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WORKING DOCUMENT

From:	Presidency
To:	JHA Counsellors (Visa, Frontiers, Schengen)
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code) - Outcome of the 1st technical meeting (10 January 2019)

Delegations will find attached the 4-column table in view of the JHA Counsellors (Visa) meeting on 14 January 2019.

**Proposal for a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code)**

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
1.	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code)		Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code)
2.	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
3.	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2)(a) thereof,		Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2)(a) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2)(a) thereof,
4.	Having regard to the proposal from the European Commission,		Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,
5.	After transmission of the draft legislative act to the national parliaments,		After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,
6.	Having regard to the opinion of the European Economic and Social Committee ¹ ,		Having regard to the opinion of the European Economic and Social Committee ² ,	Having regard to the opinion of the European Economic and Social Committee ³ ,

¹ OJ C , , p. .

² OJ C , , p. .

³ OJ C , , p. .

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
7.	Acting in accordance with the ordinary legislative procedure,		Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
8.	Whereas:		Whereas:	Whereas:
9.	(1) The European Union's common short-stay visa policy has been an integral part to the establishment of an area without internal borders. Visa policy should remain an essential tool for facilitating tourism and business, while helping counter security risks and the risk of irregular migration to the Union.	(1) The European Union's common short-stay visa policy has been an integral part to the establishment of an area without internal borders. <i>A visa policy which is compatible with human rights and fundamental freedoms should facilitate travel by third-country nationals to the Union while guaranteeing free movement of persons and maintaining the security of people within the territory of the Union. The common visa policy should be consistent with other Union policies, including those on freedom of movement, residence and mobility.</i>	(1) The European Union's common short-stay visa policy has been an integral part to the establishment of an area without internal borders. Visa policy should remain an essential tool for facilitating tourism and business, while helping counter security risks and the risk of irregular migration to the Union.	
10.	(2) The Union should use its visa policy in its cooperation with third countries, and to ensure a better balance between migration and security concerns, economic considerations and general external relations.		(2) The Union should use its visa policy in its cooperation with third countries, and to ensure a better balance between migration and security concerns, economic considerations and general external relations.	(2) The Union should use its visa policy in its cooperation with third countries, and to ensure a better balance between migration and security concerns, economic considerations and general external relations.
11.		<i>(2a) When applying this Regulation, Member States should respect their respective obligations under international law, in particular the United Nations Convention Relating to the Status</i>		

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
		<i>of Refugees, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Civil and Political Rights, the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the United Nations Convention on the Rights of the Child and other relevant international instruments.</i>		
12.	(3) Regulation (EC) No 810/2009 of the European Parliament and of the Council ⁴ establishes the procedures and conditions for issuing visas for intended stays on the territory of Member States not exceeding 90 days in any 180-days period.		(3) Regulation (EC) No 810/2009 of the European Parliament and of the Council ⁵ establishes the procedures and conditions for issuing visas for intended stays on the territory of Member States not exceeding 90 days in any 180-days period.	(3) Regulation (EC) No 810/2009 of the European Parliament and of the Council ⁶ establishes the procedures and conditions for issuing visas for intended stays on the territory of Member States not exceeding 90 days in any 180-days period.
13.			<i>(3a) Applications should be examined and decided upon by consulates or, by derogation, central authorities. Member States should ensure that the consulates and central authorities have sufficient knowledge of local circumstances to ensure the integrity of the visa procedure.</i>	

⁴ Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visa (OJ L 243, 15.9.2009, p. 1).

⁵ Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visa (OJ L 243, 15.9.2009, p. 1).

⁶ Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visa (OJ L 243, 15.9.2009, p. 1).

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14.	(4) The visa application procedure should be as easy as possible for applicants. It should be clear which Member State is competent for examining an application for a visa in particular where the intended visit covers several Member States. Where possible, Member States should allow for application forms to be completed and submitted electronically. Deadlines should be established for the various steps of the procedure in particular to allow travellers to plan ahead and avoid peak seasons in consulates.	(4) The visa application procedure should be as easy and at reasonable costs as possible for applicants. It should be clear which Member State is competent for examining an application for a visa in particular where the intended visit covers several Member States. Member States should allow for application forms to be completed and submitted electronically. Deadlines should be established for the various steps of the procedure in particular to allow travellers to plan a reasonable time in advance and avoid peak seasons in consulates. As part of the further development of the acquis towards a truly common visa policy, procedures and conditions for issuing visas should be further harmonised and their uniform application reinforced.	(4) The visa application procedure should be as easy as possible for applicants. It should be clear which Member State is competent for examining an application for a visa in particular where the intended visit covers several Member States. Where possible, Member States should allow for application forms to be completed and submitted electronically. It should also be possible to sign the application form electronically where the electronic signature is recognized by the competent Member State. Deadlines should be established for the various steps of the procedure in particular to allow travellers to plan ahead and avoid peak seasons in consulates.	
15.		(4a) Visa applications and decisions on applications are examined and taken by consulates. Member States should ensure that they are present or represented by another Member State in third countries whose nationals are subject to the visa requirement and ensure that consulates have sufficient knowledge of the local situation to ensure the integrity of the visa application procedure.		

