no later than twenty-one days from when the applicant identifies himself or herself to the competent authorities of the Member State responsible[...].	<i>To be further discussed</i>
Article 28(1b), first paragraph					
327b				1b. The application shall be lodged in person at a designated time or date and place which shall be communicated to the applicant by the competent authorities.	<i>1b. The application shall be lodged in person at a designated time or date and place which shall be communicated to the applicant by the competent authorities.</i>
Article 28(1b), second paragraph					
327c				Member States may provide in national law that an application is deemed to be lodged in person when the competent authority verifies that the applicant is physically present on the territory of the Member State at the time of registration or lodging of an application.	<i>Member States may provide in national law that an application is deemed to be lodged in person when the competent authority verifies that the applicant is physically present on the territory of the Member State at the time of registration</i>

					<i>or lodging of an application.</i>
			Article 28(1b), third paragraph		
327d				Alternatively, Member States may provide in national law for the possibility for the applicant to lodge an application by means of a form, including where he or she is unable to appear in person owing to enduring serious circumstances beyond his or her control, such as imprisonment or long-term hospitalisation. The application shall be considered to have been lodged provided that the applicant submits the form within the time-limit set out in paragraph 1 and provided that the competent authority concludes that the conditions under this paragraph have been met. In such cases, the time-limit for the examination of the application shall start to run from the date on which the competent authority receives the form.	<i>Alternatively, Member States may provide in national law for the possibility for the applicant to lodge an application by means of a form, including where he or she is unable to appear in person owing to enduring serious circumstances beyond his or her control, such as imprisonment or long-term hospitalisation. The application shall be considered to have been lodged provided that the applicant submits the form within the time-limit set out in paragraph 1 and provided that the competent authority concludes that the conditions under this paragraph have been met. In such cases, the time-limit for the examination of the application shall start to run from the date on which the competent</i>

					<i>authority receives the form.</i>
			Article 28(2)		
328	2. The authority responsible for receiving and registering applications for international protection shall give the applicant an effective opportunity to lodge an application within the time-limit established in paragraph 1.	2. The authority responsible for receiving and registering applications for international protection shall give the applicant an effective opportunity to lodge an application within the time-limit established in paragraph 1.	2. The authority responsible for receiving and registering applications for international protection shall give the applicant an effective opportunity to lodge an application within the time-limit established in paragraph 1. <i>In accordance with Article 14(1), the applicant shall have the right to legal assistance and representation to prepare the lodging of his or her application and shall be informed of that right, including the right to free legal assistance and representation, where appropriate. Where free legal assistance is requested, the time limit for lodging the application shall start to run upon the appointment of a legal adviser.</i>	2. [...]	
			Article 28(3)		
329	3. Where there is a disproportionate number of third-country nationals or	3. Where there is a disproportionate number of third-country nationals or stateless persons that apply	3. Where there is a disproportionate number of third-country nationals or stateless persons that apply	3. For the purposes of the first paragraph of paragraph 1b, [...] where there is a disproportionate	3. <i>For the purposes of the first paragraph of paragraph 1b, where there is a</i>

	stateless persons that apply simultaneously for international protection, making it difficult in practice to enable the application to be lodged within the time-limit established in paragraph 1, the responsible authority shall give the applicant an effective opportunity to lodge his or her application not later than one month from the date when the application is registered.	simultaneously for international protection, making it difficult in practice to enable the application to be lodged within the time-limit established in paragraph 1, the responsible authority shall give the applicant an effective opportunity to lodge his or her application not later than one month from the date when the application is registered.	simultaneously for international protection, making it difficult in practice to enable the application to be lodged within the time-limit established in paragraph 1, the responsible authority shall give the applicant an effective opportunity to lodge his or her application not later than one month from the date when the application is registered.	number of third-country nationals or stateless persons that [...] make an application for international protection within the same period of time , making it difficult in practice to [...] give the applicant an appointment [within [...] that time-limit] [...] the applicant [...] shall be given an appointment to lodge his or her application at a date not later than [...] two months from [...] when the application is registered.	<i>disproportionate number of third-country nationals or stateless persons that make an application for international protection within the same period of time, making it difficult in practice to give the applicant an appointment within that time-limit the applicant shall be given an appointment to lodge his or her application at a date not later than XX from when the application is registered.</i>
Article 28(4), first subparagraph					
330	4. When lodging an application, applicants are required to submit all the elements referred to in Article 4(1) of Regulation (EU) No XXX/XXX (Qualification Regulation) needed for substantiating their application.	4. When lodging an application, applicants are required to submit all the elements referred to in Article 4(1) of Regulation (EU) No XXX/XXX (Qualification Regulation) needed for substantiating their application. Following the lodging of their application, applicants shall be authorised to submit any	When lodging an application, applicants are required to submit all the elements <i>in their possession</i> referred to in Article 4(2) of Regulation (EU) No XXX/XXX (Qualification Regulation) needed for substantiating their application. <i>Applicants shall cooperate with the determining</i>	4. When lodging an application, applicants are required to submit as soon as possible all the elements and documents at their disposal referred to in Article 4(2)[...] of Regulation (EU) No XXX/XXX [(Qualification Regulation)] needed for substantiating their application. [...] After the	4. When lodging an application, applicants are required to submit as soon as possible all the elements and documents [at their disposal/in their possession] referred to in Article 4(2) of Regulation (EU) No XXX/XXX [(Qualification Regulation)] needed for substantiating their

	Following the lodging of their application, applicants shall be authorised to submit any additional elements relevant for its examination until a decision under the administrative procedure is taken on the application.	additional elements relevant for its examination until a decision under the administrative procedure is taken on the application.	authority and remain available throughout the procedure. Following the lodging of their application, applicants shall be authorised to submit any additional elements relevant for its examination until a decision under the administrative procedure is taken on the application.	lodging of their application, in particular [...] at their personal interview, applicants shall be [...] allowed to submit any additional elements relevant for its examination by a deadline set by the Member State or, if such deadline is not set, until a decision under the administrative procedure is taken [...].	<i>application. After the lodging of their application, in particular at their personal interview, applicants shall be allowed to submit any additional elements relevant for its examination by a deadline set by the Member State or, if such deadline is not set, until a decision under the administrative procedure is taken.</i>
Article 28(4), second subparagraph					
331	The authority responsible for receiving and registering applications for international protection shall inform the applicant that after the decision is taken on the application he or she may bring forward only new elements which are relevant for the examination of his or her application and which he or she could not have been aware of at an earlier	The authority responsible for receiving and registering applications for international protection shall inform the applicant that after the decision is taken on the application he or she may bring forward only new elements which are relevant for the examination of his or her application and which he or she could not have been aware of at an earlier stage or which relate to changes to his or her situation.	The authority responsible for receiving and registering applications for international protection shall inform the applicant that after the decision is taken on the application he or she may bring forward only new elements which are relevant for the examination of his or her application or which relate to changes to his or her situation.	[...]	<i>Moved to line 168</i>

	stage or which relate to changes to his or her situation.				
			Article 28(5)		
332	5. The applications for international protection shall be lodged in person and at a designated place. For that purpose, when the application is registered, the applicant shall be given an appointment with the authorities competent for the lodging of the application.	5. The applications for international protection shall be lodged in person and at a designated place. For that purpose, when the application is registered, the applicant shall be given an appointment with the authorities competent for the lodging of the application.	5. The applications for international protection shall be lodged in person and at a designated place. For that purpose, when the application is registered, the applicant shall be given an appointment with the authorities competent for the lodging of the application. <i>The date of such an appointment shall be set not earlier than 15 working days from the date when the application is registered, unless the consent of the applicant is provided after receiving appropriate information on the obligation to lodge the application and the right to legal assistance and representation.</i>	5. [...]	<i>Covered by 327b-327d</i>
			Article 28(6)		
333	6. The responsible authorities shall store the data referred to in paragraph 4 for ten	6. The responsible authorities shall store the data referred to in paragraph 4 for ten years from the date of a final decision. The data	6. The responsible authorities shall store the data referred to in paragraph 4 for <i>five</i> years from the date of a final	6. [...]	<i>To be further discussed in context of separate Article on storage period covering various</i>

	years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship.	shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship.	decision <i>on the application for international protection, including on all levels of appeal</i> . The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship.		<i>provisions (Articles 27, 28 etc...).</i>
			Article 28(6aa)		
333a				6aa. An applicant shall not be allowed to lodge an application, where he or she refuses to comply with the obligation to provide biometric data in accordance with Regulation (EU) No XXX/XXX (Eurodac Regulation), provided that the administrative measures set out in [Article 2(3) of Regulation (EU) No XXX/XXX (Eurodac Regulation)] have been exhausted. The procedure under Article 39 shall apply.	<i>To be discussed with Article 39</i>

				Article 28(6a)	
333b				6a. Member States may organise the access to the procedure in such a way that making, registering or lodging take place at the same time. [...]	<i>6a. Member States may organise the access to the procedure in such a way that making, registering or lodging take place at the same time.</i>
				Article 29	
334	Article 29 Documents for the applicant	Article 29 Documents for the applicant	Article 29 Documents for the applicant	Article 29 Documents for the applicant	Article 29 Documents for the applicant
				Article 29(1)	
335	1. The authorities of the Member State where an application for international protection is made shall, upon registration, provide the applicant with a document certifying, in particular, that an application has been made and stating that the applicant may remain on the territory of that Member State for the purposes of lodging his or her application as	1. The authorities of the Member State where an application for international protection is made shall, upon registration, provide the applicant with a document certifying, in particular, that an application has been made and stating that the applicant may remain on the territory of that Member State for the purposes of lodging his or her application as provided for in this Regulation.	1. The authorities of the Member State where an application for international protection is made shall, upon registration, provide the applicant with a document <i>in</i> his or her <i>own name</i> :	1. The competent authorities of the Member State where an application for international protection is made shall, upon registration, provide the applicant with a document [...] indicating that an application has been made and registered which shall be valid until the document referred to in paragraph 2 is issued [...] .	<i>1. The competent authorities of the Member State where an application for international protection is made shall, upon registration, provide the applicant with a document indicating that an application has been made and registered which shall be valid until the document referred to in paragraph 2 is issued.</i>

	provided for in this Regulation.				
			Article 29(1a)		
335a				1a. The document referred to in paragraph 1 does not have to be provided if it is already possible to issue the document referred to in paragraph 2.	<i>1a. The document referred to in paragraph 1 does not have to be provided if it is already possible to issue the document referred to in paragraph 2.</i>
			Article 29(1b)		
335b				1b. The document referred to in paragraph 1 shall be withdrawn when the document referred to in paragraph 2 is issued.	<i>1b. The document referred to in paragraph 1 shall be withdrawn when the document referred to in paragraph 2 is issued.</i>
			Article 29(2)		
336	2. The authorities of the Member State where the application is lodged shall, within three working days of the lodging of the application, provide the applicant with a document in his or her own name:	2. The authorities of the Member State where the application is lodged shall, within three working days of the lodging of the application, provide the applicant with a document in his or her own name:	<i>deleted</i>	2. The competent authorities of the Member State where the application is lodged in accordance with Article 28 (1) and (1a) shall, [...] as soon as possible after the lodging of the application, [...] issue a document which shall include at least the following details, to be updated as necessary [...]:	<i>2. The competent authorities of the Member State where the application is lodged in accordance with Article 28 (1) and (1a) shall, as soon as possible after the lodging of the application, issue a document which shall include at least the following details, to be updated as necessary:</i>
			Article 29(2), point (a)		

337	(a) stating the identity of the applicant by including at least the data referred to in Article 27(1)(a) and (b), verified and updated where necessary, as well as a facial image of the applicant, signature, current place of residence and the date of lodging of the application;	(a) stating the identity of the applicant by including at least the data referred to in Article 27(1)(a) and (b), verified and updated where necessary, as well as a facial image of the applicant, signature, current place of residence and the date of lodging of the application;	(a) stating the identity of the applicant by including at least the data referred to in Article 27(1)(a) and (b), verified and updated where necessary, as well as a facial image of the applicant, signature, current place of residence and the date of lodging of the application;	(a) the name, date and place of birth, sex, nationality or statelessness, [...] facial image of the applicant[...] and signature [...] ;	<i>(a) the name, date and place of birth, sex <u>or</u> gender, <u>nationalities</u> or statelessness, facial image of the applicant and signature;</i>
Article 29(2), point (b)					
338	(b) stating the issuing authority, date and place of issue and period of validity of the document;	(b) stating the issuing authority, date and place of issue and period of validity of the document;	(b) stating the issuing authority, date and place of issue and period of validity of the document;	(b) [...] the issuing authority, date and place of issue and period of validity of the document;	<i>(b) the issuing authority, date and place of issue and period of validity of the document;</i>
Article 29(2), point (c)					
339	(c) certifying the status of the individual as an applicant;	(c) certifying the status of the individual as an applicant;	(c) certifying the status of the individual as an applicant;	(c) [...] the status of the individual as an applicant;	<i>(c) the status of the individual as an applicant;</i>
Article 29(2), point (d)					

340	(d) stating that the applicant has the right to remain on the territory of that Member State and indicating whether the applicant is free to move within all or part of the territory of that Member State;	(d) stating that the applicant has the right to remain on the territory of that Member State and indicating whether the applicant is free to move within all or part of the territory of that Member State;	(d) stating that the applicant has the right to remain on the territory of that Member State for the purposes of having his or her application lodged and examined as provided for in this Regulation and indicating whether the applicant is free to move within all or part of the territory of that Member State;	(d) stating that the applicant has the right to remain on the territory of that Member State and indicating whether the applicant is free to move within all or part of the territory of that Member State;	<i>(d) stating that the applicant has the right to remain on the territory of that Member State for the purpose of having his or her application examined and indicating whether the applicant is free to move within all or part of the territory of that Member State;</i>
Article 29(2), point (e)					
341	(e) stating that the document is not a valid travel document and indicating that the applicant is not allowed to travel without authorisation to the territory of other Member States until the procedure for the determination of the Member State responsible for the examination of the application in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation) has taken place;	(e) stating that the document is not a valid travel document and indicating that the applicant is not allowed to travel without authorisation to the territory of other Member States until the procedure for the determination of the Member State responsible for the examination of the application in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation) has taken place;	(e) stating that the document is not a valid travel document and indicating that the applicant is not allowed to travel without authorisation to the territory of other Member States until the procedure for the determination of the Member State responsible for the examination of the application in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation) has taken place;	(e) stating that the document is not a [...] travel document and that the applicant is not allowed to travel without authorisation to other Member States [...].	<i>(e) stating that the document is not a travel document and that the applicant is not allowed to travel without authorisation to other Member States.</i>

	Regulation) has taken place;				
			Article 29(2), point (f)		
342	(f) stating whether the applicant has permission to take up gainful employment.	(f) stating whether the applicant has permission to take up gainful employment.	<i>deleted</i>	(f) [...]	
			Article 29(2a)		
342a				2a. It shall not be necessary to issue the documents referred to in this Article when and for as long as the applicant is in detention, imprisonment for subject to the procedure referred to in Article 41-41d.	<i>2a. It shall not be necessary to issue the documents referred to in this Article when and for as long as the applicant is in detention or imprisonment.</i>
			Article 29(2b)		
342b				2b. In the case of accompanied minors, the documents referred to in this Article issued to one of the parents or adult responsible may also cover the minor, if appropriate.	<i>2b. In the case of accompanied minors, the documents referred to in this Article issued to one of the parents or adult responsible may also cover the minor, if appropriate.</i>
			Article 29(2c)		
342c				2c. The documents referred to in this Article	

				[...]need not be proof of identity but shall be considered as being sufficient means for applicants to identify themselves in relation to national authorities for the duration of the procedure for international protection.	<i>2c. The documents referred to in this Article need not be proof of identity but shall be considered as being sufficient means for applicants to identify themselves in relation to national authorities and to access their rights for the duration of the procedure for international protection.</i>
Article 29(3)					
343	3. Where, following a procedure of determination in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation), another Member State is designated as responsible for the examination of the application, the authorities of that Member State shall provide the applicant with a document referred to in paragraph 2 within three working days	3. Where, following a procedure of determination in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation), another Member State is designated as responsible for the examination of the application, the authorities of that Member State shall provide the applicant with a document referred to in paragraph 2 within three working days from the transfer of the applicant to that Member State.	3. Where, following a procedure of determination in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation), another Member State is designated as responsible for the examination of the application, the authorities of that Member State shall provide the applicant with a document referred to in paragraph 1 within three working days from the transfer of the applicant to that Member State.	3. [...]	

	from the transfer of the applicant to that Member State.				
			Article 29(3)		
343a			<i>3a. The determining authority shall update the document referred to in paragraph 1 of this Article to certify that an application has been lodged in accordance with Article 28. The document shall state the date from which the applicant is permitted to take up gainful employment.</i>		
			Article 29(4), first subparagraph		
344	4. The document referred to in paragraph 2 shall be valid for a period of six months which shall be renewed accordingly to ensure that the validity of that document covers the period during which the applicant has a right to remain on the territory of the Member State responsible.	4. The document referred to in paragraph 2 shall be valid for a period of six months which shall be renewed accordingly to ensure that the validity of that document covers the period during which the applicant has a right to remain on the territory of the Member State responsible.	4. The document referred to in paragraph 1 shall be valid for a period of six months <i>and</i> shall be renewed <i>automatically where no final decision has yet been taken on the application for international protection, ensuring</i> that the validity of that document covers the period during which the applicant has a right to remain on the territory of the Member State responsible.	4. The document referred to in paragraph 2 shall be valid for [...] up to [...] twelve months [or until the applicant is transferred to another Member State in accordance with Regulation (EU) XXX/XXX [AMMR Regulation]]. Where the document is issued by the Member State responsible the validity [...] shall be renewed [...] so as to cover[...] the period during which the applicant has a right to remain on [...] its	<i>4. The document referred to in paragraph 2 shall be valid for up to twelve months [or until the applicant is transferred to another Member State in accordance with Regulation (EU) XXX/XXX [AMMR Regulation]]. Where the document is issued by the Member State responsible the validity shall be renewed so as to cover the period during which the applicant has a right to remain on its</i>

				territory [...]. The period of validity [...] of the document does not constitute a right to remain [...] in accordance with this Regulation.	<i>territory. The period of validity of the document does not constitute a right to remain in accordance with this Regulation.</i>
			Article 29(4), second subparagraph		
345	The period of validity indicated on the document does not constitute a right to remain where that right was terminated or suspended.	The period of validity indicated on the document does not constitute a right to remain where that right was terminated or suspended.	The period of validity indicated on the document does not constitute a right to remain where that right was terminated or suspended.	[...] <i>See preceding subpara</i>	
			Article 29(5)		
346	5. The Commission may specify the form and content of the documents to be given to the applicants at registration and lodging by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58.	5. The Commission may specify the form and content of the documents to be given to the applicants at registration and lodging by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58.	5. The Commission shall specify the form and content of the document to be given to the applicants at registration by means of an implementing act . That implementing act shall be adopted in accordance with the examination procedure referred to in Article 58.	5. [...]	
			Article 30		

347	Article 30 Access to the procedure in detention facilities and at border crossing points	Article 30 Access to the procedure in detention facilities and at border crossing points	Article 30 Access to the procedure in detention facilities and at border crossing points	Article 30 Access to the procedure in detention facilities and at border crossing points	Article 30 Access to the procedure in detention facilities and at border crossing points
Article 30(1)					
348	1. Where there are indications that third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, may need international protection, the responsible authorities shall inform them of the possibility to apply for international protection, in particular, where:	1. Where there are indications that third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, may need international protection, the responsible authorities shall inform them of the possibility to apply for international protection, in particular, where:	1. <i>The responsible authorities shall inform all</i> third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, of the possibility to apply for international protection, in particular, where:	1. [...]	
Article 30(1), point (a)					
349	(a) it is likely that the person is an	(a) it is likely that the person is an unaccompanied minor;	<i>deleted</i>	(a) [...]	

	unaccompanied minor;				
			Article 30(1), point (aa)		
349a			<i>(aa) it is likely that the person is in need of specific procedural guarantees in accordance with Articles 19 and 20;</i>		
			Article 30(1), point (b)		
350	(b) there are obvious indications that the person suffers from mental or other disorders that render him or her unable to ascertain a need for international protection;	(b) there are obvious indications that the person suffers from mental or other disorders that render him or her unable to ascertain a need for international protection;	<i>deleted</i>	(b) [...]	
			Article 30(1), point (c)		
351	(c) the person has arrived from a specific country of origin and it is likely that he or she is in need of international protection due to a well-known situation in that third country.	(c) the person has arrived from a specific country of origin and it is likely that he or she is in need of international protection due to a well-known situation in that third country.	(c) the person has arrived from a specific country of origin and it is likely that he or she is in need of international protection due to a well-known situation in that third country.	(c) [...]	

			Article 30(2)		
352	2. The responsible authorities shall make the necessary arrangements for interpretation services to be available to facilitate access to the procedure for international protection.	2. The responsible authorities shall make the necessary arrangements for interpretation services to be available to facilitate access to the procedure for international protection.	2. The responsible authorities shall make the necessary arrangements for interpretation services <i>and, where necessary and appropriate, cultural mediation services</i> to be available to facilitate access to the procedure for international protection. <i>In addition, the responsible authorities shall make the necessary arrangements to provide minors with alternatives to detention.</i>	2. Where an applicant makes an application in detention facilities, in prison or at border crossing points, including transit zones, at external borders, [...] the [...] competent authorities shall make [...] arrangements for interpretation services [...] to the extent necessary to facilitate access to the procedure for international protection.	2. <i>Where an applicant makes an application in detention facilities, in prison or at border crossing points, including transit zones, at external borders, the competent authorities shall make arrangements for interpretation services to the extent necessary to facilitate access to the procedure for international protection.</i>
			Article 30(3), first subparagraph		
353	3. Organisations and persons providing advice and counselling shall have effective access to third-country nationals held in detention facilities or present at border crossing points, including transit zones, at external borders.	3. Organisations and persons providing advice and counselling shall have effective access to third-country nationals held in detention facilities or present at border crossing points, including transit zones, at external borders.	3. Organisations and persons providing advice and counselling shall have effective access to third-country nationals held in detention facilities or present at border crossing points, including transit zones, at external borders.	3. Organisations and persons permitted under national law to provide [...] advice and counselling shall have [...] access to [...] applicants held in detention facilities or present at border crossing points, including transit zones, at external borders. Such access may be subject to a prior agreement with the competent authorities.	3. <i>Organisations and persons permitted under national law to provide advice and counselling shall have access to applicants held in detention facilities or present at border crossing points, including transit zones, at external borders. Such access may be subject to a prior agreement with the competent authorities.</i>
			Article 30(3), second subparagraph		

354	Member States may impose limits to such access where, by virtue of national law, they are necessary for the security, public order or administrative management of a border crossing point or of a detention facility, provided that access is not severely restricted or rendered impossible.	Member States may impose limits to such access where, by virtue of national law, they are necessary for the security, public order or administrative management of a border crossing point or of a detention facility, provided that access is not severely restricted or rendered impossible.	Member States may impose limits to such access where, by virtue of national law, they are necessary for the security, public order or administrative management of a border crossing point or of a detention facility, provided that access is not severely restricted or rendered impossible.	In addition , Member States may impose limits to such access [...], by virtue of national law, where they are necessary for the security, public order or administrative management of a border crossing point, including transit zones , or of a detention facility, provided that access is not severely restricted or rendered impossible.	<i>In addition</i> , Member States may impose limits to such access, by virtue of national law, where they are necessary for the security, public order or administrative management of a border crossing point, including transit zones , or of a detention facility, provided that access is not severely restricted or rendered impossible.
Article 30a					
354a				Article 30a Applications on behalf of an adult requiring assistance to exercise legal capacity	<i>Article 30a</i> <i>Applications on behalf of an adult requiring assistance to exercise legal capacity</i>
354b				1. In the case of an adult requiring assistance to exercise legal capacity in accordance with national law ('dependent adult'), an adult responsible for him or her whether by law or by practice of the Member State concerned ('adult responsible') may	<i>1. In the case of an adult requiring assistance to exercise legal capacity in accordance with national law ('dependent adult'), an adult responsible for him or her whether by law or by practice of the Member</i>

				make and lodge an application on the behalf of the dependent adult.	<i>State concerned ('adult responsible') may make and lodge an application on the behalf of the dependent adult.</i>
354c				2. The dependent adult shall be present for the lodging of the application, [...] except where there are justified reasons for which he or she cannot be present or, where such possibility is provided for in national law, the application is lodged by means of a form.	2. <i>The dependent adult shall be present for the lodging of the application, [...] except where there are justified reasons for which he or she is <u>unable or unfit</u> to be present or, where such possibility is provided for in national law, the application is lodged by means of a form.</i> <u><i>Where an application has been lodged on behalf of a dependent adult, the adult responsible shall be given the opportunity of a personal interview.</i></u>
355d				3. [...]	
			Article 31		
355	Article 31 Applications on behalf of a spouse,	Article 31 Applications on behalf of a spouse, partner, minor or dependent adult	Article 31 Applications on behalf of a minor or dependent adult	Article 31 Applications on behalf of an [...]	Article 31 <i>Applications on behalf of an accompanied minor</i>

	partner, minor or dependent adult			accompanied minor [...]	
			Article 31(1)		
356	1. An applicant may lodge an application on behalf of his or her spouse or partner in a stable and durable relationship, minors or dependent adults without legal capacity.	1. An applicant may lodge an application on behalf of his or her spouse or partner in a stable and durable relationship, minors or dependent adults without legal capacity.	1. An applicant may lodge an application on behalf of minors or dependent adults without legal capacity.	1.[...] An accompanied minor shall have the right to lodge an application in his or her own name if he or she has the legal capacity according to the national law of the Member State concerned. Where the accompanied minor does not have the legal capacity according to the national law of the Member State concerned, a parent or another adult responsible for the minor, whether by law or by practice of the Member State concerned, shall lodge the application on his or her behalf.	<i>1.[...] An accompanied minor shall have the right to lodge an application in his or her own name if he or she has the legal capacity according to the national law of the Member State concerned. Where the accompanied minor does not have the legal capacity according to the national law of the Member State concerned, a parent or another adult responsible for the minor, whether by law or by practice of the Member State concerned, shall lodge the application on his or her behalf.</i>
			Article 31(2)		
357	2. The spouse or partner referred to in paragraph 1 shall be	2. The spouse or partner referred to in paragraph 1 shall be informed in private	<i>deleted</i>	2. [...] In the case of an accompanied minor, who does not have legal	<i>2. [...] In the case of an accompanied minor, who does not have legal</i>

	informed in private of the relevant procedural consequences of having the application lodged on his or her behalf and of his or her right to make a separate application for international protection. Where the spouse or partner does not consent to the lodging of an application on his or her behalf, he or she shall be given an opportunity to lodge an application in his or her own name.	of the relevant procedural consequences of having the application lodged on his or her behalf and of his or her right to make a separate application for international protection. Where the spouse or partner does not consent to the lodging of an application on his or her behalf, he or she shall be given an opportunity to lodge an application in his or her own name.		capacity according to the national law of the Member State concerned and who is present at the moment of making or lodging of the application for international protection by the parent on the territory of the same Member State in relation to the application for international protection, in particular if such minor does not have any other legal means of staying, the making and lodging of an application by a parent or another adult responsible for him or her shall be considered to be the making and lodging of an application for international protection on behalf of the minor. Member States may decide to apply this paragraph also in case of an accompanied minor who is born or who is present during the administrative procedure.	<i>capacity according to the national law of the Member State concerned and who is present at the moment of making or lodging of the application for international protection by the parent on the territory of the same Member State in relation to the application for international protection, in particular if such minor does not have any other legal means of staying, the making and lodging of an application by a parent or another adult responsible for him or her shall be considered to be the making and lodging of an application for international protection on behalf of the minor. Member States may decide to apply this paragraph also in case of an accompanied minor who is born or who is present during the administrative procedure.</i>
			Article 31(3)		
358					