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16.	(5) Member States should not be obliged to maintain the possibility of direct access for the lodging of applications at the consulate in places where an external service provider has been mandated to collect visa applications on its behalf, without prejudice to the obligations imposed on Member States by Directive 2004/38/EC ⁷ in particular its Article 5(2).	<i>deleted</i>	(5) Member States should not be obliged to maintain the possibility of direct access for the lodging of applications at the consulate in places where an external service provider has been mandated to collect visa applications on its behalf, without prejudice to the obligations imposed on Member States by Directive 2004/38/EC ⁸ in particular its Article 5(2).	
17.		<i>(5a) Applicants should not be required to present travel medical insurance when lodging an application for a short-stay visa. It is a disproportionate burden for visa applicants and there is no evidence that holders of short-stay visas present a bigger risk in terms of public medical expenditure in Member States than visa-exempted third country nationals.</i>		
18.	(6) The visa fee should ensure that sufficient financial resources are available to cover the expenses of visa processing, including appropriate structures and sufficient staff to ensure the quality and integrity of the examination of visa	(6) The visa fee should ensure that sufficient financial resources are available to cover the expenses of visa processing, including appropriate structures and sufficient staff to ensure the quality, <i>speed</i> and integrity of the examination of visa	(6) The visa fee should ensure that sufficient financial resources are available to cover the expenses of visa processing, including appropriate structures and sufficient staff to ensure the quality and integrity of the examination of visa	

⁷ Council Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, OJ L 229, 29.6.2004, p. 35.

⁸ Council Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, OJ L 229, 29.6.2004, p. 35.

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	applications. The amount of the visa fee should be revised on a two-yearly basis on the basis of objective criteria.	applications. The amount of the visa fee should be revised every two years on the basis of objective assessment criteria.	applications. The amount of the visa fee should be revised on a two three -yearly basis on the basis of objective criteria.	
19.		(6a) The arrangements for the reception of applicants should duly respect human dignity and fundamental rights, as referred to in the Charter of Fundamental Rights of the European Union and the European Convention for the Protection of Human Rights and Fundamental Freedoms. Visa applications should be processed on a non-discriminatory basis and in a professional manner which respects applicants.		
20.	(7) To ensure that nationals of third countries subject to the visa requirement can lodge their visa application in their place of residence even if no Member State is present for the purpose of collecting applications, external service providers should be enabled to provide the necessary service for a fee exceeding the general maximum level.	(7) To ensure that nationals of third countries subject to the visa requirement can lodge their visa application as close as possible to their place of residence , external service providers should be enabled to collect applications for a fee exceeding the general maximum level.	(7) To ensure that nationals of third countries subject to the visa requirement can lodge their visa application in their place of residence even if no Member State is present where the competent Member State has no consulate for the purpose of collecting applications and it is not represented by another Member State , external service providers should be enabled to provide the necessary service for a fee exceeding the general maximum level up to the amount of the visa fee. Where this amount is not sufficient to provide a full service, it should be possible to	

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			<i>require a higher amount of service fee.</i>	
21.	(8) Representation arrangements should be streamlined and obstacles to the conclusion of such arrangements among Member States should be avoided. The representing Member State should be responsible for the entire processing of visa applications without the involvement of the represented Member State.	(8) Representation arrangements should be streamlined <i>and eased</i> and obstacles to the conclusion of such arrangements among Member States should be avoided. The representing Member State should be responsible for the entire processing of visa applications without the involvement of the represented Member State.	(8) Representation arrangements should be streamlined and obstacles to the conclusion of such arrangements among Member States should be avoided. The representing Member State should be responsible for the entire processing of visa applications without the involvement of the represented Member State, <i>unless the representation arrangement stipulates that the represented Member State has to be consulted on applications from certain categories of third-country nationals.</i>	
22.	(9) In order to lessen the administrative burden on Member States' consulates and to facilitate smooth travel for frequent or regular travellers, multiple-entry visas with a long period of validity should be issued according to objectively determined common criteria and not be limited to specific travel purposes or categories of applicants.		(9) In order to lessen the administrative burden on Member States' consulates and to facilitate smooth travel for frequent or regular travellers, multiple-entry visas with a long period of validity should be issued according to objectively determined common criteria and not be limited to specific travel purposes or categories of applicants.	(9) In order to lessen the administrative burden on Member States' consulates and to facilitate smooth travel for frequent or regular travellers, multiple-entry visas with a long period of validity should be issued according to objectively determined common criteria and not be limited to specific travel purposes or categories of applicants.
23.	(10) Given the differences in local circumstances notably with regard to migratory and security risks, as well as the relationships that the Union maintains with specific countries, Member States' diplomatic		(10) Given the differences in local circumstances notably with regard to migratory and security risks, as well as the relationships that the Union maintains with specific countries, Member States' diplomatic	