	3. Where an applicant does not lodge an application on behalf of his or her spouse or partner as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the spouse or partner shall be given an opportunity to lodge his or her application in his or her own name within another ten working-day period starting from the expiry of the first ten working-day period. Where the spouse or partner still does not lodge his or her application within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure laid down in Article 39.	3. Where an applicant does not lodge an application on behalf of his or her spouse or partner as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the spouse or partner shall be given an opportunity to lodge his or her application in his or her own name within another ten working-day period starting from the expiry of the first ten working-day period. Where the spouse or partner still does not lodge his or her application within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure laid down in Article 39.	<i>deleted</i>	3. [...] Where the parent or adult responsible for the accompanied minor lodges the application on behalf of the minor, the minor shall be present for the lodging of the application, except where there are justified reasons for which the minor cannot be present or, where such possibility is provided for in national law, the application on behalf of the minor is lodged by means of a form.	3. [...] <i>Where the parent or adult responsible for the accompanied minor lodges the application on behalf of the minor, the minor shall be present for the lodging of the application, except where there are justified reasons for which the minor is <u>unable or unfit</u> to be present or, where such possibility is provided for in national law, the application on behalf of the minor is lodged by means of a form.</i>
Article 31(4)					
359	4. Where an applicant does not lodge an application	4. Where an applicant does not lodge an application on behalf of his or her	4. Where an applicant does not lodge an application on behalf of his or her	4. [...]	<i>Deleted</i>

	on behalf of his or her dependent adult as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of that dependent adult if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the dependent adult may need international protection.	dependent adult as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of that dependent adult if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the dependent adult may need international protection.	dependent adult as referred to in paragraph 1 within the 15 working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of that dependent adult if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the dependent adult may need international protection.		
			Article 31(5)		
360	5. Where a person has lodged an application on behalf of his or her spouse or partner in a stable and durable relationship or dependent adults without legal capacity, each of those persons shall be given the	5. Where a person has lodged an application on behalf of his or her spouse or partner in a stable and durable relationship or dependent adults without legal capacity, each of those persons shall be given the opportunity of a personal interview.	5. Where a person has lodged an application on behalf of a dependent adult without legal capacity, that person shall be given the opportunity of a personal interview.	5. [...]	<i>Transferred to line 354c</i>

	opportunity of a personal interview.				
			Article 31(6)		
361	6. A minor shall have the right to lodge an application in his or her own name if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned, or through an adult responsible for him or her, whether by law or by practice of the Member State concerned, including his or her parents or other legal or customary caregiver, or adult family members in the case of an accompanied minor, or through a guardian in the case of an unaccompanied minor.	6. A minor shall have the right to lodge an application in his or her own name if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned, or through an adult responsible for him or her, whether by law or by practice of the Member State concerned, including his or her parents or other legal or customary caregiver, or adult family members in the case of an accompanied minor, or through a guardian in the case of an unaccompanied minor.	6. A minor shall have the right to lodge an application in his or her own name if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned, or through an adult who is considered, responsible for him or her, child protection services or another legal caregiver, or adult family members in the case of an accompanied minor, or through a guardian in the case of an unaccompanied minor.	6., [...]	See line 356
			Article 31(7)		
362					

	7. In the case of an accompanied minor, the lodging of an application by the adult responsible for him or her as referred to in paragraph 6 shall also be considered to be the lodging of an application for international protection on behalf of the minor.	7. In the case of an accompanied minor, the lodging of an application by the adult responsible for him or her as referred to in paragraph 6 shall also be considered to be the lodging of an application for international protection on behalf of the minor.	7. In the case of an accompanied minor, the lodging of an application by the adult responsible for him or her as referred to in paragraph 6 shall also be considered to be the lodging of an application for international protection on behalf of the minor.	7. [...]	See line 357
Article 31(8)					
363	8. Where the adult responsible for the accompanied minor does not make an application for himself or herself, the accompanied minor shall be clearly informed of the possibility and procedure for lodging an application in his or her own name at the time of the making of his or her application.	8. Where the adult responsible for the accompanied minor does not make an application for himself or herself, the accompanied minor shall be clearly informed of the possibility and procedure for lodging an application in his or her own name at the time of the making of his or her application.	8. Where the adult responsible for the accompanied minor does not make an application for himself or herself, the responsible authorities shall inform the accompanied minor in a child-friendly manner and in a language the child understands of the possibility and procedure for lodging an application in his or her own name at the time of the making of his or her application and shall give the accompanied minor an effective opportunity to do so if he or she has the legal	8. [...]	Deleted

			<i>capacity to act in procedures in accordance with the national law of the Member State concerned. Where the minor does not lodge the application within the 15 working days or does not have the legal capacity to act in procedures in accordance with the national law of the Member State concerned, the determining authority shall act on behalf of the minor, with due regard to his or her views and after requesting the relevant authorities to carry out an assessment of her or his best interests.</i>		
Article 31(9)					
364	9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the ten working days provided for in Article 28(1), the minor shall be informed of the possibility to lodge his or her application in his or her own name and given an	9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the ten working days provided for in Article 28(1), the minor shall be informed of the possibility to lodge his or her application in his or her own name and given an opportunity to do so within a further ten working-day period starting from the expiry of the first ten	9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the 15 working days provided for in Article 28(1), the minor shall be informed, <i>in a child-friendly manner and in a language he or she understands</i>, of the possibility <i>and the procedure</i> to lodge his or her application in his or her	9. [...]	<i>Deleted</i>

	opportunity to do so within a further ten working-day period starting from the expiry of the first ten working-day period if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. Where the minor does not lodge his or her application in his or her own name within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure referred to in Article 39.	working-day period if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. Where the minor does not lodge his or her application in his or her own name within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure referred to in Article 39.	own name and <i>shall be</i> given an <i>effective</i> opportunity to do so within a further <i>15</i> working-day period starting from the expiry of the first ten <i>15</i> working-day period if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. Where the minor does not <i>have the legal capacity to act in procedures in accordance with the national law of the Member State concerned, the determining authority shall act on behalf of the minor with support from child protection authorities. The determining authority shall lodge an application on behalf of the minor where, on the basis of an assessment of her or his best interest, it is of the opinion that the minor needs international protection.</i>		
			Article 31(9)		
364a			<i>9a. Where the responsible adult does not lodge an application on behalf of the minor, the accompanied minor does</i>		

			<i>not lodge an application in his or her name or where the determining authority acts on behalf of the minor and, as a follow-up of the assessment of the best interests of the child, considers that this would not be in his or her best interests, the determining authority shall take the necessary measures in accordance with national law to ensure that the best interests of the child are guaranteed.</i>		
			Article 31(10), first subparagraph		
365	10. For the purpose of taking a decision on the admissibility of an application in case of a separate application by a spouse, partner or minor pursuant to Article 36(1)(d), an application for international protection shall be subject to an initial examination as to whether there are facts relating to the situation of the spouse, partner or minor which justify	10. For the purpose of taking a decision on the admissibility of an application in case of a separate application by a spouse, partner or minor pursuant to Article 36(1)(d), an application for international protection shall be subject to an initial examination as to whether there are facts relating to the situation of the spouse, partner or minor which justify a separate application.	<i>deleted</i>	10. [...]	<i>Deleted</i>

	a separate application.				
			Article 31(10), second subparagraph		
366	Where there are facts relating to the situation of the spouse, partner or minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the spouse, partner or minor.	Where there are facts relating to the situation of the spouse, partner or minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the spouse, partner or minor.	<i>deleted</i>	[...]	<i>Deleted</i>
			Article 32		
367	Article 32 Applications of unaccompanied minors	Article 32 Applications of unaccompanied minors	Article 32 Applications of unaccompanied minors	Article 32 Applications of unaccompanied minors	<i>Article 32 Applications of unaccompanied minors</i>
			Article 32(1)		

368	1. An unaccompanied minor shall lodge an application in his or her own name if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned, or his or her guardian shall lodge it on his or her behalf. The guardian shall assist and properly inform the unaccompanied minor of how and where an application is to be lodged.	1. An unaccompanied minor shall lodge an application in his or her own name if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned, or his or her guardian shall lodge it on his or her behalf. The guardian shall assist and properly inform the unaccompanied minor of how and where an application is to be lodged.	1. An unaccompanied minor shall lodge an application in his or her own name if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned, or his or her guardian shall lodge it on his or her behalf. <i>Without prejudice to unaccompanied minors' right to legal assistance and representation in accordance with Articles 14 and 15,</i> the guardian shall assist and properly inform the unaccompanied minor of how and where an application is to be lodged.	1. An unaccompanied minor shall have the right to lodge an application in his or her own name if he or she has the legal capacity [...] according to the national law of the Member State concerned[...]. Where the unaccompanied minor does not have the legal capacity according to the national law of the Member State concerned [...] a [...] representative or a [...]person as referred to in Article 22(1)(a) shall lodge [...] the application on his or her behalf.	<i>1. An unaccompanied minor shall have the right to lodge an application in his or her own name if he or she has the legal capacity [...] according to the national law of the Member State concerned[...]. Where the unaccompanied minor does not have the legal capacity according to the national law of the Member State concerned [...] a [...] representative or a [...]person as referred to in Article 22(1)(a) shall lodge [...] the application on his or her behalf.</i> <i>These provisions shall apply without prejudice to unaccompanied minors' right to legal assistance and representation in accordance with Articles 14 and 15.</i>
Article 32(2)					
369	2. In the case of an unaccompanied minor, the ten	2. In the case of an unaccompanied minor, the ten working-day period for	2. In the case of an unaccompanied minor, the 15 working-day period for	2. In the case of an unaccompanied minor, who does not have legal	<i>2. In the case of an unaccompanied minor,</i>

	working-day period for the lodging the application provided for in Article 28(1) shall only start to run from the moment a guardian of the unaccompanied minor is appointed and has met with him or her. Where his or her guardian does not lodge an application on behalf of the unaccompanied minor within those ten working days, the determining authority shall lodge an application on behalf of the unaccompanied minor if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the minor may need international protection.	the lodging the application provided for in Article 28(1) shall only start to run from the moment a guardian of the unaccompanied minor is appointed and has met with him or her. Where his or her guardian does not lodge an application on behalf of the unaccompanied minor within those ten working days, the determining authority shall lodge an application on behalf of the unaccompanied minor if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the minor may need international protection.	lodging the application provided for in Article 28(1) shall only start to run from the moment a guardian of the unaccompanied minor is appointed and has met with him or her. Where his or her guardian does not lodge an application on behalf of the unaccompanied minor within those 15 working days, the determining authority shall <i>act in accordance with the procedure set out in Article 31(9) and (9a)</i> .	capacity according to the national law of the Member State concerned the application shall be lodged [...] within the time limit set out in Article 28(1) taking into account the best interests of the child [...].	<i>who does not have legal capacity according to the national law of the Member State concerned the application shall be lodged [...] within the time limit set out in Article 28(1) taking into account the best interests of the child [...].</i>
			Article 32(2a)		
369a				2aa. Where the representative of an	

				unaccompanied minor or a [...]person as referred to in Article 22(1)(a) lodges the application on behalf of the minor, the minor shall be present for the lodging of the application, except where there are justified reasons for which the minor cannot be present or, where such possibility is provided for in national law, the application is lodged by means of a form.	<i>2aa. Where the representative of an unaccompanied minor or a [...]person as referred to in Article 22(1)(a) lodges the application on behalf of the minor, the minor shall be present for the lodging of the application, except where there are justified reasons for which the minor is unable or unfit to be present or, where such possibility is provided for in national law, the application is lodged by means of a form.</i>
Article 32(3)					
370	3. The bodies referred to in Article 10 of Directive 2008/115/EC shall have the right to lodge an application for international protection on behalf of an unaccompanied minor if, on the basis of an individual assessment of his or her personal situation, those	3. The bodies referred to in Article 10 of Directive 2008/115/EC shall have the right to lodge an application for international protection on behalf of an unaccompanied minor if, on the basis of an individual assessment of his or her personal situation, those bodies are of the opinion that the minor may need international protection.	3. The bodies referred to in Article 10 of Directive 2008/115/EC shall have the right to lodge an application for international protection on behalf of an unaccompanied minor if, on the basis of an individual assessment of his or her personal situation, those bodies are of the opinion that the minor may need international protection.	3. [...] [...]	<i>Deleted</i>

	bodies are of the opinion that the minor may need international protection.				
			SECTION II		
371	SECTION II Examination Procedure	SECTION II Examination Procedure	Examination Procedure	SECTION II Examination Procedure	SECTION II Examination Procedure
			Article 33		
372	Article 33 Examination of applications	Article 33 Examination of applications	Article 33 Examination of applications	Article 33 Examination of applications	Article 33 Examination of applications
			Article 33(1)		
373	1. Member States shall examine applications for international protection in accordance with the basic principles and guarantees set out in Chapter II.	1. Member States shall examine applications for international protection in accordance with the basic principles and guarantees set out in Chapter II.	1. Member States shall examine applications for international protection in accordance with the basic principles and guarantees set out in Chapter II.	1. [...] The determining authority shall examine and take decisions on applications for international protection in accordance with the basic principles and guarantees set out in Chapter II.	<i>1. The determining authority shall examine and take decisions on applications for international protection in accordance with the basic principles and guarantees set out in Chapter II.</i>
			Article 33(2)		
374					

	2. The determining authority shall take decisions on applications for international protection after an appropriate examination as to the admissibility or merits of an application. The determining authority shall examine applications objectively, impartially and on an individual basis. For the purpose of examining the application, it shall take the following into account:	2. The determining authority shall take decisions on applications for international protection after an appropriate examination as to the admissibility or merits of an application. The determining authority shall examine applications objectively, impartially and on an individual basis. For the purpose of examining the application, it shall take the following into account:	2. The determining authority shall take decisions on applications for international protection after an appropriate examination as to the admissibility or merits of an application. The determining authority shall examine applications objectively, impartially and on an individual basis. For the purpose of examining the application, it shall take the following into account:	2. [...] The determining authority shall examine applications objectively, impartially and on an individual basis. For the purpose of examining [...] an application, [...] the determining authority shall take the following into account:	2. <i>The determining authority shall examine applications objectively, impartially and on an individual basis. For the purpose of examining an application, the determining authority shall take the following into account:</i>
Article 33(2), point (a)					
375	(a) the relevant statements and documentation presented by the applicant including information on whether the applicant has been or may be subject to persecution or serious harm;	(a) the relevant statements and documentation presented by the applicant including information on whether the applicant has been or may be subject to persecution or serious harm;	(a) the relevant statements and documentation presented by the applicant including information on whether the applicant has been or may be subject to persecution or serious harm;	(a) the relevant statements and documentation presented by the applicant [...] in accordance with [Article 4(1) and (2) of Regulation No. XXX/XXX Qualification Regulation] ;	<i>(a) the relevant statements and documentation presented by the applicant including information on whether the applicant has been or may be subject to persecution or serious harm;</i>

Article 33(2), point (b)					
376	(b) all relevant, accurate and up-to-date information relating to the situation prevailing in the country of origin of the applicant at the time of taking a decision on the application, including laws and regulations of the country of origin and the manner in which they are applied, as well as any other relevant information obtained from the European Union Agency for Asylum, from the United Nations High Commissioner for Refugees and relevant international human rights organisations, or from other sources;	(b) all relevant, accurate and up-to-date information relating to the situation prevailing in the country of origin of the applicant at the time of taking a decision on the application, including laws and regulations of the country of origin and the manner in which they are applied, as well as any other relevant information obtained from the European Union Agency for Asylum, from the United Nations High Commissioner for Refugees and relevant international human rights organisations, or from other sources;	(b) all relevant, accurate and up-to-date information relating to the situation prevailing in the country of origin of the applicant at the time of taking a decision on the application, including laws and regulations of the country of origin and the manner in which they are applied, as well as any other relevant information obtained from the European Union Agency for Asylum, from the United Nations High Commissioner for Refugees and relevant international human rights, including children's rights organisations, or from other sources;	(b) [...] relevant, [...] precise and up-to-date information relating to the situation prevailing in the country of origin of the applicant at the time of taking a decision on the application, including laws and regulations of the country of origin and the manner in which they are applied, [...], obtained from relevant and available national, Union and international sources, and where available [...] the common analysis on the situation in specific [...] countries[...] of origin [...] and the guidance notes referred to in Article 11 of Regulation (EU) 2021/2303 [...] EU Asylum Agency Regulation [...];	<i>(b) relevant, precise and up-to-date information relating to the situation prevailing in the country of origin of the applicant at the time of taking a decision on the application, including laws and regulations of the country of origin and the manner in which they are applied, obtained from relevant and available national, Union and international sources, including children's rights organisations and where available the common analysis on the situation in specific countries of origin and the guidance notes referred to in Article 11 of Regulation (EU) 2021/2303 EU Asylum Agency Regulation;</i>
Article 33(2), point (c)					
376a	(c) the common analysis of the country of origin information referred	(c) the common analysis of the country of origin information referred to in Article 10 of Regulation	(c) the common analysis of the country of origin information referred to in Article 10 of Regulation	[...] See preceding point	Moved to 376

	to in Article 10 of Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation);	(EU) No XXX/XXX (EU Asylum Agency Regulation);	(EU) No XXX/XXX (EU Asylum Agency Regulation);		
			Article 33(2), point (ca)		
377				(ca) where applying the concepts of first country of asylum or safe third country, relevant, precise and up-to-date information relating to the situation prevailing in the third country being considered as a first country of asylum or a safe third country at the time of taking a decision on the application;	
			Article 33(2), point (d)		
378	(d) the individual position and personal circumstances of the applicant, including factors such as background, gender, age, sexual orientation and gender identity so as to assess whether, on the basis of the	(d) the individual position and personal circumstances of the applicant, including factors such as background, gender, age, sexual orientation and gender identity so as to assess whether, on the basis of the applicant's personal circumstances, the acts to which the applicant has been or could be exposed would	(d) the individual position and personal circumstances of the applicant, including factors such as background, gender, age, sexual orientation and gender identity so as to assess whether, on the basis of the applicant's personal circumstances, the acts to which the applicant has been or could be exposed	(d) the individual position and personal circumstances of the applicant [...] such as background, sex [...], age, sexual orientation and gender identity so as to assess whether, on the basis of the applicant's personal circumstances, the acts to which the applicant has been or could be exposed would amount to	<i>(d) the individual position and personal circumstances of the applicant, including factors such as background, age, sex or gender, gender identity and sexual orientation so as to assess whether, on the basis of the applicant's personal circumstances, the acts</i>

	applicant's personal circumstances, the acts to which the applicant has been or could be exposed would amount to persecution or serious harm;	amount to persecution or serious harm;	would amount to persecution or serious harm;	persecution or serious harm;	<i>to which the applicant has been or could be exposed would amount to persecution or serious harm;</i>
Article 33(2), point (e)					
379	(e) whether the activities that the applicant was engaged in since leaving the country of origin were carried out by the applicant for the sole or main purpose of creating the necessary conditions for applying for international protection, so as to assess whether those activities would expose the applicant to persecution or serious harm if returned to that country;	(e) whether the activities that the applicant was engaged in since leaving the country of origin were carried out by the applicant for the sole or main purpose of creating the necessary conditions for applying for international protection, so as to assess whether those activities would expose the applicant to persecution or serious harm if returned to that country;	<i>deleted</i>	(e) whether the activities that the applicant was engaged in since leaving the country of origin were carried out by the applicant for the sole or main purpose of creating the necessary conditions for applying for international protection, so as to assess whether those activities would expose the applicant to persecution or serious harm if returned to that country as referred to in [Article 5 of Regulation No XXX/XXX Qualification Regulation];	<i>(e) whether the activities that the applicant was engaged in since leaving the country of origin were carried out by the applicant for the sole or main purpose of creating the necessary conditions for applying for international protection, so as to assess whether those activities would expose the applicant to persecution or serious harm if returned to that country as referred to in [Article 5 of Regulation No XXX/XXX Qualification Regulation];</i>
Article 33(2), point (f)					
380			<i>deleted</i>		

	(f) whether the applicant could reasonably be expected to avail himself or herself of the protection of another country where he or she could assert citizenship.	(f) whether the applicant could reasonably be expected to avail himself or herself of the protection of another country where he or she could assert citizenship.		(f) whether the applicant could reasonably be expected to avail himself or herself of the protection of another country where he or she could assert citizenship;	
				Article 33(2), point (fa)	
380a				(fa) whether the internal protection alternative as referred to in [Article 8 of Regulation No XXX/XXX Qualification Regulation] applies.	<i>(fa) whether the internal protection alternative as referred to in [Article 8 of Regulation No XXX/XXX Qualification Regulation] applies.</i>
				Article 33(3)	
381	3. The personnel examining applications and taking decisions shall have sufficient knowledge of the relevant standards applicable in the field of asylum and refugee law. They shall have the possibility to seek advice, whenever necessary, from experts on particular	3. The personnel examining applications and taking decisions shall have sufficient knowledge of the relevant standards applicable in the field of asylum and refugee law. They shall have the possibility to seek advice, whenever necessary, from experts on particular issues, such as medical, cultural, religious and child-related or gender issues. Where necessary, they may submit queries to the European	3. The personnel examining applications and taking decisions shall have sufficient knowledge of the relevant standards applicable in the field of asylum and refugee law and shall have completed the necessary training in accordance with Article 7 of Regulation (EU) XXX/XXX (EU Asylum Agency Regulation) . They shall have the possibility to seek advice, whenever	3. The personnel examining applications and taking decisions shall have sufficient knowledge of and shall have received adequate training in the relevant standards applicable in the field of asylum and refugee law. Such training may be provided with the assistance of the European Union Agency for Asylum or based on the training developed by	3. The personnel examining applications and taking decisions shall have the appropriate knowledge and have received the training, including the relevant training under Article 8 of Regulation (EU) XXX/XXX (EU Asylum Agency Regulation), in the relevant standards applicable in the field of asylum and refugee law.

	issues, such as medical, cultural, religious and child-related or gender issues. Where necessary, they may submit queries to the European Union Agency for Asylum in accordance with Article 9(2)(b) of Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation).	Union Agency for Asylum in accordance with Article 9(2)(b) of Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation).	necessary, from experts on particular issues, such as medical, cultural, religious, mental health , and child-related or gender issues. Where necessary, they may submit queries to the European Union Agency for Asylum in accordance with Article 9(2)(b) of Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation).	that Agency, as appropriate. They shall have the possibility to seek advice, where available and to the extent [...] necessary, from experts on particular issues, such as medical, cultural, religious and child-related or gender issues. [...] They may submit queries to the European Union Agency for Asylum in accordance with Article 10(2)(b) of Regulation (EU) 2021/2303 [...] (EU Asylum Agency Regulation).	<i>They shall have the possibility to seek advice, whenever necessary, from experts on particular issues, such as medical, cultural, religious, mental health, and child-related or gender issues. Where necessary, they may submit queries to the European Union Agency for Asylum in accordance with Article 10(2)(b) of Regulation (EU) 2021/2303 (EU Asylum Agency Regulation).</i>
Article 33(4)					
382	4. Documents relevant for the examination of applications by the determining authority shall be translated, where necessary, for such examination.	4. Documents relevant for the examination of applications by the determining authority shall be translated, where necessary, for such examination.	4. Documents relevant for the examination of applications by the determining authority shall be translated, where necessary, for such examination.	4. [...] The determining authority shall assess and choose, or indicate which of the documents or parts of the documents presented by the applicant must be translated; oral translation provided by an interpreter may be used for this assessment. The translation of those documents or parts thereof shall be ensured by the competent authorities, or as part of the free legal assistance	<i>4. Documents relevant for the examination of applications by the determining authority shall be translated, where necessary, for such examination.</i>

				and representation where this is provided, oral translation provided by an interpreter may also be used. Alternatively, the translation of those relevant documents or parts thereof may be provided by other entities and paid for from public funds in accordance with national law. The applicant may, at his or her own cost, ensure the translation of other documents. In case of subsequent applications, the applicant may [...]be made responsible for the translation of documents.	
			Article 33(5)		
383	5. An examination of an application for international protection may be prioritised in accordance with the basic principles and guarantees of Chapter II, in particular, where:	5. An examination of an application for international protection may be prioritised in accordance with the basic principles and guarantees of Chapter II, in particular, where:	5. An examination of an application for international protection may be prioritised in accordance with the basic principles and guarantees of Chapter II, in particular, where:	5. [...] The determining authority may prioritise the examination of an application for international protection [...] in particular, where:	<i>5. The determining authority may prioritise the examination of an application for international protection [...] in particular, where:</i>
			Article 33(5), point (a)		
384					

	(a) the application is likely to be well-founded;	(a) the application is likely to be well-founded;	(a) the application is likely to be well-founded;	(a) the application is likely to be well-founded;	<i>(a) the application is likely to be well-founded;</i>
			Article 33(5), point (b)		
385	(b) the applicant has special reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of special procedural guarantees, in particular where he or she is an unaccompanied minor.	(b) the applicant has special reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of special procedural guarantees, in particular where he or she is an unaccompanied minor.	(b) the applicant has specific reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of specific procedural guarantees as referred to in Articles 19 to 22 of this Regulation , in particular where he or she is an unaccompanied minor.	(b) the applicant has special reception needs within the meaning of [Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive)], or is in need of special procedural guarantees, in particular where he or she is an unaccompanied minor;	<i>(b) the applicant has special reception needs within the meaning of [Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive)], or is in need of special procedural guarantees as referred to in Articles 19 to 22 of this Regulation, in particular where he or she is an unaccompanied minor;</i>
			Article 33(5), point (c)		
385a				(c) there are reasonable grounds to consider the applicant as a danger to the national security or public order of the Member State;	
			Article 33(5), point (d)		
385b				(d) the application is a subsequent application-;	
			Article 33(5), point (e)		

385c				(e) the applicant has been subject to a decision in accordance with [Article 19(2)(e)] [recast Reception Conditions Directive] and/or has been involved in causing public nuisance or engaged in criminal behaviour.	(c) the applicant has been subject to a decision in accordance with [Article 19(2)(e)] [recast Reception Conditions Directive] and/or has been involved in causing public nuisance or engaged in criminal behaviour.
Article 34					
386	Article 34 Duration of the examination procedure	Article 34 Duration of the examination procedure	Article 34 Duration of the examination procedure	Article 34 Duration of the examination procedure	Article 34 <i>Duration of the examination procedure</i>
Article 34(1), first subparagraph					
387	1. The examination to determine the admissibility of an application in accordance with Article 36(1) shall not take longer than one month from the lodging of an application.	1. The examination to determine the admissibility of an application in accordance with Article 36(1) shall not take longer than one month from the lodging of an application.	1. <i>Where applicable</i> , the examination to determine the admissibility of an application in accordance with Article 36(1) shall not take longer than one month from the lodging of an application. <i>Where the determining authority does not determine the admissibility of an application within one month from the lodging of the application, it shall continue the examination of the application in accordance with</i>	1. The examination to determine whether an application is inadmissible [...] in accordance with Article 36[...] (1a)(a),(b) and (f)) and (1aa)(a) and [(c)] shall be concluded as soon as possible and not later than [...] two months from the lodging of an application. In the case referred to in Article 36[...] (1a)(g), the determining authority shall conclude the	1. <i>[Where applicable,] the examination to determine the admissibility of an application in accordance with Article 36(1) shall be concluded as soon as possible and not later than [one/two] month from the lodging of an application. Where the determining authority does not determine the admissibility of an application within [one/two] month from</i>

			<i>paragraphs 2 and 3 of this Article and with Article 37. The determining authority shall inform the applicant accordingly.</i>	examination within [...]ten [...]working days.	<i>the lodging of the application, it shall continue the examination of the application in accordance with paragraphs 2 and 3 of this Article and with Article 37. The determining authority shall inform the applicant accordingly.</i>
Article 34(1), second subparagraph					
388	The time-limit for such examination shall be ten working days where, in accordance with Article 3(3)(a) of Regulation (EU) No XXX/XXX (Dublin Regulation), the Member State of first application applies the concept of first country of asylum or safe third country referred to in Article 36(1)(a) and (b).	The time-limit for such examination shall be ten working days where, in accordance with Article 3(3)(a) of Regulation (EU) No XXX/XXX (Dublin Regulation), the Member State of first application applies the concept of first country of asylum or safe third country referred to in Article 36(1)(a) and (b).	The time-limit for such examination shall be ten working days where the Member State of first application applies the concept of first country of asylum or safe third country referred to in Article 36(1)(a) and (b).	[...]	
Article 34(1), third subparagraph					
388a				The application shall not be deemed to be admissible solely by	

				reason of the fact that no decision on inadmissibility is taken within the time-limits set out in this paragraph and in paragraph 1b.	
			Article 34(1a)		
388b				1a. The determining authority shall conclude the accelerated examination procedure as soon as possible and not later than [three months] from the lodging of the application.	
			Article 34(1b)		
388c				1b. The determining authority may extend the time-limits provided for in the first paragraph of paragraph 1 and in paragraph 1a by not more than [...] two months where:	
			Article 34(1b), subpoint (a)		
388d				(a) a disproportionate number of third-country nationals or stateless persons make an application for international protection within the same period of time, making it difficult in practice to conclude the admissibility procedure	

				or the accelerated examination procedure within the set time-limits;	
			Article 34(1b), subpoint (b)		
388e				(b) complex issues of fact or law are involved;	
			Article 34(1b), subpoint (c)		
388f				(c) the delay can be attributed solely to the applicant.	
			Article 34(2)		
389	2. The determining authority shall ensure that an examination procedure on the merits is concluded as soon as possible and not later than six months from the lodging of the application, without prejudice to an adequate and complete examination.	2. The determining authority shall ensure that an examination procedure on the merits is concluded as soon as possible and not later than six months from the lodging of the application, without prejudice to an adequate and complete examination.	2. The determining authority shall ensure that an examination procedure on the merits is concluded as soon as possible and not later than six months from the lodging of the application, without prejudice to an adequate and complete examination.	2. The determining authority shall ensure that an examination [...] on the merits, which is not subject to an accelerated examination procedure , is concluded as soon as possible and not later than six months from the lodging of the application[...].	2. <i>The determining authority shall ensure that an examination procedure on the merits, which is not subject to an accelerated examination procedure or an asylum border procedure, is concluded as soon as possible and not later than six months from the lodging of the application, without prejudice to an adequate and complete examination.</i>
			Article 34(3)		
390	3. The determining authority may	3. The determining authority may extend that time-limit of	3. The determining authority may extend that	3. Without prejudice to paragraph 5a , the	3. <i>The determining authority may extend that time-limit of six months</i>

	extend that time-limit of six months by a period of not more than three months, where:	six months by a period of not more than three months, where:	time-limit of six months by a period of not more than three months, where:	determining authority may extend that time-limit [...] by not more than [...] nine months, where:	<i>by a period of not more than [three/nine] months, where:</i>
Article 34(3), point (a)					
391	(a) a disproportionate number of third-country nationals or stateless persons simultaneously apply for international protection, making it difficult in practice to conclude the procedure within the six-month time limit;	(a) a disproportionate number of third-country nationals or stateless persons simultaneously apply for international protection, making it difficult in practice to conclude the procedure within the six-month time limit;	(a) a disproportionate number of third-country nationals or stateless persons simultaneously apply for international protection, making it difficult in practice to conclude the procedure within the six-month time limit;	(a) a disproportionate number of third-country nationals or stateless persons make an application [...] for international protection within the same period of time , making it difficult in practice to conclude the procedure within the six-month time limit;	<i>(a) a disproportionate number of third-country nationals or stateless persons make an application for international protection within the same period of time, making it difficult in practice to conclude the procedure within the six-month time limit;</i>
Article 34(3), point (b)					
392	(b) complex issues of fact or law are involved.	(b) complex issues of fact or law are involved.	(b) complex issues of fact or law are involved.	(b) complex issues of fact or law are involved;	(b) complex issues of fact or law are involved;
Article 34(3), point (c)					
392a				(c) the delay can be attributed solely to the applicant.	<i>(c) the delay can be attributed <u>clearly and solely to the failure of the applicant to comply with his or her</u></i>

					<i><u>obligations under Article 7.</u></i>
			Article 34(4)		
393	4. Where an application is subject to the procedure laid down in Regulation (EU) No XXX/XXX (Dublin Regulation), the time-limit referred to in paragraph 2 shall start to run from the moment the Member State responsible is determined in accordance with that Regulation, the applicant is on the territory of that Member State and he or she has been taken in charge in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation).	4. Where an application is subject to the procedure laid down in Regulation (EU) No XXX/XXX (Dublin Regulation), the time-limit referred to in paragraph 2 shall start to run from the moment the Member State responsible is determined in accordance with that Regulation, the applicant is on the territory of that Member State and he or she has been taken in charge in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation).	4. Where an application is subject to the procedure laid down in Regulation (EU) No XXX/XXX (Dublin Regulation), the time-limit referred to in paragraph 2 shall start to run from the moment the Member State responsible is determined in accordance with that Regulation, the applicant is on the territory of that Member State and he or she has been taken in charge in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation).	4. Where an application is subject to the procedure laid down in [Regulation (EU) No XXX/XXX (AMMR Regulation), and the applicant is already in the Member State responsible in accordance with Regulation (EU) No XXX/XXX (AMMR Regulation)], the time-limits referred to in paragraphs 1a and 2, and where applicable in paragraph 1, shall start to run from the moment the Member State responsible is determined. If the applicant is not in the Member State responsible, the time limit shall start to run from when the application is lodged in accordance with 28(1a). [...]	4. Where an application is subject to the procedure laid down in [Regulation (EU) No XXX/XXX (AMMR Regulation), the time-limit referred to in paragraph 2 shall start to run from the moment the Member State responsible is determined in accordance with that Regulation, the applicant is on the territory of that Member State and he or she has been taken in charge in accordance with Regulation (EU) No XXX/XXX (AMMR Regulation)].
			Article 34(5), first subparagraph		
394	5. The determining authority may postpone concluding the examination	5. The determining authority may postpone concluding the examination procedure where it cannot reasonably	<i>deleted</i>	5. Without prejudice to paragraph 5a, the determining authority may postpone concluding the	

	procedure where it cannot reasonably be expected to decide within the time-limits laid down in paragraph 2 and in Article 40(4) as regards the accelerated examination procedure due to an uncertain situation in the country of origin which is expected to be temporary. In such cases, the determining authority shall:	be expected to decide within the time-limits laid down in paragraph 2 and in Article 40(4) as regards the accelerated examination procedure due to an uncertain situation in the country of origin which is expected to be temporary. In such cases, the determining authority shall:		examination procedure where it cannot reasonably be expected to decide within the time-limits laid down in paragraphs 1a and 2 [...] due to an uncertain situation in the country of origin which is expected to be temporary. In such cases, the determining authority shall:	
Article 34(5), first subparagraph, point (a)					
395	(a) conduct reviews of the situation in that country of origin at least every two months;	(a) conduct reviews of the situation in that country of origin at least every two months;	<i>deleted</i>	(a) conduct reviews of the situation in that country of origin at least every [...] six months;	
Article 34(5), first subparagraph, point (aa)					
395a				(aa) where available, take into account reviews of the situation in that country of origin carried out by the European Union Agency for Asylum;	
Article 34(5), first subparagraph, point (b)					

396	(b) inform the applicants concerned within a reasonable time of the reasons for the postponement.	(b) inform the applicants concerned within a reasonable time of the reasons for the postponement.	<i>deleted</i>	(b) inform the applicants concerned within a reasonable time of the reasons for the postponement.	
Article 34(5), second subparagraph					
397	The Member State shall inform the Commission and the European Union Agency for Asylum within a reasonable time of the postponement of procedures for that country of origin. In any event, the determining authority shall conclude the examination procedure within 15 months from the lodging of an application.	The Member State shall inform the Commission and the European Union Agency for Asylum within a reasonable time of the postponement of procedures for that country of origin. In any event, the determining authority shall conclude the examination procedure within 15 months from the lodging of an application.	<i>deleted</i>	The Member State shall inform the Commission and the European Union Agency for Asylum within a reasonable time of the postponement of procedures [...].	
Article 34(5a)					
397a				5a. [...] [...]Where the examination procedure is postponed in accordance with paragraph 5, the determining authority shall	

				conclude the examination procedure within [...]21 [...] months from the lodging of an application.	
			Article 34(6)		
397b				6. [...] Member States shall lay down time limits for the conclusion of examination procedure in case the Court annuls the decision of the determining authority and refers the case back. These time limits shall be shorter than the time limits provided in this Article.	
			SECTION III		
398	SECTION III Decisions on Applications	SECTION III Decisions on Applications	SECTION III Decisions on Applications	SECTION III Decisions on Applications	SECTION III Decisions on Applications
			Article 35		
399	Article 35 Decisions by the determining authority	Article 35 Decisions by the determining authority	Article 35 Decisions by the determining authority	Article 35 Decisions [...] on applications	Article 35 Decisions by the determining authority
			Article 35(1)		
400	1. A decision on an application for international	1. A decision on an application for international protection shall be given in	1. A decision on an application for international protection shall be given in	1. A decision on an application for international protection shall be given in	<i>1. A decision on an application for international protection</i>

	protection shall be given in writing and it shall be notified to the applicant without undue delay in a language he or she understands or is reasonably meant to understand.	writing and it shall be notified to the applicant without undue delay in a language he or she understands or is reasonably meant to understand.	writing and it shall be notified to the applicant and his or her legal adviser without undue delay and in any case no later than seven days after the decision has been taken in a language he or she understands.	writing and it shall be notified to the applicant in accordance with national law without undue delay [...]. Member States may provide that where a representative or legal adviser is representing the applicant, the [...] competent authority shall notify the decision to the representative or legal adviser instead of the applicant.	<i>shall be given in writing and it shall be notified to the applicant as soon as possible [and in any case no later than X working days after the decision has been taken] in a language he or she understands <u>or is reasonably supposed to understand</u>. Where a representative, legal adviser is legally representing the applicant, the competent authority shall also notify the decision to him or her.</i>
Article 35(2)					
401	2. Where an application is rejected as inadmissible, as unfounded with regard to refugee status or subsidiary protection status, as explicitly withdrawn or as abandoned, the reasons in fact and in law shall be stated in the decision. Information on how to challenge a decision refusing to grant international	2. Where an application is rejected as inadmissible, as unfounded with regard to refugee status or subsidiary protection status, as explicitly withdrawn or as abandoned, the reasons in fact and in law shall be stated in the decision. Information on how to challenge a decision refusing to grant international protection shall be given in writing, unless otherwise already provided to the applicant.	2. Where an application is rejected as inadmissible, as unfounded with regard to refugee status or subsidiary protection status, as explicitly withdrawn or as implicitly withdrawn , the reasons in fact and in law shall be stated in the decision. Information on how to challenge a decision refusing to grant international protection, including on the relevant time-limits , shall be given in writing.	2. Where an application is rejected as inadmissible, as unfounded or manifestly unfounded with regard to refugee status or subsidiary protection status, [...] as [...] implicitly withdrawn or in the case referred to article 38 (1b) , the reasons in fact and in law shall be stated in the decision or in the act for the cases referred to in Article 38.	2. Where an application is rejected as inadmissible, as unfounded or manifestly unfounded with regard to refugee status or subsidiary protection status, as explicitly withdrawn or as implicitly withdrawn , the reasons in fact and in law shall be stated in the decision.

	protection shall be given in writing, unless otherwise already provided to the applicant.				
			Article 35(2a)		
401a				2a. The applicant shall be informed of the result of the decision and [...] of how to challenge a decision [...] rejecting an application as inadmissible, as unfounded or manifestly unfounded with regard to refugee status or subsidiary protection status, or as implicitly withdrawn, and it may be a part of the decision on an application for international protection. [...] That information shall be provided in a language that he or she understands or is reasonably supposed to understand when he or she is not assisted by a legal adviser[...]. Where the applicant is assisted by a legal adviser the information may be provided solely to that legal adviser without being translated in a	<i>2a. Information on how to challenge a decision refusing to grant international protection, including on the relevant time-limits, shall be given in writing. That information shall be provided in a language that the applicant understands or is reasonably supposed to understand <u>whether or not</u> he or she is assisted by a legal adviser.</i>

				language which the applicant understands or is reasonably supposed to understand.	
			Article 35(3)		
402	3. In cases of applications on behalf of spouses, partners, minors or dependent adults without legal capacity, and whenever the application is based on the same grounds, the determining authority may take a single decision, covering all applicants, unless to do so would lead to the disclosure of particular circumstances of an applicant which could jeopardise his or her interests, in particular in cases involving gender, sexual orientation, gender identity or age-based persecution. In such cases, a separate decision shall be issued to the person concerned.	3. In cases of applications on behalf of spouses, partners, minors or dependent adults without legal capacity, and whenever the application is based on the same grounds, the determining authority may take a single decision, covering all applicants, unless to do so would lead to the disclosure of particular circumstances of an applicant which could jeopardise his or her interests, in particular in cases involving gender, sexual orientation, gender identity or age-based persecution. In such cases, a separate decision shall be issued to the person concerned.	3. In cases of applications on behalf of minors or dependent adults without legal capacity, and <i>where the applications are all</i> based on the <i>exact</i> same grounds, the determining authority may take a single decision, covering all applicants, unless to do so would lead to the disclosure of particular circumstances of an applicant which could jeopardise his or her interests, in particular in cases involving gender, gender-based violence, trafficking , sexual orientation, gender identity or age-based persecution. In such cases, a separate decision shall be issued to the person concerned.	3. [...] In case of accompanied minors or dependent adults [...] and whenever the application is based on the same grounds as the application of the adult responsible , the determining authority may, following an individual assessment for each applicant , take a single decision, covering all applicants, unless to do so would lead to the disclosure of particular circumstances of an applicant which could jeopardise his or her interests, in particular in cases involving gender, sexual orientation, gender identity or age-based persecution. In such cases, a separate decision shall be issued and notified in accordance with paragraph 1 [...] .	<i>3. In cases of applications on behalf of minors or dependent adults without legal capacity, and where the applications are all based on the exact same grounds as the application of the adult responsible, the determining authority may, following an individual assessment for each applicant, take a single decision, covering all applicants, unless to do so would lead to the disclosure of particular circumstances of an applicant which could jeopardise his or her interests, in particular in cases involving gender, gender-based violence, trafficking, sexual orientation, gender identity or age-based persecution. In such cases, a separate decision shall be issued</i>

	issued to the person concerned.				<i>and notified to the person concerned in accordance with paragraph 1.</i>
Article 35a					
402a		<u>Article 35a</u> <u>Rejection of an application and issuance of a return decision</u>	Article 35a Rejection of an application and issuance of a return decision	<u>Article 35a¹</u> <u>Rejection of an application and issuance of a return decision</u>	<i>Article 35a</i> <i>Rejection of an application and issuance of a return decision</i>
402b		<u>Where an application is rejected as inadmissible, unfounded or manifestly unfounded with regard to both refugee status and subsidiary protection status, or as implicitly or explicitly withdrawn, Member States shall issue a return decision that respects Directive XXX/XXX/EU [Return Directive]. The return decision shall be issued as part of the decision rejecting the application for international protection or, in a separate act. Where the return decision is issued as a separate act, it shall be issued at the same time and together with the decision</u>	Where an application is rejected as inadmissible, unfounded or manifestly unfounded with regard to both refugee status and subsidiary protection status, or as implicitly or explicitly withdrawn, Member States shall issue a return decision that respects Directive XXX/XXX/EU [Return Directive] [...], <i>provided that the applicant does not fulfil the conditions to apply for a residence permit or other authorisation offering a right to stay on compassionate, humanitarian or other grounds under the applicable national legal</i>	<u>Where an application is rejected as inadmissible, unfounded or manifestly unfounded with regard to both refugee status and subsidiary protection status, or as implicitly or explicitly withdrawn, Member States shall issue a return decision where required by Directive XXX/XXX/EU [Recast Return Directive] unless a return decision or another decision imposing the obligation to return has already been issued prior to the making of an application for international protection. The return decision shall be issued as part of the</u>	<i>Where an application is rejected as inadmissible, unfounded or manifestly unfounded with regard to both refugee status and subsidiary protection status, or as implicitly or explicitly withdrawn, Member States shall issue a return decision that respects Directive XXX/XXX/EU [Return Directive] [...], <i>provided that the applicant does not fulfil the conditions to apply for a residence permit or other authorisation offering a right to stay on compassionate, humanitarian or other</i></i>

¹ The inclusion of this provision is without prejudice to the position the Council will take in the light of the opinion of the Council Legal Service concerning Schengen relevance and variable geometry.

		<u>rejecting the application for international protection.</u>	<i>framework and that her or his return would not lead to a risk of a breach of the principle of non-refoulement, of other fundamental rights under the Charter of Fundamental Rights of the European Union (the ‘Charter’) and of other Union and international obligations. In the case of an accelerated procedure or a border procedure, where the return decision is issued as a separate act, it shall be issued at the same time and together with the decision rejecting the application for international protection or without undue delay thereafter.</i>	decision rejecting the application for international protection or, in a separate act. Where the return decision is issued as a separate act, it shall either be issued and notified together with the decision rejecting the application for international protection or without undue delay thereafter.	<i>grounds under the applicable national legal framework. If a return decision or another decision imposing the obligation to return has already been issued prior to the making of an application for international protection, the return decision under this Article is not required.</i> <i>In the case of an accelerated procedure or a border procedure, where the return decision is issued as a separate act, it shall be issued at the same time and together with the decision rejecting the application for international protection or without undue delay thereafter.</i>
Article 36					
403	Article 36 Decision on the admissibility of the application	Article 36 Decision on the admissibility of the application	Article 36 Decision on the admissibility of the application	Article 36 Decision on the inadmissibility of the application	Article 36 Decision on the [in/admissibility] of the application

Article 36(1)					
404	1. The determining authority shall assess the admissibility of an application, in accordance with the basic principles and guarantees provided for in Chapter II, and shall reject an application as inadmissible where any of the following grounds applies:	1. The determining authority shall assess the admissibility of an application, in accordance with the basic principles and guarantees provided for in Chapter II, and shall reject an application as inadmissible where any of the following grounds applies:	1. The determining authority may assess the admissibility of an application, in accordance with the basic principles and guarantees provided for in Chapter II, and may reject an application as inadmissible where any of the following grounds apply :	1.[...]	<i>1. The determining authority may assess the admissibility of an application, in accordance with the basic principles and guarantees provided for in Chapter II, and may reject an application as inadmissible where any of the following grounds applies:</i>
Article 36(1a)					
404a				1a. The determining authority may be authorised under national law to reject [...] the application as inadmissible where any of the following grounds applies:	
Article 36(1), point (a)					
405	(a) a country which is not a Member State is considered to be a first country of asylum for the applicant pursuant to Article 44, unless it is clear that the applicant will not be admitted or	(a) a country which is not a Member State is considered to be a first country of asylum for the applicant pursuant to Article 44, unless it is clear that the applicant will not be admitted or readmitted to that country;	(a) a country which is not a Member State is considered to be a first country of asylum for the applicant pursuant to Article 44, unless it is clear that the applicant will not be admitted or readmitted to that country;	(a) a country which is not a Member State is considered to be a first country of asylum for the applicant pursuant to Article 44, unless it is clear that the applicant will not be admitted or readmitted to that country;	<i>(a) a country which is not a Member State is considered to be a first country of asylum for the applicant pursuant to Article 44, unless it is clear that the applicant will not be admitted or readmitted to that country;</i>

	readmitted to that country;				
Article 36(1), point (b)					
406	(b) a country which is not a Member State is considered to be a safe third country for the applicant pursuant to Article 45, unless it is clear that the applicant will not be admitted or readmitted to that country;	(b) a country which is not a Member State is considered to be a safe third country for the applicant pursuant to Article 45, unless it is clear that the applicant will not be admitted or readmitted to that country;	(b) a country which is not a Member State is considered to be a safe third country for the applicant pursuant to Article 45, unless it is clear that the applicant will not be admitted or readmitted to that country;	(b) a country which is not a Member State is considered to be a safe third country for the applicant pursuant to Article 45, unless it is clear that the applicant will not be admitted or readmitted to that country;	<i>(b) a country which is not a Member State is considered to be a safe third country for the applicant pursuant to Article 45, unless it is clear that the applicant will not be admitted or readmitted to that country;</i>
Article 36(1), point (c)					
407	(c) the application is a subsequent application, where no new relevant elements or findings relating to the examination of whether the applicant qualifies as a beneficiary of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification	(c) the application is a subsequent application, where no new relevant elements or findings relating to the examination of whether the applicant qualifies as a beneficiary of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation) or relating to the inadmissibility ground previously applied, have arisen or have been presented by the applicant;	<i>deleted</i>	(c) [...]	

	Regulation) or relating to the inadmissibility ground previously applied, have arisen or have been presented by the applicant;				
			Article 36(1), point (d)		
408	(d) a spouse or partner or accompanied minor lodges an application after he or she had consented to have an application lodged on his or her behalf, and there are no facts relating to the situation of the spouse, partner or minor which justify a separate application.	(d) a spouse or partner or accompanied minor lodges an application after he or she had consented to have an application lodged on his or her behalf, and there are no facts relating to the situation of the spouse, partner or minor which justify a separate application.	(d) <i>an</i> accompanied minor lodges an application after he or she had consented to have an application lodged on his or her behalf <i>in accordance with Article 31(6)</i> and there are no facts relating to the situation of the minor which justify a separate application.	(d) [...]	
			Article 36(1), point (f)		
408a				(f) an international criminal court or tribunal has provided safe relocation for the applicant to a Member State or third country, or is unequivocally	

				undertaking actions to that extent, unless new relevant circumstances have arisen which have not been taken into account by the court or tribunal or where there was no legal possibility to raise circumstances relevant to internationally recognized human rights standards before that international criminal court or tribunal;	
			Article 36(1), point (g)		
408b				(g) the applicant, who is issued with a return decision in accordance with Article [...]8 of Directive 2008/115/EC, makes an application only after seven working days from the date on which the applicant receives the return decision and provided that he or she had been informed of the consequences of not making an application within that time-limit and that no new relevant elements have arisen since the end of that period.	
			Article 36(1aa)		
408c				1aa. The determining authority shall reject an	

				application as inadmissible where any of the following grounds applies:	
			Article 36(1aa), subpoint (a)		
408d				(a) the application is a subsequent application where no new relevant elements as referred to in Article 42 (2) and (3a) relating to the examination of whether the applicant qualifies as a beneficiary of international protection in accordance with Regulation (EU) No XXX/XXX [(Qualification Regulation)] or relating to the inadmissibility ground previously applied, have arisen or have been presented by the applicant;	
			Article 36(1aa), subpoint (b)		
408e				[...] (b) a Member State other than the Member State examining the application has granted the applicant international protection.;	<i>To be discussed with following line</i>
			Article 36(2)		
409	2. An application shall not be	2. An application shall not be examined on its merits in	2. An application shall not be examined on its merits in	2. [...]	<i>To be discussed with previous line</i>

	examined on its merits in the cases where an application is not examined in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation), including when another Member State has granted international protection to the applicant, or where an application is rejected as inadmissible in accordance with paragraph 1.	the cases where an application is not examined in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation), including when another Member State has granted international protection to the applicant, or where an application is rejected as inadmissible in accordance with paragraph 1.	the cases where an application is not examined in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation), including when another Member State has granted international protection to the applicant, or where an application is rejected as inadmissible in accordance with paragraph 1.		
Article 36(3)					
410	3. Paragraph 1(a) and (b) shall not apply to a beneficiary of subsidiary protection who has been resettled under an expedited procedure in accordance with Regulation (EU) No XXX/XXX (Resettlement Regulation).¹	3. Paragraph 1(a) and (b) shall not apply to a beneficiary of subsidiary protection who has been resettled under an expedited procedure in accordance with Regulation (EU) No XXX/XXX (Resettlement Regulation).¹ 1. OJ L [...], [...], p. [...].	<i>deleted</i>	3. [...]	