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	missions and consular posts in individual locations should assess the need to adapt the general provisions to allow for a more favourable or more restrictive application. More favourable approaches in issuing multiple-entry visas with a long period of validity should take into account, in particular, the existence of trade agreements covering the mobility of business persons, and the third country's cooperation on the readmission of irregular migrants.		missions and consular posts in individual locations should assess the need to adapt the general provisions to allow for a more favourable or more restrictive application. More favourable approaches in issuing multiple-entry visas with a long period of validity should take into account, in particular, the existence of trade agreements covering the mobility of business persons, and the third country's cooperation on the readmission of irregular migrants.	
24.	(11) In case of lack of cooperation of certain third countries to readmit their nationals apprehended in an irregular situation and failure of those third countries to cooperate effectively in the return process, a restrictive and temporary application of certain provisions of Regulation (EC) No 810/2009 should on the basis of a transparent mechanism based on objective criteria, be applied to enhance a given third country's cooperation on readmission of irregular migrants.	(11) In case of satisfactory cooperation or a lack of cooperation by certain third countries to readmit their nationals apprehended in an irregular situation and either satisfactory willingness or failure of those third countries to cooperate effectively in the return process, a restrictive and temporary application of certain provisions of Regulation (EC) No 810/2009 should on the basis of a transparent mechanism based on objective criteria, be applied to enhance a given third country's cooperation on readmission of irregular migrants, or to encourage its continuation.	(11) In case of lack of cooperation of certain third countries to readmit their nationals apprehended in an irregular situation and failure of those third countries to cooperate effectively in the return process, a restrictive and temporary application of certain provisions of Regulation (EC) No 810/2009 should on the basis of a transparent mechanism based on objective criteria, be applied to enhance a given third country's cooperation on readmission of irregular migrants. <i>The Commission should assess regularly, at least once a year, the cooperation of third countries with regard to readmission and examine the notification of Member States. The Commission should, before</i>	

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			<p><i>deciding that a third country is not cooperating sufficiently and that action is needed, take into account the overall cooperation of that third country in the field of migration, in particular in the area of border management, of prevention and fight against migrant smuggling and of prevention of irregular transit of migrants through its territory.</i></p> <p><i>The Commission should, following a decision that the third country is not cooperating sufficiently or a notification by a simple majority of Member States that a third country is not cooperating, submit a proposal to the Council to adopt an implementing decision, while continuing its efforts to improve the cooperation with the third country concerned.</i></p>	
25.			<p><i>(11a) In order to ensure that all the relevant factors and possible implications of the application of the measures to enhance a given third country's cooperation on readmission are adequately taken into account, given the particularly sensitive political nature of such measures and their horizontal implications for the Member States and the Union itself, in particular for their external relations and for</i></p>	

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			<p><i>the overall functioning of the Schengen area, implementing powers should be conferred on the Council, acting on a proposal from the Commission.</i></p> <p><i>Conferring such implementing power on the Council adequately takes into account the potential politically sensitive nature of the implementation of the measures to enhance the cooperation of a third country on readmission, given also the facilitation agreements that Member States have in place with third countries.</i></p>	
26.	<p>(12) Applicants who have been refused a visa should have the right to appeal which should, at a certain stage of the proceedings, guarantee an effective judicial appeal. More detailed information on the refusal grounds and procedures for appeal of negative decisions should be provided in the notification of the refusal.</p>	<p>(12) Applicants who have been refused a visa should have the right to appeal which should guarantee an effective and prompt judicial appeal. Detailed information on the refusal grounds and procedures for appeal of negative decisions should be provided in the notification of the refusal.</p>	<p>(12) Applicants who have been refused a visa should have the right to appeal which should, at a certain stage of the proceedings, guarantee an effective judicial appeal. More detailed information on the refusal grounds and procedures for appeal of negative decisions should be provided in the notification of the refusal.</p>	
27.	<p>(13) The issuing of visas at the external border should remain exceptional. However, to promote short term tourism, Member States should be authorised to issue visas at the external border on the basis of temporary schemes, for which the organisational arrangements should</p>		<p>(13) — The issuing of visas at the external border should remain exceptional. However, to promote short term tourism, Member States should be authorised to issue visas at the external border on the basis of temporary schemes, for which the organisational arrangements should</p>	