	1. OJ L [...], [...], p. [...].				
			Article 36(4)		
411	4. Where after examining an application in accordance with Article 3(3)(a) of Regulation (EU) No XXX/XXX (Dublin Regulation), the first Member State in which the application is lodged considers it to be admissible, the provision of paragraph 1(a) and (b) need not be applied again by the Member State responsible.	4. Where after examining an application in accordance with Article 3(3)(a) of Regulation (EU) No XXX/XXX (Dublin Regulation), the first Member State in which the application is lodged considers it to be admissible, the provision of paragraph 1(a) and (b) need not be applied again by the Member State responsible.	<i>deleted</i>	4. [...]	
			Article 36(5)		
412	5. Where the determining authority prima facie considers that an application may be rejected as manifestly unfounded, it shall not be obliged to	5. Where the determining authority prima facie considers that an application may be rejected as manifestly unfounded, it shall not be obliged to pronounce itself on the admissibility of the application.	<i>deleted</i>	5. [...]	

	pronounce itself on the admissibility of the application.				
			Article 37		
413	Article 37 Decision on the merits of an application	Article 37 Decision on the merits of an application	Article 37 Decision on the merits of an application	Article 37 Decision on the merits of an application	Article 37 Decision on the merits of an application
			Article 37(-1)		
413a				-1. An application shall not be examined on the merits where:	<i>To be further discussed</i>
			Article 37(-1), subpoints (a)		
413b				(a) another Member State is responsible in accordance with [Regulation (EU) No XXX/XXX (AMMR Regulation)];	
			Article 37(-1), subpoints (b)		
413c				(b an application is rejected as inadmissible in accordance with Article 36 <u>or</u>	
			Article 37(-1), subpoints (c)		
413d				(c) an application is explicitly or implicitly withdrawn; <u>this is without prejudice to Article 38(2), and Article 39(5b).</u>	

Article 37(1)					
414	1. When examining an application on the merits, the determining authority shall take a decision on whether the applicant qualifies as a refugee and, if not, it shall determine whether the applicant is eligible for subsidiary protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation).	1. When examining an application on the merits, the determining authority shall take a decision on whether the applicant qualifies as a refugee and, if not, it shall determine whether the applicant is eligible for subsidiary protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation).	1. When examining an application on the merits, the determining authority shall take a decision on whether the applicant qualifies as a refugee and, if not, it shall determine whether the applicant is eligible for subsidiary protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation).	1. When examining an application on the merits, the determining authority shall determine [...] whether the applicant qualifies as a refugee and, if not, it shall determine whether the applicant is eligible for subsidiary protection in accordance with Regulation (EU) No XXX/XXX [(Qualification Regulation)].	<i>1. When examining an application on the merits, the determining authority shall take a decision on whether the applicant qualifies as a refugee and, if not, it shall determine whether the applicant is eligible for subsidiary protection in accordance with Regulation (EU) No XXX/XXX [(Qualification Regulation)].</i>
Article 37(2)					
415	2. The determining authority shall reject an application as unfounded where it has established that the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX (Qualification Regulation).	2. The determining authority shall reject an application as unfounded where it has established that the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX (Qualification Regulation).	2. The determining authority shall reject an application as unfounded where it has established that the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX (Qualification Regulation).	2. The determining authority shall reject an application as unfounded where it has established that the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX [(Qualification Regulation)].	<i>2. The determining authority shall reject an application as unfounded where it has established that the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX [(Qualification Regulation)].</i>

Article 37(3)					
416	3. The determining authority shall declare an unfounded application to be manifestly unfounded in the cases referred to in Article 40(1)(a), (b), (c), (d) and (e).	3. The determining authority shall declare an unfounded application to be manifestly unfounded in the cases referred to in Article 40(1)(a), (b), (c), (d) and (e).	3. The determining authority may declare an unfounded application to be manifestly unfounded in the cases referred to in Article 40(1)(a), (b), (c), (d) and (e).	3. The determining authority [...] may be authorised under national law to declare an unfounded application to be manifestly unfounded, if at the time of the conclusion of examination, any of the circumstances [...] referred to in Article 40(1) and (5) [...] apply [...].	<i>3. The determining authority may declare an unfounded application to be manifestly unfounded if at the time of the conclusion of examination, any of the circumstances referred to in Article 40(1)(a), (b), (c), (d) and (e) apply.</i>
Article 38					
417	Article 38 Explicit withdrawal of applications	Article 38 Explicit withdrawal of applications	Article 38 Explicit withdrawal of applications	Article 38 Explicit withdrawal of applications	Article 38 Explicit withdrawal of applications
Article 38(1)					
418	1. An applicant may, of his or her own motion and at any time during the procedure, withdraw his or her application.	1. An applicant may, of his or her own motion and at any time during the procedure, withdraw his or her application.	1. An applicant may, of his or her own motion and at any time during the procedure, withdraw his or her application. <i>The determining authority shall ensure that the applicant understands all procedural consequences of such a withdrawal.</i>	1. An applicant may, of his or her own motion [...], withdraw his or her application. The application shall be withdrawn in writing by the applicant in person or delivered by his or her legal adviser in accordance with national law. [...]	<i>1. An applicant may, of his or her own motion and at any time during the procedure, withdraw his or her application. The application shall be withdrawn in writing by the applicant in person or delivered by his or her legal adviser in accordance with national law.</i>

			Article 38(1a)		
418a				1a. The competent authorities shall make sure that the applicant has been informed in accordance with Article 8(2)(c) of the consequences of that withdrawal in a language he or she understands or is reasonably supposed to understand.	<i>1a. The competent authorities shall make sure that the applicant has been informed in accordance with Article 8(2)(c) of <u>all procedural</u> consequences of <u>such a</u> withdrawal in a language he or she understands or is reasonably supposed to understand.</i>
			Article 38(1b)		
418b				1b. The competent authorities shall adopt a decision or an act, [...] declaring that the application has been explicitly withdrawn, which shall be final and shall not be subject to an appeal as referred to in Chapter V of this Regulation.	<i>To be discussed together with legal remedies.</i>
			Article 38(2)		
419	2. Where an application is explicitly withdrawn by the applicant, the determining authority shall take a	2. Where an application is explicitly withdrawn by the applicant, the determining authority shall take a decision to reject the application as explicitly	2. Where an application is explicitly withdrawn by the applicant, the determining authority shall take a decision to reject the application as explicitly	2. [...]Where at the stage that the application is explicitly withdrawn the determining authority already found that the applicant does not qualify	<i>2. Where at the stage that the application is explicitly withdrawn by the applicant the determining authority has already found that</i>

	decision to reject the application as explicitly withdrawn or as unfounded where the determining authority has, at the stage that the application is explicitly withdrawn, already found that the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX (Qualification Regulation).	withdrawn or as unfounded where the determining authority has, at the stage that the application is explicitly withdrawn, already found that the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX (Qualification Regulation).	withdrawn or as unfounded where the determining authority has, at the stage that the application is explicitly withdrawn, already found that the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX (Qualification Regulation).	for international protection pursuant to Regulation (EU) No XXX/XXX [(Qualification Regulation)], [...] it may take a decision to reject the application [...] as unfounded [...] or as manifestly unfounded.	<i>the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX (Qualification Regulation), it <u>[may/shall]</u> take a decision to reject the application as unfounded or manifestly unfounded.</i>
Article 39					
420	Article 39 Implicit withdrawal of applications	Article 39 Implicit withdrawal of applications	Article 39 Implicit withdrawal of applications	Article 39 Implicit withdrawal of applications	<i>Article 39 Implicit withdrawal of applications</i>
Article 39(1)					
421	1. The determining authority shall reject an application as abandoned where:	1. The determining authority shall reject an application as abandoned where:	1. The determining authority shall <i>discontinue the examination of</i> an application <i>for international protection</i> where:	1. The [...] competent authority shall adopt a decision or an act rejecting or declaring an application as [...] implicitly withdrawn where:	

			Article 39(1), point (a)		
422	(a) the applicant has not lodged his or her application in accordance with Article 28, despite having had an effective opportunity to do so;	(a) the applicant has not lodged his or her application in accordance with Article 28, despite having had an effective opportunity to do so;	(a) the applicant has not lodged his or her application in accordance with Article 28, despite having had an effective opportunity to do so;	(a) [...]	
			Article 39(1), point (b)		
423	(b) a spouse, partner or minor has not lodged his or her application after the applicant failed to lodge the application on his or her own behalf as referred to in Article 31(3) and (8);	(b) a spouse, partner or minor has not lodged his or her application after the applicant failed to lodge the application on his or her own behalf as referred to in Article 31(3) and (8);	<i>deleted</i>	(b) [...]	
			Article 39(1), point (ca)		
423a				(ca) the applicant refuses to cooperate by not providing his or her name, date of birth, nationality, biometric data or by not complying with any of the	

				obligations set out in Article 7(2)(aa);	
			Article 39(1), point (c)		
424	(c) the applicant refuses to cooperate by not providing the necessary details for the application to be examined and by not providing his or her fingerprints and facial image pursuant to Article 7(3);	(c) the applicant refuses to cooperate by not providing the necessary details for the application to be examined and by not providing his or her fingerprints and facial image pursuant to Article 7(3);	(c) the applicant refuses to cooperate by not providing the <i>information referred to in points (a) and (b) of Article 27(1), or</i> by not providing his or her <i>biometric data</i> pursuant to Article 7(3);	(c) [...] the application is, without due cause, not lodged in accordance with Article[...] 28 [...] ;	
			Article 39(1), point (cb)		
424a				(cb) the applicant refuses to provide his or her address unless housing is provided by competent authorities;	
424b				[...]	
424c				[...]	
			Article 39(1), point (d)		
425	(d) the applicant has not appeared for a personal interview although he was required to do so	(d) the applicant has not appeared for a personal interview although he was required to do so pursuant to Articles 10 to 12;	(d) the applicant has, on more than one occasion , not appeared for a personal interview although he or she was required to do so pursuant	(d) the applicant has, without justified cause , not [...] attended a personal interview although he or she was required to do so pursuant to Article[...] 12	

	pursuant to Articles 10 to 12;		to Articles 10, <i>11 and 12 unless he or she can demonstrate that his or her failure was due to circumstances beyond his or her control</i> ;	or without justified cause refused to respond to questions during the interview to the extent that the outcome of the interview is not sufficient to take a decision on the merits of the application;	
Article 39(1), point (e)					
426	(e) the applicant has abandoned his place of residence, without informing the competent authorities or without authorisation as provided for in Article 7(4);	(e) the applicant has abandoned his place of residence, without informing the competent authorities or without authorisation as provided for in Article 7(4);	<i>deleted</i>	(e) [...]	
Article 39(1), point (f)					
427	(f) the applicant has repeatedly not complied with reporting duties imposed on him or her in accordance with Article 7(5).	(f) the applicant has repeatedly not complied with reporting duties imposed on him or her in accordance with Article 7(5).	(f) the applicant has repeatedly not complied with reporting duties imposed on him or her in accordance with Article 7(5) <i>unless he or she can demonstrate that his or her failure was due to circumstances beyond his or her control</i> .	(f) [...]	
Article 39(1), point (h)					

427a				(h) the applicant does not remain available to the competent administrative or judicial authorities, such as by leaving for an unknown destination or leaving the territory of the Member State without authorisation from the competent authorities for reasons which are not beyond the applicant's control [...];	
				Article 39(1), point (i)	
427b				(i) the applicant has lodged the application in a Member State other than provided in [Article 9(1) and (2) of Regulation (EU) No XXX/XXX (AMMR Regulation)] [...] and does not remain present in that State pending the determination of the Member State responsible or the implementation of the transfer procedure, if applicable.	
				Article 39(2)	
428	2. In the circumstances referred to in paragraph 1, the determining	2. In the circumstances referred to in paragraph 1, the determining authority shall discontinue the examination of the	2. In the circumstances referred to in paragraph 1, the determining authority shall discontinue the examination of the	2. [...] [...]The competent authority may suspend the procedure to give the applicant the possibility for justification or	

	authority shall discontinue the examination of the application and send a written notice to the applicant at the place of residence or address referred to in Article 7(4), informing him or her that the examination of his or her application has been discontinued and that the application will be definitely rejected as abandoned unless the applicant reports to the determining authority within a period of one month from the date when the written notice is sent.	application and send a written notice to the applicant at the place of residence or address referred to in Article 7(4), informing him or her that the examination of his or her application has been discontinued and that the application will be definitely rejected as abandoned unless the applicant reports to the determining authority within a period of one month from the date when the written notice is sent.	application and send a written notice to the applicant at the place of residence, <i>address or email</i> address referred to in Article 7(4), informing him or her that the examination of his or her application has been discontinued and that the application will be definitely rejected as <i>implicitly withdrawn</i> unless the applicant <i>complies with the obligations set out in paragraph 1</i> within a period of <i>two months</i> from the date when the written notice is sent. <i>If applicable, a copy shall be sent to the legal representative.</i>	rectification before rejecting or declaring the application as implicitly withdrawn.	
			Article 39(3)		
429	3. Where the applicant reports to the determining authority within that one-month period and demonstrates that his or her failure was due to circumstances	3. Where the applicant reports to the determining authority within that one-month period and demonstrates that his or her failure was due to circumstances beyond his or her control, the determining authority shall resume the	3. Where the applicant <i>complies with the obligations set out in paragraph 1</i> within that <i>two-month</i> period, the determining authority shall resume the examination of the application. <i>The determining authority shall</i>	3.[...]	

	beyond his or her control, the determining authority shall resume the examination of the application.	examination of the application.	<i>not resume the examination of the application in accordance with paragraph 2 more than once, unless the applicant can demonstrate that his or her failure to respect an obligation was due to circumstances beyond his or her control. Otherwise, the application shall be rejected as implicitly withdrawn.</i>		
			Article 39(4)		
430	4. Where the applicant does not report to the determining authority within this one-month period and does not demonstrate that his or her failure was due to circumstances beyond his or her control, the determining authority shall consider that the application has been implicitly withdrawn.	4. Where the applicant does not report to the determining authority within this one-month period and does not demonstrate that his or her failure was due to circumstances beyond his or her control, the determining authority shall consider that the application has been implicitly withdrawn.	4. Where the applicant does not report to the determining authority within this <i>two-month</i> period, the determining authority shall <i>reject</i> the application <i>as</i> implicitly withdrawn.	4. [...]	
			Article 39(5)		
431					

	5. Where an application is implicitly withdrawn, the determining authority shall take a decision to reject the application as abandoned or as unfounded where the determining authority has, at the stage that the application is implicitly withdrawn, already found that the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX (Qualification Regulation).	5. Where an application is implicitly withdrawn, the determining authority shall take a decision to reject the application as abandoned or as unfounded where the determining authority has, at the stage that the application is implicitly withdrawn, already found that the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX (Qualification Regulation).	5. Where an application is implicitly withdrawn, the determining authority <i>may</i> take a decision to reject the application as unfounded where the determining authority has, at the stage that the application is implicitly withdrawn, already found that the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX (Qualification Regulation).	5. [...]	
			Article 39(5a)		
431a				5a. [...]	
			Article 39(5b)		
431b				5b. [...] An application may be rejected as unfounded or as manifestly unfounded where the determining authority has, at the stage that the application is	

				implicitly withdrawn, already found that the applicant does not qualify for international protection pursuant to Regulation (EU) No XXX/XXX [(Qualification Regulation)].	
			SECTION IV		
432	SECTION IV Special Procedures	SECTION IV Special Procedures	SECTION IV Special Procedures	SECTION IV Special Procedures	
			Article 40		
433	Article 40 Accelerated examination procedure	Article 40 Accelerated examination procedure	Article 40 Accelerated examination procedure	Article 40 Accelerated examination procedure	
			Article 40(1)		
434	1. The determining authority shall, in accordance with the basic principles and guarantees provided for in Chapter II, accelerate the examination on the merits of an application for international	1. The determining authority shall, in accordance with the basic principles and guarantees provided for in Chapter II, accelerate the examination on the merits of an application for international protection, in the cases where:	1. The determining authority shall, in accordance with the basic principles and guarantees provided for in Chapter II, accelerate the examination on the merits of an application for international protection, in the cases where:	1. Without prejudice to Article 20(3), [...] the determining authority shall, in accordance with the basic principles and guarantees provided for in Chapter II, accelerate the examination on the merits of an application for international protection, in the cases where:	

	protection, in the cases where:				
			Article 40(1), point (a)		
435	(a) the applicant, in submitting his or her application and presenting the facts, has only raised issues that are not relevant to the examination of whether he or she qualifies as a beneficiary of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation);	(a) the applicant, in submitting his or her application and presenting the facts, has only raised issues that are not relevant to the examination of whether he or she qualifies as a beneficiary of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation);	(a) the applicant, in submitting his or her application and presenting the facts, has only raised issues that are not relevant to the examination of whether he or she qualifies as a beneficiary of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation);	(a) the applicant, in [...] lodging his or her application and presenting the facts, has only raised issues that are not relevant to the examination of whether he or she qualifies as a beneficiary of international protection in accordance with Regulation (EU) No XXX/XXX [(Qualification Regulation)];	
			Article 40(1), point (b)		
436	(b) the applicant has made clearly inconsistent and contradictory, clearly false or obviously improbable representations which contradict sufficiently verified	(b) the applicant has made clearly inconsistent and contradictory, clearly false or obviously improbable representations which contradict sufficiently verified country of origin information, thus making his or her claim clearly unconvincing in relation to	(b) the applicant has made clearly inconsistent and contradictory or clearly false representations which contradict sufficiently verified country of origin information, thus making his or her claim clearly unconvincing in relation to whether he or she qualifies	(b) the applicant has made clearly [...], inconsistent [...] or contradictory, clearly false or obviously improbable representations, or representations which contradict [...] relevant and available country of origin information, thus making his or her claim	

	country of origin information, thus making his or her claim clearly unconvincing in relation to whether he or she qualifies as a beneficiary of international protection by virtue of Regulation (EU) No XXX/XXX (Qualification Regulation);	whether he or she qualifies as a beneficiary of international protection by virtue of Regulation (EU) No XXX/XXX (Qualification Regulation);	as a beneficiary of international protection by virtue of Regulation (EU) No XXX/XXX (Qualification Regulation);	clearly unconvincing [...]as to whether he or she qualifies as a beneficiary of international protection by virtue of Regulation (EU) No XXX/XXX [(Qualification Regulation)];	
Article 40(1), point (c)					
437	(c) the applicant has misled the authorities by presenting false information or documents or by withholding relevant information or documents with respect to his or her identity or nationality that could have had a negative impact on the decision;	(c) the applicant has misled the authorities by presenting false information or documents or by withholding relevant information or documents with respect to his or her identity or nationality that could have had a negative impact on the decision;	(c) the applicant has misled the authorities by presenting false information or documents or by withholding relevant information or documents with respect to his or her identity or nationality that could have had a negative impact on the decision;	(c) the applicant has misled the authorities by presenting false information or documents or by withholding relevant information or documents, particularly with respect to his or her identity or nationality or he or she has destroyed or disposed of an identity or travel document in order to prevent the establishment of his or her identity or nationality or if the circumstances clearly give reason to believe that this is the case [...] ;	

Article 40(1), point (d)					
438	(d) the applicant is making an application merely to delay or frustrate the enforcement of an earlier or imminent decision resulting in his or her removal from the territory of a Member State;	(d) the applicant is making an application merely to delay or frustrate the enforcement of an earlier or imminent decision resulting in his or her removal from the territory of a Member State;	(d) the applicant is making an application <i>solely in order</i> to delay, frustrate <i>or prevent</i> the enforcement of an earlier or imminent decision resulting in his or her removal from the territory of a Member State;	(d) the applicant [...] makes an application merely to delay or frustrate the enforcement of [...] a decision [...] for his or her removal from the territory of a Member State;	
Article 40(1), point (e)					
439	(e) a third country may be considered as a safe country of origin for the applicant within the meaning of this Regulation;	(e) a third country may be considered as a safe country of origin for the applicant within the meaning of this Regulation;	(e) a third country may be considered as a safe country of origin for the applicant within the meaning of this Regulation, <i>provided that adequate support for the purpose of Article 19 can be provided within the framework of such a procedure;</i>	(e) a third country may be considered as a safe country of origin for the applicant within the meaning of this Regulation;	
Article 40(1), point (f)					
440	(f) the applicant may, for serious reasons, be considered a danger to the national security or public	(f) the applicant may, for serious reasons, be considered a danger to the national security or public order of the Member States;	(f) the applicant may, for serious reasons, be considered a danger to the national security or public order of the Member States <i>following the procedure set out in Article XXX of</i>	(f) [...] there are reasonable grounds to consider the applicant as a danger to the national security or public order of the Member States, or the applicant had been	

	order of the Member States;		<i>Regulation (EU) XXX/XXX (Dublin Regulation);</i>	forcibly expelled for serious reasons of national security or public order under national law;	
			Article 40(1), point (g)		
441	(g) the applicant does not comply with the obligations set out in Article 4(1) and Article 20(3) of Regulation (EU) No XXX/XXX (Dublin Regulation), unless he or she demonstrates that his or her failure was due to circumstances beyond his or her control;	(g) the applicant does not comply with the obligations set out in Article 4(1) and Article 20(3) of Regulation (EU) No XXX/XXX (Dublin Regulation), unless he or she demonstrates that his or her failure was due to circumstances beyond his or her control;	<i>deleted</i>	(g) [...]	
			Article 40(1), point (h)		
442	(h) the application is a subsequent application, where the application is so clearly without substance or abusive that it has no tangible prospect of success.	(h) the application is a subsequent application, where the application is so clearly without substance or abusive that it has no tangible prospect of success.	<i>deleted</i>	(h) the application is a subsequent application which is not inadmissible [...] ;	
			Article 40(1), point (ha)		

442a				(ha) the applicant entered the territory of a Member States unlawfully or prolonged his or her stay unlawfully and, without good reason, has either not presented himself or herself to the competent authorities or not made an application for international protection as soon as possible, <u>given the circumstances of his or her entry</u> ;	
Article 40(1), point (hb)					
442b				(hb) the applicant entered the territory of a Member State lawfully, and without good reason has not made an application for international protection as soon as possible, <u>given the grounds of his or her application; this is without prejudice to the need of international protection arising <i>sur place</i></u> ;	
Article 40(1), point (i)					
442c		<u>(i) the applicant is of a nationality or, in the case of stateless persons, a former habitual resident of a third country for which the</u>	(i) the applicant is of a nationality or, in the case of stateless persons, a former habitual resident of a third country for which the	(i) the applicant is of a nationality or, in the case of stateless persons, a former habitual resident of a third country for	

		<u>proportion of decisions by the determining authority granting international protection is, according to the latest available yearly Union-wide average Eurostat data, 20% or lower, unless a significant change has occurred in the third country concerned since the publication of the relevant Eurostat data or the applicant belongs to a category of persons for whom the proportion of 20% or lower cannot be considered as representative for their protection needs;</u>	proportion of <i>final</i> decisions by the determining authority granting international protection is, according to the latest available yearly Union-wide average Eurostat data, 20% or lower, unless a significant change has occurred in the third country concerned since the publication of the relevant Eurostat data or the applicant belongs to a category of persons for whom the proportion of 20% or lower cannot be considered as representative for their protection needs. <i>Where the European Union Agency for Asylum has provided a guidance note on a country of origin in accordance with Article 11 of Regulation (EU) 2021/2303 showing that a significant change has occurred in the third country concerned since the publication of the relevant Eurostat data, Member States shall use that guidance note as a reference for the application of this point;</i>	which the proportion of decisions by the determining authority granting international protection is, according to the latest available yearly Union-wide average Eurostat data, 20% or lower, unless the determining authority assesses that a significant change has occurred in the third country concerned since the publication of the relevant Eurostat data or that the applicant belongs to a category of persons for whom the proportion of 20% or lower cannot be considered as representative for their protection needs;	
			Article 40(2)		
443					

	2. The determining authority shall conclude the accelerated examination procedure within two months from the lodging of the application. By way of exception, in the cases set out in paragraph (1)(d), the determining authority shall conclude the accelerated examination procedure within eight working days.	2. The determining authority shall conclude the accelerated examination procedure within two months from the lodging of the application. By way of exception, in the cases set out in paragraph (1)(d), the determining authority shall conclude the accelerated examination procedure within eight working days.	2. The determining authority shall conclude the accelerated examination procedure within two months from the lodging of the application. By way of exception, in the cases set out in paragraph (1)(d), the determining authority shall conclude the accelerated examination procedure within eight working days.	2. [...] [...]	
Article 40(3)					
444	3. Where an application is subject to the procedure laid down in Regulation (EU) No XXX/XXX (Dublin Regulation), the time-limits referred to in paragraph 2 shall start to run from the moment the Member State responsible is determined in accordance with that Regulation, the	3. Where an application is subject to the procedure laid down in Regulation (EU) No XXX/XXX (Dublin Regulation), the time-limits referred to in paragraph 2 shall start to run from the moment the Member State responsible is determined in accordance with that Regulation, the applicant is on the territory of that Member State and he or she has been taken in charge in accordance with Regulation	3. Where an application is subject to the procedure laid down in Regulation (EU) No XXX/XXX (Dublin Regulation), the time-limits referred to in paragraph 2 shall start to run from the moment the Member State responsible is determined in accordance with that Regulation, the applicant is on the territory of that Member State and he or she has been taken in charge in accordance with	3.[...]	

	applicant is on the territory of that Member State and he or she has been taken in charge in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation).	(EU) No XXX/XXX (Dublin Regulation).	Regulation (EU) No XXX/XXX (Dublin Regulation).		
Article 40(4)					
445	4. Where the determining authority considers that the examination of the application involves issues of fact or law that are complex to be examined under an accelerated examination procedure, it may continue the examination on the merits in accordance with Articles 34 and 37. In that case, or where otherwise a decision cannot be taken within the time-limits referred to in paragraph 2, the applicant concerned shall be informed of the	4. Where the determining authority considers that the examination of the application involves issues of fact or law that are complex to be examined under an accelerated examination procedure, it may continue the examination on the merits in accordance with Articles 34 and 37. In that case, or where otherwise a decision cannot be taken within the time-limits referred to in paragraph 2, the applicant concerned shall be informed of the change in the procedure.	4. Where the determining authority considers that the examination of the application involves issues of fact or law that are <i>too</i> complex to be examined under an accelerated examination procedure <i>where a decision cannot be taken within the time limit referred to in paragraph 2 of this Article, it shall</i> continue the examination on the merits in accordance with Articles 34 and 37. In that case, the applicant concerned shall be informed of the change in the procedure.	4. Where the determining authority considers that the examination of the application involves issues of fact or law that are complex to be examined under an accelerated examination procedure, it may continue the examination on the merits in accordance with Articles 34(2) and 37. [...]	

	change in the procedure.				
			Article 40(5)		
446	5. The accelerated examination procedure may be applied to unaccompanied minors only where:	5. The accelerated examination procedure may be applied to unaccompanied minors only where:	5. The accelerated examination procedure may be applied to unaccompanied minors only where:	5. The accelerated examination procedure may be applied to unaccompanied minors only where:	
			Article 40(5), point (a)		
447	(a) the applicant comes from a third country considered to be a safe country of origin in accordance with the conditions set out in Article 47;	(a) the applicant comes from a third country considered to be a safe country of origin in accordance with the conditions set out in Article 47;	<i>deleted</i>	(a) the applicant comes from a third country that may be considered to be a safe country of origin in accordance [...] within the meaning of this Regulation;	
			Article 40(5), point (b)		
448	(b) the applicant may for serious reasons be considered to be a danger to the national security or public order of the Member State, or the applicant has been forcibly expelled for	(b) the applicant may for serious reasons be considered to be a danger to the national security or public order of the Member State, or the applicant has been forcibly expelled for serious reasons of public security or public order under national law.	(b) the applicant may for serious reasons be considered to be a danger to the national security or public order of the Member State, or the applicant has been forcibly expelled for serious reasons of public security or public order under national law.	(b) there are reasonable grounds to consider the applicant [...] as a danger to the national security or public order of the Member State, or the applicant had [...] been forcibly expelled for serious reasons of [...] national security or	

	serious reasons of public security or public order under national law.			public order under national law[...];	
			Article 40(5), point (ba)		
448a				(ba) the application is a subsequent application which is not inadmissible;	
			Article 40(5), point (baa)		
448b				(baa) the applicant has misled the authorities by presenting false information or documents or by withholding relevant information or documents, particularly with respect to his or her identity or nationality or he or she has destroyed or disposed of an identity or travel document in order to prevent the establishment of his or her identity or nationality or if the circumstances clearly give reason to believe that this is the case [...]; or	
			Article 40(5), point (c)		
448c		<i><u>(c) the applicant is of a nationality or, in the case of stateless persons, a former habitual residence of a third country for which the</u></i>	(c) the applicant is of a nationality or, in the case of stateless persons, a former habitual residence of a third country for which the	(c) the applicant is of a nationality or, in the case of stateless persons, a former habitual residence of a third country for	

		<u>proportion of decisions granting international protection by the determining authority is, according to the latest available yearly Union-wide average Eurostat data, 20% or lower, unless a significant change has occurred in the third country concerned since the publication of the relevant Eurostat data or the applicant belongs to a category of persons for whom the proportion of 20% or lower cannot be considered as representative for their protection needs;</u>	proportion of decisions granting international protection by the determining authority is, according to the latest available yearly Union-wide average Eurostat data, 10% or lower, unless a significant change has occurred in the third country concerned since the publication of the relevant Eurostat data or the applicant belongs to a category of persons for whom the proportion of 10% or lower cannot be considered as representative for their protection needs. <i>Where the European Union Agency for Asylum has provided a guidance note on a country of origin in accordance with Article 11 of Regulation (EU) 2021/2303 showing that a significant change has occurred in the third country concerned since the publication of the relevant Eurostat data, Member States shall use that guidance note as a reference for the application of this point;</i>	which the proportion of decisions granting international protection by the determining authority is, according to the latest available yearly Union-wide average Eurostat data, 20% or lower, unless the determining authority assesses a significant change has occurred in the third country concerned since the publication of the relevant Eurostat data or that the applicant belongs to a category of persons for whom the proportion of 20% or lower cannot be considered as representative for their protection needs;	
		Article 40(5), point (d), first paragraph			

448d				(d) [...]	
Article 40(5), point (d), second paragraph					
448e				Point (baa) shall only be applied where there are serious grounds for considering that the applicant is attempting to conceal relevant elements [...]after he or she has been given an effective opportunity to provide substantiated justifications [...].	
Article 41					
449	Article 41 Border procedure	Article 41 Border procedure <u>for the examination of applications for international protection</u>	Article 41 Border procedure for the examination of applications for international protection	Article 41 <i>Conditions for the asylum border procedure [...]</i>	
Article 41(1)					
450	1. The determining authority may, in accordance with the basic principles and guarantees provided for in Chapter II, take a decision on an application at the border or in transit	1. <u>Following the screening procedure carried out</u> The determining authority may, in accordance with <u>Regulation (EU) No XXX/XXX [Screening Regulation], and provided that the applicant has not yet been authorised to enter</u>	1. Following the screening procedure carried out in accordance with Regulation (EU) No XXX/XXX [Screening Regulation], <i>where applicable</i> and provided that the applicant has not yet been authorised to enter Member States'	1. Following the screening carried out in accordance with Regulation (EU) No XXX/XXX [Screening Regulation], in order to apply Article 36 or if any of the circumstances listed in Article 40(1)(a)–(h) and	

	zones of the Member State on:	<u>Member States' territory, a Member State may examine</u> the basic principles and guarantees provided for in Chapter II, take a decision on an application at the <u>in a border procedure where that application has been made by a third-country national or stateless person who does not fulfil the conditions for entry in the territory of a</u> or <u>as set out in Article 6 of Regulation (EU) 2016/399. The border procedure may take place:</u>	territory, a Member State may examine an application in a border procedure where that application has been made by a third-country national or stateless person who does not fulfil the conditions for entry in the territory of a Member State as set out in Article 6 of Regulation (EU) 2016/399. The border procedure may take place:	(i) and (5)(b) applies and provided that the applicant has not yet been authorised to enter Member States' territory, a Member State may, in accordance with the basic principles and guarantees of Chapter II, examine an application in a border procedure where that application has been made by a third-country national or stateless person who does not fulfil the conditions for entry in the territory of a Member State as set out in Article 6 of Regulation (EU) 2016/399. The border procedure may take place:	
			Article 41(1), point (a)		
451	(a) the admissibility of an application made at such locations pursuant to Article 36(1); or	(a) the admissibility of <u>following</u> an application made at such locations pursuant to Article 36(1); or <u>an external border crossing point or in a transit zone;</u>	(a) following an application made at an external border crossing point or in a transit zone;	(a) following an application made at an external border crossing point or in a transit zone;	
			Article 41(1), point (b)		
452					

	(b) the merits of an application in the cases subject to the accelerated examination procedure referred to in Article 40.	(b) the merits of an application in the cases subject to the accelerated examination procedure referred to in Article 40. <u>following apprehension in connection with an unauthorised crossing of the external border;</u>	(b) following the <i>apprehension of that third-country national or stateless person by the competent authorities in the territory of a Member State</i> in direct connection with an <i>irregular</i> crossing of the external border;	(b) following apprehension in connection with an unauthorised crossing of the external border;	
Article 41(1), point (c)					
452a		<u>(c) following disembarkation in the territory of a Member State after a search and rescue operation;</u>	(c) following disembarkation in the territory of a Member State after a search and rescue operation;	(c) following disembarkation in the territory of a Member State after a search and rescue operation;	
Article 41(1), point (d)					
452b		<u>(d) following relocation in accordance with Article [X] of Regulation (EU) No XXX/XXX [Ex Dublin Regulation].</u>	(d) following relocation in accordance with Article [X] of Regulation (EU) No XXX/XXX [Regulation on Asylum and Migration Management].	(d) following a transfer pursuant to Article [57(9)] of Regulation (EU) No XXX/XXX [...] Regulation on Asylum and Migration Management].	
Article 41(2)					
453	2. A decision referred to in paragraph 1 shall be taken as soon as possible without prejudice to an	2. A decision referred to in paragraph 1 shall be taken as soon as possible without prejudice to an adequate and complete examination of the application, and not longer	2. Where a border procedure is applied, decisions may be taken on the following:	2. Applicants subject to the border procedure shall not be authorised to enter the territory of a Member State, without prejudice to [...] Articles	

	adequate and complete examination of the application, and not longer than four weeks from when the application is lodged.	than four weeks from when the application is lodged. <u>Where a border procedure is applied, decisions may be taken on the following:</u>		41c(2) and 41e(2). Member States shall take all appropriate measures in accordance with Directive XXX/XXX/EU [Recast Reception Conditions Directive] to prevent unauthorised entry into their territory.	
		Article 41 (2) point (a)			
453a		<u>(a) the inadmissibility of an application in accordance with Article 36;</u>	(a) the inadmissibility of an application in accordance with Article 36;	(a) [...] See 41(a)(a)	
		Article 41(2) point (b)			
453b		<u>(b) the merits of an application in an accelerated examination procedure in the cases referred to in Article 40(1).</u>	(b) the merits of an application in an accelerated examination procedure in the cases referred to in Article 40(1), <i>including where the applicant could be considered, for serious reasons, a threat to internal security, and in full compliance with paragraph 11 of this Article.</i>	(b) [...] See 41(a)(b)	
		Article 41(3)			
454			<i>deleted</i>		

	3. Where a final decision is not taken within four weeks referred to in paragraph 2, the applicant shall no longer be kept at the border or transit zones and shall be granted entry to the territory of the Member State for his or her application to be processed in accordance with the other provisions of this Regulation.	3. Where a final decision is not taken within four weeks referred to in paragraph 2, the applicant Member State shall no longer be kept at the examine an application in a border or transit zones and shall be granted entry to the territory of the Member State for his or her application to be processed in accordance with the other provisions of this Regulation procedure in the cases referred to in paragraph 1 where the circumstances referred to in Article 40(1), point (c), (f) or (i), apply.		3. By way of derogation from [...]Article 41c(2) last sentence of the first subparagraph, the applicant shall not be authorised to enter the Member State's territory where:	
			Article 41(3), subpoint (a)		
454a				(a) the applicant's right to remain in accordance with Article 9(3), points (a) or (bb) has been revoked;	
			Article 41(3), subpoint (b)		
454b				(b) the applicant has no right to remain in accordance with Article 54 and has not requested to be allowed to remain for the purposes of an appeal procedure within the applicable time-limit;	
			Article 41(3), subpoint (c), first paragraph		

454c				(c) the applicant has no right to remain in accordance with Article 54 and a court or tribunal has decided that the applicant is not to be allowed to remain pending the outcome of an appeal procedure.	
				Article 41(3), subpoint (c), second paragraph	
454d				In such cases, where the applicant has been subject to a return decision issued in accordance with the Directive XXX/XXX/EU [Return Directive] or a refusal of entry in accordance with Article 14 of Regulation (EU) 2016/399, Article 41g shall apply.	
				Article 41(3a), first subparagraph	
454e				<i>3a. Member States shall not apply or shall cease to apply the border procedure at any stage of the procedure where:</i>	
				Article 41(3a), first subparagraph, point (a)	
454f				<i>(a) the determining authority considers that the grounds for rejecting an application as inadmissible or for applying the accelerated examination</i>	

			<i>procedure are not applicable or are no longer applicable;</i>		
			Article 41(3a), first subparagraph, point (b)		
454g			<i>(b) the applicant is an unaccompanied minor;</i>		
			Article 41(3a), first subparagraph, point (c)		
454h			<i>(c) the applicant is a minor below the age of 12 or a family member of such a minor or an unmarried minor sibling of such a minor;</i>		
			Article 41(3a), first subparagraph, point (d)		
454i			<i>(d) the applicant has been identified as a vulnerable person or as a person with special procedural or reception needs and the necessary support cannot be provided in the locations referred to in paragraph 14;</i>		
			Article 41(3a), first subparagraph, point (e)		
454j			<i>(e) there are medical reasons for not applying the border procedure, including mental health reasons;</i>		
			Article 41(3a), first subparagraph, point (f)		
454k			<i>(f) the guarantees and conditions for detention as provided for in Articles 8 to</i>		

			<i>11 of Directive XXX/XXX/EU [Reception Conditions Directive] are not met or are no longer met and the border procedure cannot be applied to the applicant concerned without detention.</i>		
			Article 41(3a), second subparagraph		
454l			<i>In the cases referred to in the first subparagraph, the competent authority shall authorise the applicant to enter the territory of the Member State and apply the appropriate asylum procedure.</i>		
			Article 41(3a), third subparagraph		
454m			<i>For the purpose of applying point (c) of the first subparagraph, Member States shall not carry out a medical examination. Where the result of an age assessment is not conclusive, or includes an age-range below the age of 12, Member States shall assume that the minor is below the age of 12.</i>		
			Article 41(3b), first subparagraph		

454n			<i>3b. Member States shall regularly monitor the application of paragraph 3a. Member States may request support from Union agencies for that purpose.</i>		
Article 41(3b), second subparagraph					
454o			<i>The Commission shall regularly assess the application of this paragraph, with the support of the European Union Agency for Asylum, and shall report the conclusions of its assessments to the European Parliament and to the Council on a yearly basis.</i>		
Article 41(4)					
455	4. In the event of arrivals involving a disproportionate number of third-country nationals or stateless persons lodging applications for international protection at the border or in a transit zone, making it difficult in practice to apply the provisions of	4. In the event of arrivals involving a disproportionate number of third-country <u>4. Member State may decide not to apply paragraph 3 to nationals or stateless persons lodging applications for international protection at the border or in a transit zone, making it difficult in practice to who are habitual residents of third countries for which that Member State has submitted a notification</u>	4. A Member State <i>shall</i> not apply paragraph 1 to nationals or stateless persons who are habitual residents of third countries for which that Member State has submitted a notification to the Commission in accordance with Article 25a(3) of Regulation (EC) No 810/2009. Where, following the examination carried out in	4. [...] See Art 27(3)	

	paragraph 1 at such locations, the border procedure may also be applied at locations in proximity to the border or transit zone.	<u>to the Commission in accordance with Article 25a(3) of Regulation (EC) No 810/2009.</u> <u>Where, following the examination carried out in accordance with Article 25a(4) of Regulation (EC) No 810/2009, the Commission considers that the third country is cooperating sufficiently, the Member State shall again</u> <u>apply the provisions of paragraph 1 at such locations, the border procedure may also be applied at locations in proximity to the border or transit zone.</u> <u>3. Where the Commission considers that the third country concerned is not cooperating sufficiently, the Member State may continue not to apply paragraph 3:</u>	accordance with Article 25a(4) of Regulation (EC) No 810/2009, the Commission considers that the third country is cooperating sufficiently, the Member State may again apply the provisions of paragraph 1. Where the Commission considers that the third country concerned is not cooperating sufficiently, the Member State shall continue not to apply paragraph 1:		
		Article 41(4), point (a)			
455a		<u>(a) until an implementing act previously adopted by the Council in accordance with Article 25a(5) of Regulation (EC) No 810/2009 is repealed or amended;</u>	(a) until an implementing act previously adopted by the Council in accordance with Article 25a(5) of Regulation (EC) No 810/2009 is repealed or amended;	(a) [...]	

		Article 41(4) point (b)			
455b		<u>(b) where the Commission does not consider that action is needed in accordance with Article 25a of Regulation (EC) No 810/2009, until the Commission reports in its assessment carried out in accordance with paragraph 2 of that Article that there are substantive changes in the cooperation of the third country concerned.</u>	(b) where the Commission does not consider that action is needed in accordance with Article 25a of Regulation (EC) No 810/2009, until the Commission reports in its assessment carried out in accordance with paragraph 2 of that Article that there are substantive changes in the cooperation of the third country concerned.	(b) [...]	
		Article 41(5)			
456	5. The border procedure may be applied to unaccompanied minors, in accordance with Articles 8 to 11 of Directive (EU) No XXX/XXX (Reception Conditions Directive) only where:	5. The border procedure may <u>only</u> be applied to unaccompanied minors, in accordance with Articles 8 to 11 of Directive (EU) No XXX/XXX (Reception Conditions Directive) only where: <u>and to minors below the age of 12 and their family members in the cases referred to in Article 40(5) (b).</u>	<i>deleted</i>	5. [...] See 41e.1	
		Article 41(5), first subparagraph, point (a)			
457	(a) the applicant comes from a third	(a) the applicant comes from a third country considered to		(a) [...] See 40(5)a	

	country considered to be a safe country of origin in accordance with the conditions set out in Article 47;	be a safe country of origin in accordance with the conditions set out in Article 47;			
Article 41(5), first subparagraph, point (b)					
458	(b) the applicant may for serious reasons be considered to be a danger to the national security or public order of the Member State, or the applicant has been forcibly expelled for serious reasons of public security or public order under national law;	(b) the applicant may for serious reasons be considered to be a danger to the national security or public order of the Member State, or the applicant has been forcibly expelled for serious reasons of public security or public order under national law;		(b) [...]See 40(5)b	
Article 41(5), first subparagraph, point (c)					
459	(c) there are reasonable grounds to consider that a third country is a safe third country for the applicant in accordance with the conditions of Article 45;	(c) there are reasonable grounds to consider that a third country is a safe third country for the applicant in accordance with the conditions of Article 45;		(c) [...]	

Article 41(5), first subparagraph, point (d)					
460	(d) the applicant has misled the authorities by presenting false information or documents or by withholding relevant information or documents with respect to his or her identity or nationality that could have had a negative impact on the decision.	(d) the applicant has misled the authorities by presenting false information or documents or by withholding relevant information or documents with respect to his or her identity or nationality that could have had a negative impact on the decision.		(d) [...] See 40(5)baa	
Article 41(5), second subparagraph					
461	Point (d) shall only be applied where there are serious grounds for considering that the applicant is attempting to conceal relevant elements which would likely lead to a decision refusing to grant international protection and provided that the applicant has been given an effective opportunity to	Point (d) shall only be applied where there are serious grounds for considering that the applicant is attempting to conceal relevant elements which would likely lead to a decision refusing to grant international protection and provided that the applicant has been given an effective opportunity to provide substantiated justifications for his actions.		[...] See 40(5)d	

	provide substantiated justifications for his actions.				
			Article 41(6)		
461a		<u>6. Applicants subject to the border procedure shall not be authorised to enter the territory of the Member State, without prejudice to paragraphs 9 and 11.</u>	6. Applicants subject to the border procedure shall not be authorised to enter the territory of the Member State, without prejudice to paragraphs 3a and 11.	6. [...] See 41(2)	
			Article 41(6a), first subparagraph		
461b			<i>6a. Any restriction of an applicant's freedom of movement or any application of detention as part of the border procedure shall be in accordance with Directive XXX/XXX/EU [Reception Conditions Directive recast]. Minors shall, as a rule, not be detained in accordance with Article 11(2) of that Directive.</i>		
			Article 41(6a), second subparagraph		
461c			<i>By ... [six months after the date of entry into force of this Regulation], the European Union Agency for Asylum shall, in accordance with Article</i>		

			<i>13(2) of Regulation (EU) 2021/2303, develop guidelines on different practices as regards alternatives to detention that could be used in the context of a border procedure.</i>		
			Article 41(6a), third subparagraph		
461d			<i>By ... [18 months after the date of entry into force of this Regulation], the Commission shall evaluate the application of this paragraph.</i>		
			Article 41(7)		
461e		<u><i>7. When applying the border procedure, Member States may carry out the procedure for determining the Member State responsible for examining the application as laid down in Regulation (EU) No XXX/XXX [Regulation on Asylum and Migration Management], without prejudice to the deadlines established in paragraph 11</i></u>	7. When applying the border procedure, Member States <i>shall</i> carry out the procedure for determining the Member State responsible for examining the application as laid down in Regulation (EU) No XXX/XXX [Regulation on Asylum and Migration Management], without prejudice to the deadlines established in paragraph 11.	7. [...] See 41d1	
			Article 41(8)		
461f		<u><i>8. Where the conditions for applying the border</i></u>	8. Where the conditions for applying the border	8. [...] See Art 41d.2	

		<u>procedure are met in the Member State from which the applicant is relocated, a border procedure may be applied by the Member State to which the applicant is relocated in accordance with Article [x] of Regulation EU (No) XXX/XXX [Regulation on Asylum and Migration Management], including in the cases referred to in paragraph 1, point (d).</u>	procedure are met in the Member State from which the applicant is relocated, and in the Member State to which the applicant is relocated in accordance with Article 57 of Regulation EU (No) XXX/XXX [Regulation on Asylum and Migration Management], a border procedure may be applied by the Member State to which the applicant is relocated, including in the cases referred to in paragraph 1, point (d).		
			Article 41(8a)		
461g			<i>8a. Where the conditions for applying the border procedure are met in the Member State from which the applicant is transferred and in the Member State to which the applicant is transferred in accordance with Article 35 of Regulation EU (No) XXX/XXX [Regulation on Asylum and Migration Management], a border procedure may be applied by the Member State to which the applicant is transferred.</i>		
			Article 41(9)		

461h		<u>9. Member States shall not apply or shall cease to apply the border procedure at any stage of the procedure where:</u>	<i>deleted</i>	9. [...] See 41(e)2	
			Article 41(9), point (a)		
461i		<u>(a) the determining authority considers that the grounds for rejecting an application as inadmissible or for applying the accelerated examination procedure are not applicable or no longer applicable;</u>	<i>deleted</i>	(a). [...]	
			Article 41(9), point (b)		
461j		<u>(b) the necessary support cannot be provided to applicants with special procedural needs in the locations referred to in paragraph 14;</u>	<i>deleted</i>	(b). [...]	
			Article 41(9), point (c)		
461k		<u>(c) there are medical reasons for not applying the border procedure,;</u>	<i>deleted</i>	(c). [...]	
			Article 41(9), point (d)		

4611		<u>(d) detention is used in individual cases and the guarantees and conditions for detention as provided for in Articles 8 to 11 of Directive XXX/XXX/EU [Reception Conditions Directive] are not met or no longer met and the border procedure cannot be applied to the applicant concerned without detention. In such cases, the competent authority shall authorise the applicant to enter the territory of the Member State.</u>	deleted	(d). [...]	
Article 41(10)					
461m		<u>10. By way of derogation from Article 28 of this Regulation, applications subject to a border procedure shall be lodged no later than five days from registration for the first time or, following a relocation in accordance with Article [x] of Regulation EU (No) XXX/XXX [Regulation on Asylum and Migration Management], five days from when the applicant arrives in the Member State responsible following a</u>	10. By way of derogation from Article 28 of this Regulation, applications subject to a border procedure shall be lodged no later than five working days from registration for the first time or, following a relocation in accordance with Article [x] of Regulation EU (No) XXX/XXX [Regulation on Asylum and Migration Management], five working days from when the applicant arrives in the	10. [...] See 41c (1)	

		<u>transfer pursuant to Article 56(1), point (e), of that Regulation.</u>	Member State responsible following a transfer pursuant to Article 56(1), point (e), of that Regulation, <i>provided that she or he is given an effective opportunity to do so within those time-limits.</i>		
			Article 41(11)		
461n		<u>11. The border procedure shall be as short as possible while at the same time enabling a complete and fair examination of the claims. It shall encompass the decision referred to in paragraph 2 and 3 and any decision on an appeal if applicable and shall be completed within 12 weeks from when the application is registered. Following that period, the applicant shall be authorised to enter the Member State's territory except when Article 41a(1) is applicable. By way of derogation from the time limits set in Articles 34, 40(2) and 55, Member States shall lay down provisions on the duration of the examination procedure and of the appeal procedure which ensure</u>	11. The border procedure shall be as short as possible while at the same time enabling a complete and fair examination of the claims. It shall encompass the decision referred to in paragraph 2 and any decision on an appeal if applicable and shall be completed within 12 weeks from when the application is registered, <i>including where the border procedure is applied in another Member State following a relocation in accordance with paragraph 8 or a transfer in accordance with paragraph 8a. Where, following that period, the first instance decision and the decision on appeal, if applicable, have not</i>	11. [...] See 41c2	

		<u><i>that, in case of an appeal against a decision rejecting an application in the framework of the border procedure, the decision on such appeal is issued within 12 weeks from when the application is registered.</i></u>	<i>been taken</i> , the applicant shall be authorised to enter the Member State's territory.		
			Article 41(12)		
461o		<u><i>12. By way of derogation from paragraph 11 of this Article, the applicant shall not be authorised to enter the Member State's territory where:</i></u>	12. By way of derogation from paragraph 11 of this Article, the applicant shall not be authorised to enter the Member State's territory where:	12. [...] <i>See 41(3)</i>	
			Article 41(12), first paragraph subpoint (a)		
461p		<u><i>(a) the applicant's right to remain has been revoked in accordance with Article 9(3), point (a);</i></u>	(a) the applicant's right to remain <i>on the territory of a Member State</i> has been revoked in accordance with Article 9(3), point (a);	(a) [...] <i>See 41(3)</i>	
			Article 41(12), first paragraph subpoint (b)		
461q		<u><i>(b) the applicant has no right to remain in accordance with Article 54 and has not requested to be allowed to remain for the purposes of an appeal</i></u>	(b) the applicant has no right to remain <i>on the territory of a Member State</i> in accordance with Article 54 and has not requested to be allowed to remain for the purposes of an appeal	(b). [...]	

		<u>procedure within the applicable time-limit;</u>	procedure within the applicable time-limit;		
			Article 41(12), first paragraph subpoint (c)		
461r		<u>(c) the applicant has no right to remain in accordance with Article 54 and a court or tribunal has decided that the applicant is not to be allowed to remain pending the outcome of an appeal procedure.</u>	(c) the applicant has no right to remain on the territory of a Member State in accordance with Article 54 and a court or tribunal has decided that the applicant is not to be allowed to remain pending the outcome of an appeal procedure.	(c). [...]	
			Article 41(12), second paragraph		
461s		<u>In such cases, where the applicant has been subject to a return decision issued in accordance with the Directive XXX/XXX/EU [Return Directive] or a refusal of entry in accordance with Article 14 of Regulation (EU) 2016/399, Article 41a shall apply.</u>	In such cases, where the applicant has been subject to a return decision issued in accordance with the Directive XXX/XXX/EU [Return Directive] or a refusal of entry in accordance with Article 14 of Regulation (EU) 2016/399, Article 41a may apply.	[...] See 41(3)	
			Article 41 (13)		
461t		<u>13. During the examination of applications subject to a border</u>	13. During the examination of applications subject to a border	13. [...] See 41f(1)	

		<u>procedure, the applicants shall be kept at or in proximity to the external border or transit zones. Each Member State shall notify to the Commission, [two months after the date of the application of this Regulation] at the latest, the locations where the border procedure will be carried out, at the external borders, in the proximity to the external border or transit zones, including when applying paragraph 3 and ensure that the capacity of those locations is sufficient to process the applications covered by that paragraph. Any changes in the identification of the locations at which the border procedure is applied, shall be notified to the Commission two months in advance of the changes taking effect.</u>	procedure, the applicants shall be <i>accommodated in accordance with Directive XXX/XXX/EU [Reception Conditions Directive recast]. The competent national authorities may require applicants to stay at locations, designated at their discretion, for completing the border procedure on the Member States' territory. A border procedure may take place at or in proximity to the external border or transit zones on the Member State's territory, provided that the conditions under this paragraph are fully respected and applicants' special needs are properly safeguarded.</i> Each Member State shall notify to the Commission, [two months after the date of the application of this Regulation] at the latest, the locations where the border procedure will be carried out, at the external borders, in the proximity to the external border or transit zones, including when applying paragraph 3 and ensure that the capacity of those locations is sufficient	
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			to process the applications covered by that paragraph. Any changes in the identification of the locations at which the border procedure is applied <i>on the basis of a decision from competent national authorities</i>, shall be notified to the Commission <i>as early as possible and at least two weeks</i> in advance of the changes taking effect.		
Article 41(14)					
461u		<u>14. In situations where the capacity of the locations notified by Member States pursuant to paragraph 14 is temporarily insufficient to process the applicants covered by paragraph 3, Member States may designate other locations within the territory of the Member State and upon notification to the Commission accommodate applicants there, on a temporary basis and for the shortest time necessary.</u>	14. In situations where, <i>on the basis of an assessment by the Commission or a competent national authority of the Member State concerned, it is found that</i> the capacity of a location as notified by <i>that Member State</i> pursuant to paragraph 13 is temporarily insufficient to process the applicants covered by paragraph 1, <i>that Member State shall</i> designate other locations within <i>its</i> territory and upon notification to the Commission, <i>shall</i> accommodate applicants, <i>under the conditions provided for in Directive</i>	14. [...] See 41f2	

			XXX/XXX/EU [Reception Conditions Directive recast].		
			Article 41a		
461v		<u>Article 41a</u> <u>Border procedure for carrying out return</u>	Article 41a Border procedure for carrying out return	<u>Article 41a</u> <u>Decisions in the framework of the asylum border procedure</u>	
			Article 41a (1), first subparagraph		
461w		<u>1. Third-country nationals and stateless persons whose application is rejected in the context of the procedure referred to in Article 41 shall not be authorised to enter the territory of the Member State.</u>	1. <i>Following the rejection of the application of a third-country national in the context of the procedure referred to in Article 41, Member States may carry out the return of the third-country national in a border procedure.</i>	[...] Where a border procedure is applied, decisions may be taken on the following:	
			Article 41a (1), subpoint (a)		
461x				(a) the inadmissibility of an application in accordance with Article 36;	
			Article 41a (1), subpoint (b)		
461y				(b) the merits of an application [...] if any of the circumstances listed in Article 40(1)(a)-(h) and (i) and (5)(b) applies.	

		Article 41a (1), second subparagraph			
461z			<i>Where a Member State carries out the return of a third country national in a border procedure, the third-country national shall not be authorised to enter the territory of that Member State, without prejudice to Article 6(5) of the Regulation (EU) 2016/39.</i>	When applying the border procedure, a Member State may prioritise the examination of applications of certain third country nationals or, in the case of stateless persons, of former habitual residents of third countries, for which there is a high probability of return from that Member State to their country of origin, or, in the case of stateless persons, of former habitual residence, to a safe third country or a first country of asylum, within the meaning of this Regulation.	
		Article 41a (2)			
461aa		<u>2. Persons referred to in paragraph 1 shall be kept for a period not exceeding 12 weeks in locations at or in proximity to the external border or transit zones; where a Member State cannot accommodate them in those locations, it can resort to the use of other locations within its territory. The 12-week period shall</u>	2. Persons referred to in paragraph 1 shall be accommodated for a period not exceeding 12 weeks in locations designated at the discretion of the Member States. Such locations may be situated at or in proximity to the external border or transit zones in the territory of the Union. The conditions in those	2.[...] <i>See 41g(2)</i>	

		<u><i>start from when the applicant, third-country national or stateless person no longer has a right to remain and is not allowed to remain.</i></u>	<i>locations shall meet standards equivalent to those of the material reception conditions and health care provided to applicants in accordance with Articles 16 and 17 of Directive XXX/XXX/EU [Reception Conditions Directive recast].</i> The 12-week period shall start from when the applicant no longer has a right to remain <i>or</i> is not allowed to remain.		
		Article 41a (3)			
461ab		<u><i>3. For the purposes of this Article, Article 3, Article 4(1), Articles 5 to 7, Article 8(1) to (5), Article 9(2) to (4), Articles 10 to 13, Article 15, Article 17(1), Article 18(2) to (4) and Articles 19 to 21 of Directive XXX/XXX/EU [recast Return Directive] shall apply.</i></u>	3. For the purposes of this Article, Article 3, Article 4(1), Articles 5 to 7, Article 8(1) to (5), Article 9(2) to (4), Articles 10 to 13, Article 15, Article 17, Article 18(2) to (4) and Articles 19 to 21 of Directive XXX/XXX/EU [recast Return Directive] shall apply.	3.[...] See 41g(3)	
		Article 41a (4)			
461ac		<u><i>4. Without prejudice to the possibility to return voluntarily at any moment, persons referred to in</i></u>	4. Without prejudice to the possibility to return voluntarily at any moment,	4.[...] See 41g(4)	

		<u>paragraph 1 may be granted a period for voluntary departure not exceeding 15 days.</u>	persons referred to in paragraph 1 <i>shall</i> be granted a period for voluntary departure <i>of</i> 25 days		
			Article 41a(5)		
461ad		<u>5. Persons referred to in paragraph 1 who have been detained during the procedure referred to in Article 41 and who no longer have a right to remain and are not allowed to remain may continue to be detained for the purpose of preventing entry into the territory of the Member State, preparing the return or carrying out the removal process.</u>	5. Persons referred to in paragraph 1 who have been detained during the procedure referred to in Article 41 who no longer have a right to remain and are not allowed to remain may continue to be detained for the purpose of preventing entry into the territory of the Member State, preparing the return or carrying out the removal process.	5.[...] See 41h(1)	
			Article 41a(6)		
461ae		<u>6. Persons referred to in paragraph 1 who no longer have a right to remain and are not allowed to remain, and who were not detained during the procedure referred to in Article 41, may be detained if there is a risk of absconding within the meaning of Directive XXX/XXX/EU [Return Directive], if they avoid or</u>	6. Persons referred to in paragraph 1 who no longer have a right to remain and are not allowed to remain, and who were not detained during the procedure referred to in Article 41, may be detained if there is a risk of absconding within the meaning of Directive XXX/XXX/EU [Return Directive], if they avoid or	6.[...] See 41h(2)	

		<u>hamper the preparation of return or the removal process or they pose a risk to public policy, public security or national security.</u>	hamper the preparation of return or the removal process or they pose a risk to public security or national security.		
			Article 41a(7)		
461af		<u>7. Detention shall be maintained for as short a period as possible, as long as removal arrangements are in progress and executed with due diligence. The period of detention shall not exceed the period referred to in paragraph 2 and shall be included in the maximum periods of detention set in Article 15 (5) and (6) of Directive XXX/XXX/EU [Return Directive].</u>	7. Detention shall be maintained for as short a period as possible, and only as long as a reasonable prospect of removal exists and arrangements are in progress and executed with due diligence. The period of detention shall not exceed the period referred to in paragraph 2 and shall be included in the maximum periods of detention set in Article 15 (5) and (6) of Directive XXX/XXX/EU [Return Directive].	7.[...] See 41h(3)	
			Article 41a(8)		
461ag		<u>8. Member States that, following the rejection of an application in the context of the procedure referred to in Article 41, issue a refusal of entry in accordance with Article 14 of Regulation (EU) 2016/399, and that have decided not to apply</u>	8. Member States that, following the rejection of an application in the context of the procedure referred to in Article 41, issue a refusal of entry in accordance with Article 14 of Regulation (EU) 2016/399, shall not apply	8.[...] See 41i(1)	

		<u><i>Directive XXX/XXX/EU [Return Directive] in such cases pursuant to Article 2(2), point (a), of that Directive, shall ensure that the treatment and level of protection of the third-country nationals and stateless persons subject to a refusal of entry are in accordance with Article 4(4) of Directive XXX/XXX/EU [Return Directive] and are equivalent to the ones set out in paragraphs 2, 4 and 7 of this Article.'</i></u>	<i>Article 2(2), point (a), of Directive XXX/XXX/EU [Return Directive].</i>		
			Article 41b		
461ah			<i>Article 41b Personnel in the border procedure</i>	<i>Article 41b Mandatory application of the asylum border procedure</i>	
			Article 41b, (1)		
461ai			<i>1. In accordance with Article 5 of this Regulation, Member States shall provide the determining authority with sufficient personnel who have the appropriate knowledge and have received the necessary training, including on</i>	<i>[...] 1. A Member State shall examine an application in a border procedure in the cases referred to in [...] Article 41(1) where any of the circumstances referred to in Article 40(1), point (c), (f) or (i), applies.</i>	

			<i>fundamental rights, to carry out its tasks in the context of the border procedure.</i>		
			Article 41b, (1a)		
461aj				1a. Where the conditions in Article 40(1)(f) apply, the applications of all members of that family shall be examined in the border procedure.	
			Article 41b, (1b), first paragraph		
461ak				1b. For the purpose of paragraph 1a, in order to maintain family unity, “members of that applicant’s family” shall be understood as meaning, insofar as the family already existed before the applicant arrived on the territory of the Member States, the following members of the applicant’s family who are present on the territory of the same Member State in relation to the application for international protection:	
			Article 41b, (1b), first paragraph , subpoint (i)		
461al				(i) the spouse of the applicant or his or her unmarried partner in a stable relationship, where	

				the law or practice of the Member State concerned treats unmarried couples in a way comparable to married couples under its law relating to third-country nationals,	
			Article 41b, (1b), first paragraph ,subpoint (ii)		
461am				(ii) the minor children of couples referred to in the first indent or of the applicant, on condition that they are unmarried and regardless of whether they were born in or out of wedlock or adopted as defined under national law,	
			Article 41b, (1b), first paragraph, subpoint (iii)		
461an				(iii) where the applicant is a minor and unmarried, the father, mother or another adult responsible for the applicant, whether by law or by the practice of the Member State where the adult is present,	
			Article 41b, (1b), first paragraph, subpoint (iv)		
461ao				(iv) where the applicant is a minor and unmarried, the sibling or siblings of the applicant, provided they are unmarried and minors.	
			Article 41b, (1b), second paragraph		

461ap				For the purpose of points (ii), (iii) and (iv), on the basis of an individual assessment, a minor shall be considered unmarried if his or her marriage could not be contracted in accordance with the relevant national law in the Member State concerned, in particular having regard to the legal age of marriage.	
				Article 41b, (2)	
461aq			2. By ... [six months after the date of entry into force of this Regulation] the European Union Agency for Asylum shall issue guidelines, in cooperation with national authorities and other Union bodies, offices and agencies, to assist Member States with the planning and allocation of the appropriate level of personnel, for the purposes of paragraph 1 of this Article, in accordance with Article 13 of Regulation (UE) 2021/2303. Those guidelines shall specify the requirements for personnel in order to be able to comply with procedural	2.[...]	

			<i>and reception requirements, in terms of number, type and qualifications.</i>		
			Article 41b, (3)		
461ar			<i>3. Where the European Union Agency for Asylum considers that the availability and capacity of personnel is insufficient on the basis of Article 14(3), point (b), of Regulation (EU) 2021/2303, Member States may request the assistance of the Union in accordance with Article 57a of this Regulation.</i>	3.[...]	
			Article 41b, (4)		
461as				4.[...]	
		Article 41ba			
461at				<i>Article 41ba The adequate capacity at Union level</i>	
				The adequate capacity at Union level for carrying out the border procedures shall be considered to be of 30,000.	
		Article 41bb			
461au				<i>Article 41bb The adequate capacity of a Member State</i>	

		Article 41bb(1) first paragraph			
461av				1. The Commission shall, by means of an implementing act, set a number that is considered to correspond to the adequate capacity of each Member State for carrying out the border procedures.	
		Article 41bb(1) second paragraph			
461aw				Without prejudice to paragraph 2, it shall also set the maximum number of applications a Member State is required to examine in the border procedure per year. That maximum number shall be two times the number obtained through the use of the formula in Article 41bb(2) after the entry into application of this Regulation, three times the number obtained through the use of the formula in Article 41bb(2) one year after the entry into application of this Regulation and four times the number obtained through the use of the formula in Article 41bb(2) two years after the entry	

				into application of this Regulation.	
		Article 41bb(2)			
461ax				2. Where a Member State has examined the maximum number of applications referred to in paragraph 1, that Member State shall nevertheless continue to examine in the border procedure applications of third country nationals to whom the circumstances listed in Article 40(1)(f) and (5)(b) apply.	
		Article 41bb(3)			
461ay				3. The number referred to in the first subparagraph of paragraph 1 shall be calculated by multiplying the number set out in Article 41ba by the sum of irregular crossings of the external border, arrivals following search and rescue operations and refusals of entry at the external border in the Member State concerned during the previous three years and dividing the result thereby obtained by	

				the sum of irregular crossings of the external border, arrivals following search and rescue operations and refusals of entry at the external border in the Union as a whole during the same period according to the latest available Frontex and Eurostat data.	
		Article 41bb(4)			
461az				4. The implementing act referred to in paragraph 1 shall be adopted by the Commission for the first time within two months following the entry into force of this Regulation and then on 15 October every three years thereafter. Following the adoption by the Commission of the implementing act, each Member State shall ensure that they have the adequate capacity set out in that act in place.	
		Article 41bc			
461ba				<i>Article 41bc</i>	

				<i>Measure applicable in case the adequate capacity of a Member State is reached</i>	
		Article 41bc (1)			
461bb				1. When the number of applicants that are subject to the border procedure in a Member State is equal to or exceeds the number set out in respect of that Member State in the Commission implementing act referred to in the first subparagraph of paragraph 1 of Article 41bb, that Member State may notify the Commission of the fact.	
		Article 41bc (2)			
461bc				2. Where a Member State notifies the Commission in accordance with paragraph 1, by way of derogation from Article 41b(1), that Member State is not, required to examine in a border procedure applications made by applicants referred to in Article 40(1)(i) at a moment when the number of applicants	

				that are subject to the border procedure in that Member State is equal to or exceeds the number referred to in the first subparagraph of paragraph 1 of Article 41bb.	
		Article 41bc (3)			
461bd				3. The measure in paragraph 2 shall be applied on an inflow-outflow basis and the Member State concerned shall be required to continue examining in a border procedure applications made by applicants referred to in Article 40(1)(i) as soon as the number of applicants that are subject to the border procedure in that Member State at any given moment is lower than the number referred to in the first subparagraph of paragraph 1 of Article 41bb.	
		Article 41bc (4)			
461be				4. The measure in paragraph 2 may be applied by a Member	

				State-for the remainder of the same calendar year starting from the day following the date of the notification in accordance with paragraph 1.	
		Article 41bd			
461bf				<i>Article 41bd Notification by a Member State in case the adequate capacity is reached</i>	
		Article 41bd (1)			
461bg				1. The notification referred to in Article 41bc shall contain the following information:	
		Article 41bd (1) (a)			
461bh				(a) number of applicants that are subject to the border procedure in the Member State concerned at the time of the notification;	
		Article 41bd (1) (b)			
461bi				(b) the measure, referred to in Article 41bc, that the Member State concerned intends to apply or to continue applying;	

		Article 41bd (1) (c)			
461bj				(c) a substantiated reasoning in support, describing how resorting to the measure concerned could help in addressing the situation, and where applicable, other measures that the Member State concerned has adopted or envisages adopting at national level to alleviate the situation, including those referred to in Article 6a of the Regulation (EU) No XXX/XXX [Asylum and Migration Management Regulation].	
		Article 41bd (2)			
461bk				2. Member States may notify the Commission in accordance with Article 41bc as part of the notification referred to in Article 44c and 44d of the Regulation (EU) No XXX/XXX [Asylum and Migration Management Regulation], where applicable.	
		Article 41bd (3)			
461bl				3. Where a Member State notifies the Commission	

				in accordance with Articles 41bc, the Member State concerned shall inform other Member States accordingly.	
		Article 41bd (4)			
461bm				4. A Member State applying the measure set out in Articles 41bc shall inform the Commission on a monthly basis about the following elements:	
		Article 41bd (4) first paragraph, first indent			
461bn				- the number of applicants that are subject to the border procedure in that Member State at that time,	
		Article 41bd (4) , first paragraph , second indent			
461bo				- the inflow-outflow evolution of the number of persons that are subject to border procedures for each week that month,	
		Article 41bd (4), first paragraph, third indent			
461bp				- the number of staff responsible for examining	

				applications in the border procedure,	
		Article 41bd (4), first paragraph, fourth indent			
461bq				- the average duration of the examination during the administrative stage of the procedure, and	
		Article 41bd (4), first paragraph, fifth indent			
461br				- the average duration of the examination by a court or tribunal of a request to be allowed to remain pending the appeal.	
		Article 41bd (4), second paragraph			
461bs				The Commission shall monitor the application of the measure in Article 41bc and to that effect review the information provided by Member States.	
		Article 41be			
461bt				<i>Article 41be Notification by a Member State in case the annual maximum number of applications is reached</i>	
		Article 41be first paragraph			

461bu				Where the number of applications that have been examined in the border procedure in a Member State within one calendar year is equal to or exceeds the maximum number of applications set out in respect of that Member State in the implementing act referred to in Article 41bb(1), that Member State may notify the Commission accordingly.	
		Article 41be second paragraph			
461bv				Where the Member State has notified the Commission in accordance with this Article, the Commission shall promptly examine the information provided by the Member State concerned in order to verify that the Member State concerned has examined in the border procedure since the beginning of the calendar year a number of applications that is equal to or exceeds the number set out in respect of that Member State in the implementing act referred	

				to in Article 41bb(1) . On completion of the verification, the Commission shall authorise, by means of an implementing act, the Member State concerned to not examine in the border procedure applications made by applicants referred to in Article 40(1)(c) and (i). Such authorisation shall not exempt the Member State from the obligation to examine in the border procedure applications made by applicants referred to in Article 40(1)(f).	
			Article 41c		
461bw				<i>Article 41c Deadlines</i>	
			Article 41c (1)		
461bx				1. By way of derogation from Article 28 of this Regulation, applications subject to a border procedure shall be lodged no later than five days from registration for the first time or, following a transfer pursuant to Article [57(9)] of Regulation EU (No) XXX/XXX [Regulation on	

				Asylum and Migration Management], five days from when the applicant arrives in the Member State [...] of relocation following such a transfer. Failure to comply with the deadline of five days shall not affect the continued application of the border procedure.	
		Article 41c (2), first paragraph			
461by				[...] 2. The border procedure shall be as short as possible while at the same time enabling a complete and fair examination of the claims. Without prejudice to the last subparagraph of this paragraph, the maximum duration of the border procedure shall be of 12 weeks from when the application is registered until the applicant no longer has a right to remain and is not allowed to remain. Following that period, the applicant shall be authorised to enter the Member State's territory except when Article [...] 41g is applicable.	
		Article 41c (2), second paragraph			

461bz				Member States shall lay down provisions on the duration of the examination procedure by way of derogation from Article 34, of the examination by a court or tribunal of a request to remain lodged in accordance with Article 54(4) and (5) and, if applicable, of the appeal procedure which ensure that all these various procedural steps are finalised within 12 weeks from when the application is registered.	
		Article 41c (2), third paragraph			
461ca				The 12-week period may be extended to 16 weeks if the procedure cannot be concluded within that time due to actions of the applicant in order to delay or frustrate the conclusion of the procedure, or where additional time is needed by the determining authority or the court or tribunal of first instance to ensure an adequate and complete examination or an effective remedy or if the Member State to which the person is	

				transferred pursuant to Article [57(9)] of Regulation EU (No) XXX/XXX [Regulation on Asylum and Migration Management] is applying the border procedure.	
			Article 41d		
461cb				<i>Article 41d Determination of Member State responsible and relocation</i>	
			Article 41d (1)		
461cc				[...] 1. [...] Where the conditions for the border procedure apply, Member States may decide to carry out the procedure for determining the Member State responsible for examining the application as laid down in Regulation (EU) No XXX/XXX [Regulation on Asylum and Migration Management] at the locations where the border procedure will be carried out, without prejudice to the deadlines established in [...]Article 41c(2).	
			Article 41d (2)		

461cd					[...] 2. Where the conditions for applying the border procedure are met in the Member State from which the applicant is transferred, a border procedure may be applied by the Member State to which the applicant is transferred in accordance with Article [...] 57(9) of Regulation EU (No) XXX/XXX [Regulation on Asylum and Migration Management], including in the cases referred to in [...]Article 41(1)(d).	
				Article 41e		
461ce					<i>Article 41e Exceptions to the asylum border procedure</i>	
				Article 41e (1)		
461cf					[...]1. The border procedure shall be applied to unaccompanied minors only in the cases referred to in Article 40(5)(b). In case of doubt concerning the applicant's age, the competent authorities shall assess whether the applicant is a minor in	

				accordance with Article 24.	
			Article 41e (2)		
461cg				[...]2. Member States shall not apply or shall cease to apply the border procedure at any stage of the procedure where:	
			Article 41e (2), subpoint (a)		
461ch				(a) the determining authority considers that the grounds for rejecting an application as inadmissible or for applying the accelerated examination procedure are not applicable or no longer applicable;	
			Article 41e (2), subpoint (b)		
461ci				(b) the necessary support cannot be provided to applicants with special reception needs, including minors, in accordance with Chapter IV of Directive XXX/XXX/EU [Recast Reception Conditions Directive], in the locations referred to in Article 41f;	
			Article 41e (2), subpoint (c)		
461cj				(c) the necessary support cannot be provided to applicants with special	

				procedural needs in the locations referred to in [...]Article 41f;	
		Article 41e (2), subpoint (d)			
461ck				(d) the determining authority considers that there are compelling medical reasons for not applying the border procedure;	
		Article 41e (2), second paragraph			
461cl				In such cases, the competent authority shall authorise the applicant to enter the territory of the Member State.	
		Article 41e (2a)			
461cm				2a. Detention, including detention of minors, may only be imposed under the conditions and guarantees for detention as provided for in Articles 8 to 11 of Directive XXX/XXX/EU [Recast Reception Conditions Directive].	
			Article 41f		
461cn				<i>Article 41f Locations for carrying out the asylum border procedure</i>	

		Article 41f (1)		
461co				[...]1. During the examination of applications subject to a border procedure, Member States shall require, pursuant to Article 7 of Directive XXX/XXX/EU [Recast Reception Conditions Directive] and without prejudice to Article 8 thereof, the applicants [...]to reside at or in proximity to the external border or transit zones as a general rule, or in other designated locations within its territory, fully taking into account the specific geographical circumstances of the Member States. Each Member State shall notify to the Commission, two months prior to the date of the application of this Regulation at the latest, the locations where the border procedure will be carried out, including when applying [...]Article 41b and ensure that the capacity of those locations is sufficient to examine the applications covered by that Article. Any changes in the

				identification of the locations at which the border procedure is applied, shall be notified to the Commission within two months of the changes having taken place.	
			Article 41f (2)		
461cp				[...]2. The requirement to reside at a particular place in accordance with paragraphs 1 and 2 shall not be regarded as authorisation to enter into and stay on the territory of a Member State.	
			Article 41f (3)		
461cq				3. Where an applicant subject to the border procedure needs to be transferred to the determining authority or to a competent court or tribunal of first instance for the purposes of such a procedure, or transferred for the purposes of receiving medical treatment, such travel shall not in itself constitute an entry into the territory of a Member State.	
			Article 41g		

461cr				Article [...] 41g Border procedure for carrying out return	
			Article 41g (1)		
461cs				1. Third-country nationals and stateless persons whose application is rejected in the context of the procedure referred to in Articles 41-41f shall not be authorised to enter the territory of the Member State.	
			Article 41g (2)		
461ct				2. Member States shall require the persons referred to in paragraph 1 [...]to reside for a period not exceeding 12 weeks in locations at or in proximity to the external border or transit zones; where a Member State cannot accommodate them in those locations, it may resort to the use of other locations within its territory. The 12-week period shall start from when the applicant, third-country national or stateless person no longer has a right to remain and is not allowed to remain.	

					The requirement to reside at a particular place in accordance with this paragraph shall not be regarded as authorisation to enter into and stay on the territory of a Member State.	
				Article 41g (3)		
461cu					3. For the purposes of this Article, Article 3, Article 4(1), Articles 5 to 7, Article 8(1) to (5), Article 9(2) to (4), Articles 10 to 13, Article 15, Article 17(1), Article 18(2) to (4) and Articles 19 to 21 of Directive XXX/XXX/EU [recast Return Directive] shall apply.	
				Article 41g (3a)		
461cv					3a. When the return decision cannot be enforced within the maximum period referred to in paragraph 2, Member States shall continue return procedures in accordance with Directive XXX/XXX/EU [Recast Return Directive].	
				Article 41g (4)		
461cw					4. Without prejudice to the possibility to return	

				voluntarily at any moment, persons referred to in paragraph 1 may be granted a period for voluntary departure. The period for voluntary departure shall be granted only upon request and shall not exceed 15 days without the right to enter the territory of the Member State. For the purpose of this provision, the person shall surrender any valid travel document in his possession to the competent authorities for as long as necessary to prevent absconding.	
		Article 41g (5)			
461cx				5. Member States that, following the rejection of an application in the context of the procedure referred to in Articles 41-41f, issue a refusal of entry in accordance with Article 14 of Regulation (EU) 2016/399, and that have decided not to apply Directive XXX/XXX/EU [Return Directive] in such cases pursuant to Article 2(2), point (a), of that Directive, shall ensure that the treatment and	

				level of protection of the third- country nationals and stateless persons subject to a refusal of entry are in accordance with Article 4(4) of Directive XXX/XXX/EU [Return Directive] and are equivalent to the treatment and level of protection set out in Articles 41g(2) and 41h(3).	
		Article 41h			
461cy				<i>Article 41h Detention</i>	
		Article 41h (1)			
461cz				[...]1. Persons referred to in [...] Article 41g(1) who have been detained during the procedure referred to in Articles 41-41f and who no longer have a right to remain and are not allowed to remain may continue to be detained for the purpose of preventing entry into the territory of the Member State, preparing the return or carrying out the removal process.	
			Article 41h (2)		

461da				[...]2. Persons referred to in [...]Article 41g(1) who no longer have a right to remain and are not allowed to remain, and who were not detained during the procedure referred to in Articles 41-41f, may be detained if there is a risk of absconding within the meaning of Directive XXX/XXX/EU [Return Directive], if they avoid or hamper the preparation of return or the removal process or they pose a risk to public policy, public security or national security. Detention may only be imposed as a measure of last resort when it proves necessary on the basis of an individual assessment of each case and if other less coercive measures cannot be applied effectively.	
Article 41h (3)					
461db				[...]3. Detention shall be maintained for as short a period as possible, as long as removal arrangements are in progress and executed with due diligence. The period of detention shall not exceed	

				the period referred to in [...]Article 41g(2) and shall be included in the maximum periods of detention set in Article [...] 18 (5) and (6) of Directive XXX/XXX/EU [Recast Return Directive] where a consecutive detention is issued immediately following the detention under this Article.	
			Article 42		
462	Article 42 Subsequent applications	Article 42 Subsequent applications	Article 42 Subsequent applications	Article 42 Subsequent applications	
			Article 42(-1) first paragraph		
462a				-1. An application made where a final decision on a previous application by the same applicant has not yet been taken shall be considered as a further representation and not as a new application.	
			Article 42(-1) second paragraph		
462b				That further representation shall be examined in the Member State responsible in the framework of the ongoing examination in the	

				administrative procedure or in the framework of any ongoing appeal procedure in so far as the competent court or tribunal may take into account the elements underlying the further representation.	
Article 42(1)					
463	1. After a previous application had been rejected by means of a final decision, any further application made by the same applicant in any Member State shall be considered to be a subsequent application by the Member State responsible.	1. After a previous application had been rejected by means of a final decision, any further application made by the same applicant in any Member State shall be considered to be a subsequent application by the Member State responsible.	1. After a previous application had been rejected by means of a final decision, any further application made by the same applicant in any Member State shall be considered to be a subsequent application by the Member State responsible.	1. [...]Any further application made by the same applicant in a[...] Member State after a final decision has been taken on a previous application by the same applicant shall be considered [...] as a subsequent application and shall be examined by the Member State responsible.	
Article 42(2)					
464	2. A subsequent application shall be subject to a preliminary examination in which the determining authority shall establish whether	2. A subsequent application shall be subject to a preliminary examination in which the determining authority shall establish whether relevant new elements or findings have arisen or have been presented by the applicant which	2. A subsequent application shall be subject to a preliminary examination in which the determining authority shall establish whether relevant new elements or findings have arisen or have been presented by the applicant	2. A subsequent application shall be subject to a preliminary examination in which the determining authority shall establish whether [...] new elements [...] have arisen or have been presented by the applicant and which:	

	relevant new elements or findings have arisen or have been presented by the applicant which significantly increase the likelihood of the applicant qualifying as a beneficiary of international protection by virtue of Regulation (EU) No XXX/XXX (Qualification Regulation) or which relate to the reasons for which the previous application was rejected as inadmissible.	significantly increase the likelihood of the applicant qualifying as a beneficiary of international protection by virtue of Regulation (EU) No XXX/XXX (Qualification Regulation) or which relate to the reasons for which the previous application was rejected as inadmissible.	which increase the likelihood of the applicant qualifying as a beneficiary of international protection by virtue of Regulation (EU) No XXX/XXX (Qualification Regulation) or which relate to the reasons for which the previous application was rejected.		
			Article 42(2), subpoint (a)		
464a				(a) significantly increase the likelihood of the applicant to qualify[...] as a beneficiary of international protection by virtue of Regulation (EU) No XXX/XXX [(Qualification Regulation)]; or	
			Article 42(2), subpoint (b)		
464b				(b) [...] relate to an inadmissibility ground previously applied, where	

				[...] the previous application was rejected as inadmissible.	
Article 42(3)					
465	3. The preliminary examination shall be carried out on the basis of written submissions and a personal interview in accordance with the basic principles and guarantees provided for in Chapter II. The personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to relevant new elements or findings or that it is clearly without substance and has no tangible prospect of success.	3. The preliminary examination shall be carried out on the basis of written submissions and a personal interview in accordance with the basic principles and guarantees provided for in Chapter II. The personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to relevant new elements or findings or that it is clearly without substance and has no tangible prospect of success.	3. The preliminary examination shall be carried out on the basis of written submissions and a personal interview in accordance with the basic principles and guarantees provided for in Chapter II. The personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to relevant new elements or findings or that it is without substance and has no tangible prospect of success.	3. The preliminary examination shall be carried out on the basis of written submissions [...] or a personal interview in accordance with the basic principles and guarantees provided for in Chapter II. In particular, [...]the personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to [...] new elements as referred to in paragraph 2 [...].	
Article 42(3a)					
465a				3a. The elements presented by the applicant shall be considered as being new	

				only where the applicant was unable, through no fault on his or her own part, to present those elements in the context of the earlier application. Any elements which could have been presented earlier by the applicant need not be taken into account unless the previous application was rejected as implicitly withdrawn in accordance with Article 39 without an examination on the merits.	
				Article 42(4)	
466	4. A new procedure for the examination of the application for international protection shall be initiated where:	4. A new procedure for the examination of the application for international protection shall be initiated where:	4. A new procedure for the examination of the application for international protection shall be initiated where:	4. [...]Where[...] new elements as referred to in paragraph 2 [...] have been presented by the applicant or have arisen, the application shall be further examined on its merits, unless the application may be considered as inadmissible on the basis of another ground provided for in Article 36(1a).	
				Article 42(4), point (a)	

467	(a) relevant new elements or findings as referred to in paragraph 2(a) have arisen or have been presented by the applicant;	(a) relevant new elements or findings as referred to in paragraph 2(a) have arisen or have been presented by the applicant;	(a) relevant new elements or findings as referred to in paragraph 2 have arisen or have been presented by the applicant;	[...]	
Article 42(4), point (b)					
468	(b) the applicant was unable, through no fault on his or her own part, to present those elements or findings during the procedure in the context of the earlier application, unless it is considered unreasonable not to take those elements or findings into account.	(b) the applicant was unable, through no fault on his or her own part, to present those elements or findings during the procedure in the context of the earlier application, unless it is considered unreasonable not to take those elements or findings into account.	(b) the applicant was unable, through no fault on his or her own part, to present those elements or findings during the procedure in the context of the earlier application, unless it is considered unreasonable not to take those elements or findings into account.	[...]	
Article 42(5)					
469	5. Where the conditions for initiating a new procedure as set out in paragraph 4 are not met, the determining authority shall reject	5. Where the conditions for initiating a new procedure as set out in paragraph 4 are not met, the determining authority shall reject the application as inadmissible, or as manifestly unfounded where the application is so	5. Where the conditions for initiating a new procedure as set out in paragraph 4 are not met, the determining authority shall reject the application as <i>unfounded</i> , or as manifestly unfounded where the application is	5. Where no new elements as referred to in paragraph 2 have been presented by the applicant or have arisen, the application shall be rejected as inadmissible	

	the application as inadmissible, or as manifestly unfounded where the application is so clearly without substance or abusive that it has no tangible prospect of success.	clearly without substance or abusive that it has no tangible prospect of success.	without substance or abusive <i>and</i> has no tangible prospect of success.	pursuant to Article 36 (1aa)(a) [...].	
Article 43					
470	Article 43 Exception from the right to remain in subsequent applications	Article 43 Exception from the right to remain in subsequent applications	Article 43 Exception from the right to remain in subsequent applications	<i>Article 43</i> Exception from the right to remain in subsequent applications	
Article 43, first paragraph					
471	Without prejudice to the principle of non-refoulement, Member States may provide an exception from the right to remain on their territory and derogate from Article 54(1), where:	Without prejudice to the principle of non-refoulement, Member States may provide an exception from the right to remain on their territory and derogate from Article 54(1), where:	Without prejudice to the principle of non-refoulement, Member States may provide an exception from the right to remain on their territory, where	Without prejudice to the principle of <i>non-refoulement</i> , Member States may provide an exception from the right to remain on their territory and derogate from Article 54[...] (5)(d), [...] as from when:	
Article 43, first paragraph, point (-a)					
471a				(-a) a first subsequent application has been	

				lodged, merely in order to delay or frustrate the enforcement of a decision which would result in the applicant's imminent removal from that Member State and is not further examined pursuant to Article 42(5);	
			Article 43, first paragraph, point (a)		
472	(a) a subsequent application has been rejected by the determining authority as inadmissible or manifestly unfounded;	(a) a subsequent application has been rejected by the determining authority as inadmissible or manifestly unfounded;		(a) [...]	
			Article 43, first paragraph, point (aa)		
472a			(aa) <i>a first subsequent application has been lodged within one year of the decision of the determining authority on the first application merely in order to delay or frustrate the enforcement of a return decision which would result in the applicant's imminent removal from the Member State, pending the</i>		

			<i>finalisation of the decision declaring that application inadmissible in cases where it is immediately clear to the determining authority that no new elements have been presented in accordance with Article 42(4);</i>		
			Article 43, first paragraph, point (b)		
473	(b) a second or further subsequent application is made in any Member State following a final decision rejecting a previous subsequent application as inadmissible, unfounded or manifestly unfounded.	(b) a second or further subsequent application is made in any Member State following a final decision rejecting a previous subsequent application as inadmissible, unfounded or manifestly unfounded.	(b) a second or further subsequent application is made in any Member State following a final decision rejecting a previous subsequent application as unfounded or manifestly unfounded.	(b) a second or further subsequent application is made in any Member State following a final decision rejecting a previous subsequent application as inadmissible or unfounded or manifestly unfounded.	
			Article 43, first paragraph, point (c)		
473a		<u><i>(c) a first subsequent application has been lodged within one year of the decision of the determining authority on the first application merely in order to delay or frustrate the enforcement of a return decision which would result in the applicant's imminent</i></u>	<i>deleted</i>	(c) [...]	

		<u>removal from the Member State, pending the finalisation of the decision declaring that application inadmissible in cases where it is immediately clear to the determining authority that no new elements have been presented in accordance with Article 42(4)</u>			
		SECTION V			
474	SECTION V Safe Country Concepts	SECTION V Safe Country Concepts	Safe Country Concepts	SECTION V Safe Country Concepts	
		Article 43a			
474a				Article 43a The notion of effective protection	
		Article 43a (1)			
474b				1. A third country that has ratified and respects the Geneva Convention within the limits of the derogations or limitations made by that third country, as permitted under the Convention, shall be considered as ensuring effective protection. In case of geographical limitations made by the third	

				country, the existence of protection for persons who fall outside of the scope of the Convention shall be assessed in accordance with the criteria set out in paragraph 2.	
			Article 43a (2)		
474c				2. In cases other than that referred to in paragraph 1, that third country shall be considered as ensuring effective protection where the following criteria are met as a minimum:	
			Article 43a (2), subpoint (a)		
474d				(a) being allowed to remain on the territory of the third country;	
			Article 43a (2), subpoint (b)		
474e				(b) access to means of subsistence sufficient to maintain an adequate standard of living with regard to the overall situation of the hosting third country;	
			Article 43a (2), subpoint (c)		
474f				(c) access to emergency healthcare and essential treatment of illnesses; and	
			Article 43a (2), subpoint (d)		

474g				(d) access to elementary education.	
			Article 44		
475	Article 44 The concept of first country of asylum	Article 44 The concept of first country of asylum	Article 44 The concept of first country of asylum	Article 44 The concept of first country	
			Article 44(1)		
476	1. A third country shall be considered to be a first country of asylum for a particular applicant provided that:	1. A third country shall be considered to be a first country of asylum for a particular applicant provided that:	1. <i>Where a determining authority applies the admissibility procedure in accordance with point (a) of Article 36(1), a third country shall be considered to be a first country of asylum for a particular applicant provided that the applicant has been recognised as a refugee and has enjoyed effective protection in accordance with the Geneva Convention in that country before travelling to the Union and he or she can still avail himself or herself of that protection.</i>	1. A third country may only [...] be considered to be a first country of asylum for an [...] applicant where in that country [...]:	
			Article 44(1), point (a)		
477	(a) the applicant has enjoyed protection	(a) the applicant has enjoyed protection in accordance with	<i>deleted</i>	(a) [...] the applicant's life and liberty are not	

	in accordance with the Geneva Convention in that country before travelling to the Union and he or she can still avail himself or herself of that protection; or	the Geneva Convention in that country before travelling to the Union and he or she can still avail himself or herself of that protection; or		threatened on account of race, religion, nationality, membership of a particular social group or political opinion;	
Article 44(1), point (b)					
478	(b) the applicant otherwise has enjoyed sufficient protection in that country before travelling to the Union and he or she can still avail himself or herself of that protection.	(b) the applicant otherwise has enjoyed sufficient protection in that country before travelling to the Union and he or she can still avail himself or herself of that protection.	<i>deleted</i>	(b) [...] the applicant faces no real risk of serious harm as defined in [Article 16 of Regulation (EU) No XXX/XXX (Qualification Regulation)];	
Article 44(1), point (ba)					
478a				(ba) the applicant is protected against refoulement and against removal, in violation of the right to protection from torture and cruel, inhuman or degrading treatment or punishment as laid down in international law;	
Article 44(1), point (bb)					

478b				(bb) the applicant enjoyed effective protection as defined in Article 43a before travelling to the Union and he or she can still avail himself or herself of that protection.	
Article 44(2)					
479	2. The determining authority shall consider that an applicant enjoys sufficient protection within the meaning of paragraph 1(b) provided that it is satisfied that:	2. The determining authority shall consider that an applicant enjoys sufficient protection within the meaning of paragraph 1(b) provided that it is satisfied that:	<i>deleted</i>	2. [...]	
Article 44(2), point (a)					
480	(a) life and liberty are not threatened on account of race, religion, nationality, membership of a particular social group or political opinion;	(a) life and liberty are not threatened on account of race, religion, nationality, membership of a particular social group or political opinion;	<i>deleted</i>	(a) [...].	
Article 44(2), point (b)					
481	(b) there is no risk of serious harm as defined in	(b) there is no risk of serious harm as defined in Regulation (EU) No	<i>deleted</i>	(b) [...].	

	Regulation (EU) No XXX/XXX (Qualification Regulation);	XXX/XXX (Qualification Regulation);			
			Article 44(2), point (c)		
482	(c) the principle of non-refoulement in accordance with the Geneva Convention is respected;	(c) the principle of non-refoulement in accordance with the Geneva Convention is respected;	<i>deleted</i>	(c) [...].	
			Article 44(2), point (d)		
483	(d) the prohibition of removal, in violation of the right to freedom from torture and cruel, inhuman or degrading treatment as laid down in international law is respected;	(d) the prohibition of removal, in violation of the right to freedom from torture and cruel, inhuman or degrading treatment as laid down in international law is respected;	<i>deleted</i>	(d) [...].	
			Article 44(2), point (e)		
484	(e) there is a right of legal residence;	(e) there is a right of legal residence;	<i>deleted</i>	(e) [...].	
			Article 44(2), point (f)		
485			<i>deleted</i>	(f) [...].	

	(f) there is appropriate access to the labour market, reception facilities, healthcare and education; and	(f) there is appropriate access to the labour market, reception facilities, healthcare and education; and			
			Article 44(2), point (g)		
486	(g) there is a right to family reunification in accordance with international human rights standards.	(g) there is a right to family reunification in accordance with international human rights standards.	<i>deleted</i>	(g) [...].	
			Article 44(2a)		
486a				2a. [...]The concept of first country of asylum may only be applied provided that the applicant cannot demonstrate the existence of elements justifying why the concept of the first country of asylum is not applicable to him or her, in the framework of an individual assessment.	
			Article 44(3)		
487	3. Before his or her application can be rejected as inadmissible pursuant to Article	3. Before his or her application can be rejected as inadmissible pursuant to Article 36(1)(a), the applicant shall be allowed to	3.The applicant shall be allowed to challenge the application of the first country of asylum concept in light of his or her	3. [...].	

	36(1)(a), the applicant shall be allowed to challenge the application of the first country of asylum concept in light of his or her particular circumstances when lodging the application and during the admissibility interview.	challenge the application of the first country of asylum concept in light of his or her particular circumstances when lodging the application and during the admissibility interview.	particular circumstances <i>at any stage of the procedure</i> .		
Article 44(4)					
488	4. As regards unaccompanied minors, the concept of first country of asylum may only be applied where the authorities of Member States have first received from the authorities of the third country in question the assurance that the unaccompanied minor will be taken in charge by those authorities and that he or she shall immediately benefit from one of the	4. As regards unaccompanied minors, the concept of first country of asylum may only be applied where the authorities of Member States have first received from the authorities of the third country in question the assurance that the unaccompanied minor will be taken in charge by those authorities and that he or she shall immediately benefit from one of the forms of protection referred to in paragraph 1.	4. The concept of first country of asylum <i>shall not</i> be applied <i>to unaccompanied minors unless it is determined to be clearly in the best interests of the child and</i> where the authorities of Member States have first received from the authorities of the third country in question the assurance that the unaccompanied minor will be taken in charge by those authorities and that he or she shall immediately benefit from one of the forms of protection referred to in paragraph 1.	4.[...] ¹	

	forms of protection referred to in paragraph 1.				
			Article 44(5)		
489	5. Where an application is rejected as inadmissible in application of the concept of the first country of asylum, the determining authority shall:	5. Where an application is rejected as inadmissible in application of the concept of the first country of asylum, the determining authority shall:	5. Where an application is rejected as inadmissible in application of the concept of the first country of asylum, the determining authority shall:	5.[...]	
			Article 44(5), point (a)		
490	(a) inform the applicant accordingly;	(a) inform the applicant accordingly;	(a) inform the applicant accordingly <i>in writing</i> ;	(a) [...]	
			Article 44(5), point (b)		
491	(b) provide him or her with a document informing the authorities of the third country, in the language of that country, that the application has not been examined in substance as a consequence of the	(b) provide him or her with a document informing the authorities of the third country, in the language of that country, that the application has not been examined in substance as a consequence of the application of the first country of asylum concept.	(b) provide him or her with a document informing the authorities of the third country, in the language of that country, that the application has not been examined in substance as a consequence of the application of the first country of asylum concept.	(b) [...]	

	application of the first country of asylum concept.				
			Article 44(5a)		
491a				5a. A third country may only be considered to be a first country of asylum for an unaccompanied minor where there are clear indications that the applicant will be admitted or readmitted by the third country and it is not contrary to his or her best interest.	
			Article 44(6)		
492	6. Where the third country in question does not admit or readmit the applicant to its territory, the determining authority shall revoke the decision rejecting the application as inadmissible and shall give access to the procedure in accordance with the basic principles and guarantees provided for in Chapter II and	6. Where the third country in question does not admit or readmit the applicant to its territory, the determining authority shall revoke the decision rejecting the application as inadmissible and shall give access to the procedure in accordance with the basic principles and guarantees provided for in Chapter II and Section I of Chapter III.	6. Where the third country in question does not readmit the applicant to its territory, the determining authority shall revoke the decision rejecting the application as inadmissible and shall give access to the procedure in accordance with the basic principles and guarantees provided for in Chapter II and Section I of Chapter III.	6. Where the third country in question does not [...] readmit the applicant to its territory or does not reply within a time limit set by the competent authority, the applicant shall [...] have access to the procedure in accordance with the basic principles and guarantees provided for in Chapter II and Section I of Chapter III.	

	Section I of Chapter III.				
			Article 44(7)		
493	7. Member States shall inform the Commission and the European Union Agency for Asylum every year of the countries to which the concept of the first country of asylum is applied.	7. Member States shall inform the Commission and the European Union Agency for Asylum every year of the countries to which the concept of the first country of asylum is applied.	7. Member States shall inform the Commission and the European Union Agency for Asylum every year of the countries to which the concept of the first country of asylum is applied.	7.[...]	
			Article 45		
494	Article 45 The concept of safe third country	Article 45 The concept of safe third country	Article 45 The concept of safe third country	Article 45 The concept of safe third country	
			Article 45(1), first subparagraph		
495	1. A third country shall be designated as a safe third country provided that:	1. A third country shall be designated as a safe third country provided that:	<i>Where a determining authority applies the admissibility procedure in accordance with point (b) of Article 36(1), that determining authority may apply the safe third country concept only where it is satisfied that an applicant will be treated according to the following criteria:</i>	1. A third country may only [...] be designated as a safe third country [...] where in that country:	

			Article 45(1), first subparagraph, point (a)		
496	(a) life and liberty are not threatened on account of race, religion, nationality, membership of a particular social group or political opinion;	(a) life and liberty are not threatened on account of race, religion, nationality, membership of a particular social group or political opinion;	(a) life and liberty are not threatened on account of race, religion, nationality, membership of a particular social group or political opinion <i>and that there is no deprivation of liberty without due process</i> ;	(a) non-nationals' life and liberty are not threatened on account of race, religion, nationality, membership of a particular social group or political opinion;	
			Article 45(1), first subparagraph, point (b)		
497	(b) there is no risk of serious harm as defined in Regulation (EU) No XXX/XXX;	(b) there is no risk of serious harm as defined in Regulation (EU) No XXX/XXX;	(b) there is no risk of serious harm as defined in Regulation (EU) No XXX/XXX;	(b) non-nationals face [...] no real risk of serious harm as defined in [Article 16 of Regulation (EU) No XXX/XXX (Qualification Regulation)];	
			Article 45(1), first subparagraph, point (c)		
498	(c) the principle of non-refoulement in accordance with the Geneva Convention is respected;	(c) the principle of non-refoulement in accordance with the Geneva Convention is respected;	(c) the principle of non-refoulement in accordance with the Geneva Convention is respected;	(c) non-nationals are protected against [...] refoulement [...] and against [...] removal, in violation of the right to protection [...] from torture and cruel, inhuman or degrading treatment or punishment as laid down in international law [...];	
			Article 45(1), first subparagraph, point (ca)		

498a			<i>(ca) there is no real risk that the applicant would be transferred by the third state to another state in which he or she would not receive effective protection, or would be at risk of being transferred from there to any other state, where such protection would not be available;</i>		
Article 45(1), first subparagraph, point (d)					
499	(d) the prohibition of removal, in violation of the right to freedom from torture and cruel, inhuman or degrading treatment as laid down in international law, is respected;	(d) the prohibition of removal, in violation of the right to freedom from torture and cruel, inhuman or degrading treatment as laid down in international law, is respected;	(d) the prohibition of removal, in violation of the right to freedom from torture and cruel, inhuman or degrading treatment as laid down in international law, is respected;	(d) [...]. See preceding point	
Article 45(1), first subparagraph, point (e)					
500	(e) the possibility exists to receive protection in accordance with the substantive standards of the Geneva Convention or sufficient protection as referred to in Article	(e) the possibility exists to receive protection in accordance with the substantive standards of the Geneva Convention or sufficient protection as referred to in Article 44(2), as appropriate.	<i>deleted</i>	(e) the possibility exists to request and, if conditions are fulfilled, receive effective protection as defined in Article 43a [...]	

	44(2), as appropriate.				
			Article 45(1), first subparagraph, point (ea)		
500a			<i>(ea) there is a right of legal residence;</i>		
			Article 45(1), first subparagraph, point (eb)		
500b			<i>(eb) there is appropriate access to the labour market, reception facilities, healthcare and education;</i>		
			Article 45(1), first subparagraph, point (ec)		
500c			<i>(ec) the third country takes account of any specific vulnerabilities of the applicant and maintains the privacy interests of the applicant;</i>		
			Article 45(1), first subparagraph, point (ed)		
500d			<i>(ed) effective protection remains available until a durable solution can be found;</i>		
			Article 45(1), first subparagraph, point (ee)		
500e			<i>(ee) there is a right to family reunification in accordance with international human rights standards;</i>		
			Article 45(1), first subparagraph, point (ef)		

500f			<i>(ef) the third country has acceded to international refugee instruments and basic human rights instruments and complies with their standards in practice;</i>		
Article 45(1), first subparagraph, point (eg)					
500g			<i>(eg) it is possible to request refugee status and, if found to be a refugee, to receive protection in accordance with the Geneva Convention, ratified and applied without any geographical limitations, or to request and receive effective protection within the meaning of points (a) to (g).</i>		
Article 45(1a)					
500a				1a. The designation of a third country as a safe third country both at Union and at national level may be made with exceptions for specific parts of its territory or clearly identifiable categories of persons.	
Article 45(1b)					
500b				1b.[...]The assessment of whether a third country [...] is a safe third country	

				in accordance with this Regulation shall be based on [...] a range of relevant and available sources of information, including [...] from Member States, the European Union Agency for Asylum, the European External Action Service, the United Nations High Commissioner for Refugees [...] and other relevant international organisations.	
Article 45(1), second subparagraph					
501	The assessment of whether a third country may be designated as a safe third country in accordance with this Regulation shall be based on a range of sources of information, including in particular information from Member States, the European Union Agency for Asylum, the European External Action Service, the United Nations High Commissioner for	The assessment of whether a third country may be designated as a safe third country in accordance with this Regulation shall be based on a range of sources of information, including in particular information from Member States, the European Union Agency for Asylum, the European External Action Service, the United Nations High Commissioner for Refugees, the Council of Europe and other relevant organisations.	The assessment of whether a third country may be designated as a safe third country in accordance with this Regulation shall be based on a range of sources of information, including in particular information from Member States, the European Union Agency for Asylum, the European External Action Service, the United Nations High Commissioner for Refugees, the Council of Europe and other relevant international organisations, and national or international non-governmental organisations.	[...] <i>See preceding point</i>	

	Refugees, the Council of Europe and other relevant organisations.				
			Article 45(2)		
502	2. The concept of safe third country shall be applied:	2. The concept of safe third country shall be applied:	<i>deleted</i>	2. The concept of safe third country may [...] be applied:	
			Article 45(2), point (a)		
503	(a) where a third country has been designated as safe third country in accordance with Article 50;	(a) where a third country has been designated as safe third country in accordance with Article 50;	<i>deleted</i>	(a) [...] where a third country has been designated as safe third country at Union or national level in accordance with Articles 46 or 50 or	
			Article 45(2), point (b)		
504	(b) where a third country is designated as a safe third country at Union level; or	(b) where a third country is designated as a safe third country at Union level; or	<i>deleted</i>	(b) [...]	
			Article 45(2), point (c)		
505	(c) in individual cases in relation to a specific applicant.	(c) in individual cases in relation to a specific applicant.	<i>deleted</i>	(c) [...] in relation to a specific applicant where the country has not been designated as safe third	

				country at Union or national level, provided that the conditions set out in paragraph 1 are met with regard to that applicant.	
			Article 45(2b)		
505a				2b. The concept of safe third country may only be applied provided that:	
			Article 45(2b), subpoint (a)		
505b				(a) [...]the applicant cannot demonstrate the existence of elements justifying why the concept of safe third country is not applicable to him or her, in the framework of an individual assessment;	
			Article 45(2b), subpoint (b)		
505c				(b) there is a connection between the applicant and the third country in question on the basis of which it would be reasonable for him or her to go to that country, or if there is no such connection, the applicant consents to go there;	

		Article 45(2b), subpoint (c)			
				(c) in case of unaccompanied minors, where there are clear indications that the applicant will be admitted or readmitted by the third country and it is not contrary to his or her best interest.	
			Article 45(3)		
506	3. The determining authority shall consider a third country to be a safe third country for a particular applicant, after an individual examination of the application, only where it is satisfied of the safety of the third country for a particular applicant in accordance with the criteria established in paragraph 1 and it has established that:	3. The determining authority shall consider a third country to be a safe third country for a particular applicant, after an individual examination of the application, only where it is satisfied of the safety of the third country for a particular applicant in accordance with the criteria established in paragraph 1 and it has established that:	3. The determining authority <i>may</i> consider a third country to be a safe third country for a particular applicant, after an individual examination of the application, only where it is satisfied of the safety of the third country for a particular applicant in accordance with the criteria established in paragraph 1 and it has established that:	3. [...] Where the EU and a third country have jointly come to an agreement that migrants admitted under this agreement will be protected in accordance with the relevant international standards and in full respect of the principle of <i>non-refoulement</i> , the conditions of this Article regarding safe third country status may be presumed fulfilled without prejudice to paragraph 2b.	
			Article 45(3), point (a)		
507	(a) there is a connection between	(a) there is a connection between the applicant and	(a) there is a <i>sufficient</i> connection between the	(a) [...]	

	the applicant and the third country in question on the basis of which it would be reasonable for that person to go to that country, including because the applicant has transited through that third country which is geographically close to the country of origin of the applicant;	the third country in question on the basis of which it would be reasonable for that person to go to that country, including because the applicant has transited through that third country which is geographically close to the country of origin of the applicant;	applicant and the third country on the basis of which it would be reasonable for that person to go to that country; <i>that means the existence of a previous residence or stay in that country, where, given the duration and nature of that residence or stay, an applicant may reasonably be expected to seek protection in that country, and there are grounds for considering that the applicant will be readmitted to that country; and</i>		
Article 45(3), point (b)					
508	(b) the applicant has not submitted serious grounds for considering the country not to be a safe third country in his or her particular circumstances.	(b) the applicant has not submitted serious grounds for considering the country not to be a safe third country in his or her particular circumstances.	(b) the applicant has not submitted serious grounds for considering the country not to be a safe third country in his or her particular circumstances.	(b) [...]	
Article 45(4)					
509	4. Before his or her application can be rejected as inadmissible pursuant to Article	4. Before his or her application can be rejected as inadmissible pursuant to Article 36(1)(b), an applicant shall be allowed to challenge	4. An applicant shall be allowed to challenge the application of the concept of safe third country in light of his or her particular	4. [...]	

	36(1)(b), an applicant shall be allowed to challenge the application of the concept of safe third country in light of his or her particular circumstances when lodging the application and during the admissibility interview.	the application of the concept of safe third country in light of his or her particular circumstances when lodging the application and during the admissibility interview.	circumstances <i>at any stage of the procedure</i> .		
Article 45(5)					
510	5. As regards unaccompanied minors, the concept of safe third country may only be applied where the authorities of the Member States have first received from the authorities of the third country in question confirmation that the unaccompanied minor shall be taken in charge by those authorities and that he or she shall immediately have access to one of the forms of protection	5. As regards unaccompanied minors, the concept of safe third country may only be applied where the authorities of the Member States have first received from the authorities of the third country in question confirmation that the unaccompanied minor shall be taken in charge by those authorities and that he or she shall immediately have access to one of the forms of protection referred to in paragraph 1(e).	5. The concept of safe third country <i>shall not</i> be applied <i>to unaccompanied minors unless it is determined to be clearly in their best interests and</i> where the authorities of the Member States have first received from the authorities of the third country in question confirmation that the unaccompanied minor shall be taken in charge by those authorities and that he or she shall immediately have access to one of the forms of protection <i>either under this Article or Article 44</i> .	5. [...]	

	referred to in paragraph 1(e).				
			Article 45(6)		
511	6. Where an application is rejected as inadmissible in application of the concept of the safe third country, the determining authority shall:	6. Where an application is rejected as inadmissible in application of the concept of the safe third country, the determining authority shall:	6. Where an application is rejected as inadmissible in application of the concept of the safe third country, the determining authority shall:	6. [...]	
			Article 45(6), point (a)		
512	(a) inform the applicant accordingly; and	(a) inform the applicant accordingly; and	(a) inform the applicant <i>in writing</i> ; and	(a) [...]	
			Article 45(6), point (b)		
513	(b) provide him or her with a document informing the authorities of the third country, in the language of that country, that the application has not been examined in substance as a consequence of the application of the	(b) provide him or her with a document informing the authorities of the third country, in the language of that country, that the application has not been examined in substance as a consequence of the application of the concept of the safe third country.	(b) provide him or her with a document informing the authorities of the third country, in the language of that country, that the application has not been examined in substance.	(b) [...]	

	concept of the safe third country.				
			Article 45 (7)		
514	7. Where the third country in question does not admit or readmit the applicant to its territory, the determining authority shall revoke the decision rejecting the application as inadmissible and shall give access to the procedure in accordance with the basic principles and guarantees provided for in Chapter II and Section I of Chapter III.	7. Where the third country in question does not admit or readmit the applicant to its territory, the determining authority shall revoke the decision rejecting the application as inadmissible and shall give access to the procedure in accordance with the basic principles and guarantees provided for in Chapter II and Section I of Chapter III.	7. Where the third country in question does not admit or readmit the applicant to its territory, the determining authority shall revoke the decision rejecting the application as inadmissible and shall give access to the procedure in accordance with the basic principles and guarantees provided for in Chapter II and Section I of Chapter III.	7. Where the third country in question does not admit or readmit the applicant to its territory, the applicant [...] shall have [...] access to the procedure in accordance with the basic principles and guarantees provided for in Chapter II and Section I of Chapter III.	
			Article 46		
515	Article 46 Designation of safe third countries at Union level	Article 46 Designation of safe third countries at Union level	<i>deleted</i>	Article 46 Designation of safe third countries at Union level	
			Article 46(1)		
516					

	1. Third countries shall be designated as safe third countries at Union level, in accordance with the conditions laid down in Article 45(1).	1. Third countries shall be designated as safe third countries at Union level, in accordance with the conditions laid down in Article 45(1).	<i>deleted</i>	1. Third countries listed in [Annex 1a] to this Regulation are [...] designated as safe third countries at Union level, in accordance with the conditions laid down in Article 45(1).	
Article 46(2)					
517	2. The Commission shall regularly review the situation in third countries that are designated as safe third countries at Union level, with the assistance of the European Union Agency for Asylum and based on the other sources of information referred to in the second paragraph of Article 45(1).	2. The Commission shall regularly review the situation in third countries that are designated as safe third countries at Union level, with the assistance of the European Union Agency for Asylum and based on the other sources of information referred to in the second paragraph of Article 45(1).	<i>deleted</i>	2. The Commission shall [...] review the situation in third countries that are on the EU common list of [...] safe third countries [...] with the assistance of the European Union Agency for Asylum and based on the other sources of information referred to in [...] Article 45(1b).	
Article 46(2a)					
517a				2a. The European Union Agency for Asylum shall, at the request of the Commission, provide it with information and analysis on specific third	

				countries which could be considered for inclusion in the EU common list of safe third countries. The Commission shall promptly consider any request from a Member State[...] to assess whether a third country could be designated as a safe third country at Union level.	
				Article 46(3)	
518	3. The Commission shall be empowered to adopt delegated acts to suspend the designation of a third country as a safe third country at Union level subject to the conditions as set out in Article 49.	3. The Commission shall be empowered to adopt delegated acts to suspend the designation of a third country as a safe third country at Union level subject to the conditions as set out in Article 49.	<i>deleted</i>	3. The Commission shall be empowered to adopt delegated acts to suspend the designation of a third country as a safe third country at Union level subject to the conditions as set out in Article 49.	
				Article 47	
519	Article 47 The concept of safe country of origin	Article 47 The concept of safe country of origin	Article 47 The concept of safe country of origin	Article 47 The concept of safe country of origin	
				Article 47(1)	
520	1. A third country may be designated	1. A third country may be designated as a safe country	1. A third country may be designated as a safe country	1. A third country [...] may only be designated as a safe	

	as a safe country of origin in accordance with this Regulation where, on the basis of the legal situation, the application of the law within a democratic system and the general political circumstances, it can be shown that there is generally no persecution as defined in Article 9 of Regulation (EU) No XXX/XXX (Qualification Regulation), no torture or inhuman or degrading treatment or punishment and no threat by reason of indiscriminate violence in situations of international or internal armed conflict.	of origin in accordance with this Regulation where, on the basis of the legal situation, the application of the law within a democratic system and the general political circumstances, it can be shown that there is generally no persecution as defined in Article 9 of Regulation (EU) No XXX/XXX (Qualification Regulation), no torture or inhuman or degrading treatment or punishment and no threat by reason of indiscriminate violence in situations of international or internal armed conflict.	of origin in accordance with this Regulation where, on the basis of the legal situation, the application of the law within a democratic system and the general political circumstances, it can be shown that there is no general or consistent persecution as defined in Article 9 of Regulation (EU) No XXX/XXX (Qualification Regulation), no torture or inhuman or degrading treatment or punishment and no threat by reason of indiscriminate violence in situations of international or internal armed conflict.	country of origin in accordance with this Regulation where, on the basis of the legal situation, the application of the law within a democratic system and the general political circumstances, it can be shown that there is generally no persecution as defined in [Article 9 of Regulation (EU) No XXX/XXX (Qualification Regulation)] [...] and no real risk of serious harm as defined in [Article 16 of Regulation (EU) No XXX/XXX (Qualification Regulation)] .	
			Article 47(1a)		
520a				1a. The designation of a third country as a safe country of origin both at Union and national level may be made with	

				exceptions for specific parts of its territory or clearly identifiable categories of persons.	
Article 47(2)					
521	2. The assessment of whether a third country may be designated as a safe country of origin in accordance with this Regulation shall be based on a range of sources of information, including in particular information from Member States, the European Union Agency for Asylum, the European External Action Service, the United Nations High Commissioner for Refugees, the Council of Europe as well as other relevant organisations, and shall take into account the common analysis of the country of origin information referred	2. The assessment of whether a third country may be designated as a safe country of origin in accordance with this Regulation shall be based on a range of sources of information, including in particular information from Member States, the European Union Agency for Asylum, the European External Action Service, the United Nations High Commissioner for Refugees, the Council of Europe as well as other relevant organisations, and shall take into account the common analysis of the country of origin information referred to in Article 10 of Regulation (EU) No XXX/XXX (EU Asylum Agency).	2. The assessment of whether a third country may be designated as a safe country of origin in accordance with this Regulation shall be based on a range of sources of information, including in particular information from Member States, the European Union Agency for Asylum, the European External Action Service, the <i>Union delegations in those countries</i> , the United Nations High Commissioner for Refugees, the Council of Europe, relevant <i>international</i> organisations <i>and national or international non-governmental organisations</i> and shall take into account the common analysis of the country of origin information referred to in Article 10 of Regulation (EU) No XXX/XXX (EU Asylum Agency).	2. [...] The assessment of whether a third country [...] is a safe country of origin in accordance with this Regulation shall be based on [...] a range of relevant and available sources of information, including [...] information from Member States, the European Union Agency for Asylum, the European External Action Service, the United Nations High Commissioner for Refugees, [...] and other relevant international organisations, and shall take into account where available the common analysis of the country of origin information referred to in Article 11 of Regulation (EU) No 2021/2303 (EU Asylum Agency).	

	to in Article 10 of Regulation (EU) No XXX/XXX (EU Asylum Agency).				
			Article 47(3)		
522	3. In making this assessment, account shall be taken, <i>inter alia</i> , of the extent to which protection is provided against persecution or mistreatment by:	3. In making this assessment, account shall be taken, <i>inter alia</i> , of the extent to which protection is provided against persecution or mistreatment by:	3. In making this assessment, account shall be taken, <i>inter alia</i> , of the extent to which protection is provided against persecution or mistreatment by:	3. In making this assessment, account shall be taken, <i>inter alia</i> , of the extent to which protection is provided against persecution or [...] serious harm by:	
			Article 47(3), point (a)		
523	(a) the relevant laws and regulations of the country and the manner in which they are applied;	(a) the relevant laws and regulations of the country and the manner in which they are applied;	(a) the relevant laws and regulations of the country and the manner in which they are applied;	(a) the relevant laws and regulations of the country and the manner in which they are applied;	
			Article 47(3), point (b)		
524	(b) observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms or the	(b) observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms or the International Covenant for Civil and Political Rights or the United Nations Convention against	(b) observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms or the International Covenant for Civil and Political Rights or the United Nations	(b) observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms or the International Covenant for Civil and Political Rights or the United Nations	

	International Covenant for Civil and Political Rights or the United Nations Convention against Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention;	Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention;	Convention against Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention;	Convention against Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention;	
Article 47(3), point (c)					
525	(c) the absence of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social	(c) the absence of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country;	(c) the absence of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or	(c) [...]	

	group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country;		extradition to another third country;		
Article 47(3), point (d)					
526	(d) the provision for a system of effective remedies against violations of those rights and freedoms.	(d) the provision for a system of effective remedies against violations of those rights and freedoms.	(d) the provision for a system of effective remedies against violations of those rights and freedoms.	(d) the provision for a system of effective remedies against violations of those rights and freedoms.	
Article 47(4)					
527	4. A third country designated as a safe country of origin in accordance with this Regulation may, after an individual examination of the application, be considered as a safe country of origin for a particular applicant only where:	4. A third country designated as a safe country of origin in accordance with this Regulation may, after an individual examination of the application, be considered as a safe country of origin for a particular applicant only where:	4. A third country designated as a safe country of origin in accordance with this Regulation may, after an individual examination of the application, be considered as a safe country of origin for a particular applicant only where:	4. The concept of [...] a safe country of origin [...] may [...] only be applied provided that [...]:	
Article 47(4), point (a)					
528					

	(a) he or she has the nationality of that country; or	(a) he or she has the nationality of that country; or	(a) he or she has the nationality of that country; or	(a) [...] the applicant has the nationality of that country or he or she is a stateless person and was formerly habitually resident in that country;	
			Article 47(4), point (aa)		
528a				(aa) the applicant does not belong to a category of persons for which an exception was made when designating the third country as a safe country of origin;	
			Article 47(4), point (b)		
529	(b) he or she is a stateless person and was formerly habitually resident in that country; and	(b) he or she is a stateless person and was formerly habitually resident in that country; and	(b) he or she is a stateless person and was formerly habitually resident in that country; and	(b) [...] the applicant cannot demonstrate the existence of elements justifying why the concept of safe country of origin is not applicable to him or her, in the framework of an individual assessment.	
			Article 47(4), point (c)		
530	(c) he or she has not submitted any serious grounds for considering the country not to be a safe country of origin in his or her particular circumstances.	(c) he or she has not submitted any serious grounds for considering the country not to be a safe country of origin in his or her particular circumstances.	(c) he or she has not submitted any serious grounds for considering the country not to be a safe country of origin in his or her particular circumstances.	(c) [...] <i>See above point (b)</i>	

			Article 47 (4a)		
530a			<i>4a. Member States shall not apply the safe country of origin concept in the case of applicants that belong to a minority or group of persons that remains at risk in light of the situation in the country of origin concerned, based on the sources of information listed in paragraph 2.</i>		
			Article 48		
531	Article 48 Designation of safe countries of origin at Union level	Article 48 Designation of safe countries of origin at Union level	Article 48 Designation of safe countries of origin at Union level	Article 48 Designation of safe countries of origin at Union level	
			Article 48 (1)		
532	1. Third countries listed in Annex 1 to this Regulation are designated as safe countries of origin at Union level, in accordance with the conditions laid down in Article 47.	1. Third countries listed in Annex 1 to this Regulation are designated as safe countries of origin at Union level, in accordance with the conditions laid down in Article 47.	1. Third countries listed in Annex 1 to this Regulation are designated as safe countries of origin at Union level, in accordance with the conditions laid down in Article 47.	1. Third countries listed in [Annex 1] to this Regulation are designated as safe countries of origin at Union level, in accordance with the conditions laid down in Article 47.	
			Article 48 (2)		

533	2. The Commission shall regularly review the situation in third countries that are on the EU common list of safe countries of origin, with the assistance of the Union Agency for Asylum and based on the other sources of information referred to in Article 45(2).	2. The Commission shall regularly review the situation in third countries that are on the EU common list of safe countries of origin, with the assistance of the Union Agency for Asylum and based on the other sources of information referred to in Article 45(2).	2. The Commission shall <i>continuously</i> review the situation in third countries that are on the EU common list of safe countries of origin <i>or have been suspended from that list in accordance with Article 49. It shall also continuously review those countries' compliance with the conditions for the designation of a country as a safe country of origin set out in Article 47</i> , with the assistance of the <i>European</i> Union Agency for Asylum and based on the other sources of information referred to in Article 47(2). <i>It shall keep the European Parliament informed in a timely manner.</i>	2. The Commission shall [...] review the situation in third countries that are on the EU common list of safe countries of origin, with the assistance of the European Union Agency for Asylum and based on the other sources of information referred to in Article 47[...] (2).	
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		Article 48 (2a) first paragraph			
533a			<i>2a. The Commission shall consult the European Union Agency for Asylum when conducting its regular reviews of the situation in third countries which are included in the EU common list of safe countries of origin and countries that have been suspended from that list.</i>		

			<i>The Commission may request that the European Union Agency for Asylum carry out a review of the situation in any such third country with a view to assessing whether the criteria set out in Article 47 still apply.</i>		
			Article 48 (2a) second paragraph		
533b			<i>When reviewing the EU common list of safe countries of origin, the Commission shall consult international organisations, in particular the UNHCR, and relevant civil society organisations or individuals with proven country-specific and human rights expertise.</i>		
			Article 48 (3)		
534	3. In accordance with Article 11(2) of Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation), the Commission may request the Union Agency for	3. In accordance with Article 11(2) of Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation), the Commission may request the Union Agency for Asylum to provide it with information on specific third countries which could be considered for	3. In accordance with Article 11(2) of Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation), the Commission may request the Union Agency for Asylum to provide it with information on specific third countries which could	3. [...] The European Union Agency for Asylum shall, at the request of the Commission, [...] provide it with information and analysis on specific third countries which could be	

	Asylum to provide it with information on specific third countries which could be considered for inclusion in the common EU list of safe countries of origin.	inclusion in the common EU list of safe countries of origin.	be considered for inclusion in the common EU list of safe countries of origin.	considered for inclusion in the common EU list of safe countries of origin. The Commission shall promptly consider any request from a Member State[...] to assess whether a third country could be included in the common EU list of safe countries of origin.	
Article 48 (4)					
535	4. The Commission shall be empowered to adopt delegated acts to suspend the presence of a third country from the EU common list of safe countries of origin subject to the conditions as set out in Article 49.	4. The Commission shall be empowered to adopt delegated acts to suspend the presence of a third country from the EU common list of safe countries of origin subject to the conditions as set out in Article 49.	<i>deleted</i>	4. The Commission shall be empowered to adopt delegated acts to suspend the presence of a third country from the EU common list of safe countries of origin subject to the conditions as set out in Article 49.	
Article 49					
536	Article 49 Suspension and removal of the designation of a	Article 49 Suspension and removal of the designation of a third country as a safe third country at Union	Article 49 Suspension of the designation of a third country from the EU	Article 49 Suspension and removal [...] of a third country [...] from the EU common	

	third country as a safe third country at Union level or from the EU common list of safe country of origin	level or from the EU common list of safe country of origin	common list of safe <i>countries</i> of origin	lists of safe third country or of safe country of origin	
Article 49 (-1)					
			<i>-1. The Commission is empowered to adopt delegated acts to suspend the presence of a third country from the EU common list of safe countries of origin subject to the conditions as set out in this Article.</i>		
Article 49 (1)					
537	1. In case of sudden changes in the situation of a third country which is designated as a safe third country at Union level or which is on the EU common list of safe countries of origin, the Commission shall conduct a substantiated assessment of the	1. In case of sudden changes in the situation of a third country which is designated as a safe third country at Union level or which is on the EU common list of safe countries of origin, the Commission shall conduct a substantiated assessment of the fulfilment by that country of the conditions set in Article 45 or Article 47 and, if the Commission considers that those conditions are no longer met, it shall adopt a delegated act suspending the designation of	1. <i>If</i> sudden changes in the situation of a third country which is on the EU common list of safe countries of origin <i>could lead to that country's non-compliance with the conditions for the designation of a country as a safe country of origin</i> , the Commission shall <i>immediately and rapidly</i> conduct a substantiated assessment of the fulfilment by that country of the conditions set <i>out</i> in	1. In case of [...] significant changes in the situation of a third country [...] which is on the EU common lists of safe third country or of safe countries of origin, the Commission shall conduct a substantiated assessment of the fulfilment by that country of the conditions set in Article 45 or Article 47 and, if the Commission considers that those conditions are no longer met, it shall adopt a	

	fulfilment by that country of the conditions set in Article 45 or Article 47 and, if the Commission considers that those conditions are no longer met, it shall adopt a delegated act suspending the designation of a third country as a safe third country at Union level or suspending the presence of a third country from the EU common list of safe countries of origin for a period of six months.	a third country as a safe third country at Union level or suspending the presence of a third country from the EU common list of safe countries of origin for a period of six months.	Article 47 and, if <i>they</i> are no longer met, it shall adopt <i>as soon as possible</i> a delegated act <i>in accordance with Article 290 TFEU</i> , suspending the presence of <i>that</i> third country from the EU common list of safe countries of origin for a period of six months. <i>As soon as possible after it becomes aware of the change in the situation and in any event before adopting the delegated act suspending that third country from the EU common list of safe countries of origin, the Commission shall inform the Member States and recommend that they not apply the safe country of origin concept to that third country at national level.</i>	delegated act suspending [...] the presence of a third country from the EU common lists of safe third countries or of safe countries of origin for a period of six months.	
Article 49 (2)					
538	2. The Commission shall continuously review the situation in that third country taking into account <i>inter alia</i> information	2. The Commission shall continuously review the situation in that third country taking into account <i>inter alia</i> information provided by the Member States regarding subsequent changes in the situation of that country.	2. The Commission shall continuously review the situation in that third country taking into account <i>inter alia</i> information provided by the Member States regarding subsequent changes in the situation of that country.	2. The Commission shall continuously review the situation in that third country taking into account <i>inter alia</i> information provided by the Member States and the European Agency for Asylum regarding subsequent	

	provided by the Member States regarding subsequent changes in the situation of that country.			changes in the situation of that country.	
		Article 49 (2a)			
538a			<i>2a. Where, during the period of suspension from the EU common list of safe countries of origin, it becomes clear from available information that the third country once again fulfils the conditions set out in Article 47, the Commission shall, no sooner than six months after the adoption of the decision under paragraph 1 of this Article, adopt a decision to revoke the suspension of that country from the EU common list of safe countries of origin in accordance with Article 290 TFEU.</i>		
		Article 49 (2b)			
538b			<i>2b. The UNHCR, non-governmental organisations and individual experts with</i>		

			<i>proven and relevant country-specific and human rights expertise may request the Commission to suspend or remove a country from the EU common list of safe countries of origin. Such a request shall contain a detailed and up-to-date description of the human rights situation and the persistent human rights violations occurring in the country concerned. It shall also specify the non-compliance with the criteria laid down in Article 47 that justifies the suspension or withdrawal of that country from the EU common list of safe countries of origin. Except where it considers the request to be inadmissible, unsubstantiated or repetitive, the Commission shall assess the information submitted in such requests.</i>		
Article 49(3)					
539	3. Where the Commission has adopted a delegated act in	3. Where the Commission has adopted a delegated act in accordance with paragraph 1 suspending the designation of	<i>deleted</i>	3. Where the Commission has adopted a delegated act in accordance with paragraph 1 [...]	

	accordance with paragraph 1 suspending the designation of a third country as a safe third country at Union level or suspending the presence of a third country from the EU common list of safe countries of origin, it shall within three months after the date of adoption of that delegated act submit a proposal, in accordance with the ordinary legislative procedure, for amending this Regulation to remove that third country from the designation of safe third countries at Union level or from the EU common list of safe countries of origin.	a third country as a safe third country at Union level or suspending the presence of a third country from the EU common list of safe countries of origin, it shall within three months after the date of adoption of that delegated act submit a proposal, in accordance with the ordinary legislative procedure, for amending this Regulation to remove that third country from the designation of safe third countries at Union level or from the EU common list of safe countries of origin.		suspending the presence of a third country from the EU common lists of safe third countries or of safe countries of origin, it shall within three months after the date of adoption of that delegated act submit a proposal, in accordance with the ordinary legislative procedure, for amending this Regulation to remove that third country [...] from the EU common lists of safe third countries or of safe countries of origin.	
			Article 49(4)		
540			<i>deleted</i>		

	4. Where such a proposal is not submitted by the Commission within three months from the adoption of the delegated act as referred to in paragraph 2, the delegated act suspending the third country from its designation as a safe third country at Union level or suspending the presence of the third country from the EU common list of safe countries of origin shall cease to have effect. Where such a proposal is submitted by the Commission within three months, the Commission shall be empowered, on the basis of a substantial assessment, to extend the validity of that delegated act for a period of six months, with a possibility to	4. Where such a proposal is not submitted by the Commission within three months from the adoption of the delegated act as referred to in paragraph 2, the delegated act suspending the third country from its designation as a safe third country at Union level or suspending the presence of the third country from the EU common list of safe countries of origin shall cease to have effect. Where such a proposal is submitted by the Commission within three months, the Commission shall be empowered, on the basis of a substantial assessment, to extend the validity of that delegated act for a period of six months, with a possibility to renew this extension once.		4. Where such a proposal is not submitted by the Commission within three months from the adoption of the delegated act as referred to in paragraph 1[...], the delegated act [...] suspending the presence of the third country from the EU common lists of safe third countries or of safe countries of origin shall cease to have effect. Where such a proposal is submitted by the Commission within three months, the Commission shall be empowered, on the basis of a substantiated[...] assessment, to extend the validity of that delegated act for a period of six months, with a possibility to renew this extension once.	
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	renew this extension once.				
			Article 49(4a)		
540a				4a. Without prejudice to paragraph 4, where the proposal submitted by the Commission to amend this Regulation to remove the third country from the EU common lists of safe third countries or of safe countries of origin is not adopted within fifteen months from when the proposal was submitted by the Commission, the suspension of the presence of a third country from the EU common lists of safe third countries or of safe countries of origin shall cease to have effect.	
			Article 49a		
540b			<i>Article 49a</i> <i>Addition or removal of a third country from the EU common list of safe countries of origin</i>		
			Article 49a (1)		
540c			<i>1. Where the Commission has adopted a delegated act in accordance with Article 49(1) suspending</i>		

			<i>the designation of a third country as a safe country of origin, it shall, within six months of the date of adoption of that delegated act, submit a proposal, in accordance with the ordinary legislative procedure, to amend this Regulation in order to remove that third country from the EU common list of safe countries of origin.</i>		
		Article 49a (2)			
			<i>2. Where a legislative proposal as referred to in paragraph 1 is submitted by the Commission within the six-month period referred to in that paragraph, the Commission is empowered, on the basis of a substantial assessment, to extend the validity of that delegated act for a period of six months, with a possibility to renew that extension once.</i>		
		Article 49a (3)			
540d			<i>3. Any amendment of the EU common list of safe countries of origin shall be adopted in accordance</i>		

			<i>with the ordinary legislative procedure. For that purpose:</i>		
		Article 49a (3) point (a)			
540e			<i>(a) the Commission shall regularly examine the situation in third countries and the possibility of proposing the addition of those countries to the EU common list of safe countries of origin;</i>		
		Article 49 a (3) point (b)			
			<i>(b) if appropriate, the Commission shall draw up a proposal to enlarge the EU common list of safe countries of origin after a substantiated assessment of whether the countries to be added to the list fulfil the criteria set out in Article 47; and</i>		
		Article 49a (3) point (c)			
540f			<i>(c) an assessment as to whether a country is a safe country of origin that is conducted in accordance with this Article shall be based on a range of sources of information, including, in particular, regular reporting from the</i>		

			<i>EEAS and information from Member States, the European Union Agency for Asylum, the UNHCR, the Council of Europe, and other relevant international organisations, and national or international non-governmental organisations.</i>		
			Article 50		
541	Article 50 Designation of third countries as safe third countries or safe country of origin at national level	Article 50 Designation of third countries as safe third countries or safe country of origin at national level	Article 50 Designation of third countries as safe third countries or safe country of origin at national level	Article 50 Designation of third countries as safe third countries or safe country of origin at national level	
			Article 50(1)		
542	1. For a period of five years from entry into force of this Regulation, Member States may retain or introduce legislation that allows for the national designation of safe third countries or safe countries of	1. For a period of five years from entry into force of this Regulation, Member States may retain or introduce legislation that allows for the national designation of safe third countries or safe countries of origin other than those designated at Union level or which are on the EU common list in Annex 1 for the purposes of examining	1. For a period of <i>three</i> years from <i>the</i> entry into force of this Regulation, Member States may retain or introduce legislation that allows for the national designation of safe countries of origin other than those which are on the EU common list in Annex 1 for the purposes of examining applications for international protection.	1. [...] Member States may retain or introduce legislation that allows for the national designation of safe third countries or safe countries of origin other than those [...] which are on the EU common lists in [Annex 1 and 1a] for the purposes of examining applications for international protection.	

	origin other than those designated at Union level or which are on the EU common list in Annex 1 for the purposes of examining applications for international protection.	applications for international protection.	<i>During that period, the Member States shall be responsible for making sure that the national lists of safe countries of origin and the EU common list of safe countries of origin are consistent with one another. This implies the following:</i>		
			Article 50 (1) point (a)		
			<i>(a) Member States shall notify the Commission of any changes made to their national list;</i>		
			Article 50 (1) point (b)		
			<i>(b) Member States may submit proposals for the addition of third countries to the EU common list of safe countries of origin, which shall be examined by the Commission within six months of their submission, based on the range of information sources at its disposal, in particular EEAS reports and information provided by Member States, the European Union Agency for Asylum, the UNHCR, the Council of Europe and</i>		

			<i>other relevant international organisations and national or international non-governmental organisations. Where the Commission decides that a third country may be added to the list, it shall submit a legislative proposal in order to enlarge the EU common list of safe countries of origin;</i>		
			Article 50 (1) point (c)		
			<i>(c) where a third country has been suspended from the EU common list of safe countries of origin pursuant to Article 49(1), Member States shall not designate that country as a safe country of origin at the national level; and</i>		
			Article 50 (1) point (d) first paragraph		
			<i>(d) where a third country has been removed from the EU common list of safe countries of origin pursuant to Article 49a, a Member State may notify the Commission where it considers that, following changes in the situation of</i>		

			<i>that third country, it once again fulfils the criteria set out in Article 47 for being included in the EU common list of safe countries of origin.</i>		
			Article 50 (1) point (d) second paragraph		
			<i>The Commission shall examine notifications as referred to in point (d) of the first subparagraph and, if appropriate, submit a legislative proposal to amend the EU common list of safe countries of origin accordingly. Where the Commission decides not to submit a legislative proposal, Member States shall not designate that country as a safe country of origin at national level</i>		
			Article 50(2)		
543	2. Where a third country is suspended from being designated as a safe third country at Union level or the presence of a third country has been suspended from the EU common list in Annex 1 to this	2. Where a third country is suspended from being designated as a safe third country at Union level or the presence of a third country has been suspended from the EU common list in Annex 1 to this Regulation pursuant to Article 49(1), Member States shall not designate that country as a safe third country or a safe third country of origin at national	<i>deleted</i>	2. Where [...] the presence of a third country has been suspended from the EU common lists in [Annex 1 or 1a] to this Regulation pursuant to Article 49(1), Member States shall not designate that country as a safe third country or a safe [...] country of origin at national level [...].	

	Regulation pursuant to Article 49(1), Member States shall not designate that country as a safe third country or a safe third country of origin at national level nor shall they apply the safe third country concept on an ad hoc basis in relation to a specific applicant.	level nor shall they apply the safe third country concept on an ad hoc basis in relation to a specific applicant.			
Article 50(3), first subparagraph					
544	3. Where a third country is no longer designated as a safe third country at Union level or a third country has been removed from the EU common list in Annex I to the Regulation in accordance with the ordinary legislative procedure, a Member State may notify the Commission that it	3. Where a third country is no longer designated as a safe third country at Union level or a third country has been removed from the EU common list in Annex I to the Regulation in accordance with the ordinary legislative procedure, a Member State may notify the Commission that it considers that, following changes in the situation of that country, it again fulfils the conditions set out in Article 45(1) and Article 47.	<i>deleted</i>	3. Where a third country [...] has been removed from the EU common lists in [Annex[...] I or Ia] to the Regulation in accordance with the ordinary legislative procedure, a Member State may notify the Commission that it considers that, following changes in the situation of that country, it again fulfils the conditions set out in Article 45(1) and Article 47.	

	considers that, following changes in the situation of that country, it again fulfils the conditions set out in Article 45(1) and Article 47.				
Article 50(3), second subparagraph					
545	The notification shall include a substantiated assessment of the fulfilment by that country of the conditions set out in Article 45(1) and Article 47 including an explanation of the specific changes in the situation of the third country, which make the country fulfil those conditions again.	The notification shall include a substantiated assessment of the fulfilment by that country of the conditions set out in Article 45(1) and Article 47 including an explanation of the specific changes in the situation of the third country, which make the country fulfil those conditions again.	<i>deleted</i>	The notification shall include a substantiated assessment of the fulfilment by that country of the conditions set out in Article 45(1) and Article 47 including an explanation of the specific changes in the situation of the third country, which make the country fulfil those conditions again.	
Article 50(3), third subparagraph (new)					
545a				Following the notification, the Commission shall request the European Union Agency for	

				Asylum to provide it with information and analysis on the situation in the third country.	
Article 50(3), third subparagraph					
546	The notifying Member State may only designate that third country as a safe third country or as a safe country of origin at national level provided that the Commission does not object to that designation.	The notifying Member State may only designate that third country as a safe third country or as a safe country of origin at national level provided that the Commission does not object to that designation.	<i>deleted</i>	The notifying Member State may only designate that third country as a safe third country or as a safe country of origin at national level provided that the Commission does not object to that designation.	
Article 50(3), fifth subparagraph (new)					
546a				The Commission's right of objection shall be limited to a period of two years after the date of removal of that third country from the EU common lists of safe countries of origin or of safe third countries. Any objection by the Commission shall be issued within a period of three months after the date of notification	

				by the Member State and after due review of the situation in that third country, having regard to the conditions set out in Articles 45(1) and 47 of this Regulation.	
		Article 50(3), sixth subparagraph (new)			
546b				Where it considers that those conditions are fulfilled, the Commission may propose an amendment to this Regulation in order to add that third country to the EU common lists of safe countries of origin or of safe third countries.	
		Article 50(4)			
547	4. Member States shall notify the Commission and the European Union Agency for Asylum of the third countries that are designated as safe third countries or safe countries of origin at national level immediately after such designation.	4. Member States shall notify the Commission and the European Union Agency for Asylum of the third countries that are designated as safe third countries or safe countries of origin at national level immediately after such designation. Member States shall inform the Commission and the Agency once a year of the other safe third countries to which the concept is applied	4. Member States shall notify the Commission and the European Union Agency for Asylum of the third countries that are designated as safe countries of origin at national level immediately after such designation.	4. Member States shall notify the Commission and the European Union Agency for Asylum of the third countries that are designated as safe third countries or safe countries of origin at national level upon the date of application of this Regulation and immediately after [...] each designation or changes to the designations. Member	

	Member States shall inform the Commission and the Agency once a year of the other safe third countries to which the concept is applied on an ad hoc basis in relation to specific applicants.	on an ad hoc basis in relation to specific applicants.		States shall inform the Commission and the Agency once a year of the other safe third countries to which the concept is applied [...] in relation to specific applicants as referred to in Article 45(2)(b).	
Article 50 (4a)					
547a			<i>4 a. By ... [insert date: three years after the entry into force of this Regulation], only a third country that is on the EU common list of safe countries of origin established by this Regulation shall be considered to be a safe country of origin.</i>		