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	be notified and published. Such schemes should be limited in scope and comply with the general rules for processing visa applications. The validity of the visa issued should be limited to the territory of the issuing Member State.		be notified and published. Such schemes should be limited in scope and comply with the general rules for processing visa applications. The validity of the visa issued should be limited to the territory of the issuing Member State.	
28.		<i>(13a) This Regulation respects fundamental rights and observes the rights and principles recognised in particular by international treaties and the Charter of Fundamental Rights of the European Union. In particular, it seeks to ensure full respect of the right to protection of personal data as set out in Article 16 TFEU, the right to respect for private and family life as set out in Article 7, the right to asylum as set out in Article 18 and the rights of the child as set out in Article 24 of that Charter, and protection of vulnerable persons.</i>		
29.	(14) Local Schengen cooperation is crucial for the harmonised application of the common visa policy and for proper assessment of migratory and security risks. Cooperation and exchanges among Member States' diplomatic missions and consular posts in individual locations should be coordinated by Union Delegations. They should assess the operational application of		(14) Local Schengen cooperation is crucial for the harmonised application of the common visa policy and for proper assessment of migratory and security risks. Cooperation and exchanges among Member States' diplomatic missions and consular posts in individual locations should be coordinated by Union Delegations. They should assess the operational application of	(14) Local Schengen cooperation is crucial for the harmonised application of the common visa policy and for proper assessment of migratory and security risks. Cooperation and exchanges among Member States' diplomatic missions and consular posts in individual locations should be coordinated by Union Delegations. They should assess the operational application of

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	specific provisions in the light of local circumstances and migratory risk.		specific provisions in the light of local circumstances and migratory risk.	specific provisions in the light of local circumstances and migratory risk.
30.	(15) Member States should closely and regularly monitor the operations of external service providers to ensure compliance with the legal instrument governing the responsibilities entrusted with the external service provider. Member States should report to the Commission annually on the cooperation with and monitoring of external service providers. Member States should ensure that the entire procedure for the processing of visa applications and the cooperation with external service providers is monitored by expatriate staff.		(15) Member States should closely and regularly monitor the operations of external service providers to ensure compliance with the legal instrument governing the responsibilities entrusted with the external service provider. Member States should report to the Commission annually on the cooperation with and monitoring of external service providers. Member States should ensure that the entire procedure for the processing of visa applications and the cooperation with external service providers is monitored by expatriate staff.	(15) Member States should closely and regularly monitor the operations of external service providers to ensure compliance with the legal instrument governing the responsibilities entrusted with the external service provider. Member States should report to the Commission annually on the cooperation with and monitoring of external service providers. Member States should ensure that the entire procedure for the processing of visa applications and the cooperation with external service providers is monitored by expatriate staff.
31.	(16) Flexible rules should be established to allow Member States to optimise the sharing of resources and to increase consular coverage. Cooperation among Member States (Schengen Visa Centres) could take any form suited to local circumstances in order to increase geographical consular coverage, reduce Member States' costs, increase the visibility of the Union and improve the service offered to visa applicants.	(16) Flexible rules should be established to allow Member States to optimise the sharing of resources and to increase consular coverage. Cooperation among Member States (Schengen Visa Centres) could take any form suited to local circumstances in order to increase geographical consular coverage, reduce Member States' costs, increase the visibility of the Union and improve the service offered to visa applicants. <i>The common visa policy should contribute to generating growth and be coherent</i>	(16) Flexible rules should be established to allow Member States to optimise the sharing of resources and to increase consular coverage. Cooperation among Member States (Schengen Visa Centres) could take any form suited to local circumstances in order to increase geographical consular coverage, reduce Member States' costs, increase the visibility of the Union and improve the service offered to visa applicants.	

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		<i>with other Union policies, such as those concerning external relations, trade, education, culture and tourism.</i>		
32.	(17) Electronic visa application systems developed by Member States help to facilitate application procedures for applicants and consulates. A common solution allowing full digitisation should be developed, making full use of the recent legal and technological developments.	(17) Electronic visa application systems developed by Member States <i>are essential in order</i> to facilitate application procedures for applicants and consulates. A common solution <i>ensuring</i> full digitisation should be developed <i>by 2025 in the form of an online platform and an Union E-visa, thereby</i> making full use of the recent legal and technological developments, <i>to allow visa application to be lodged online to accommodate the needs of applicants and attract more visitors to the Schengen area. The common electronic visa application system should be fully accessible for persons with disabilities. Straightforward and streamlined procedural guarantees should be strengthened and uniformly applied.</i>	(17) Electronic visa application systems developed by Member States help to facilitate application procedures for applicants and consulates. A common solution allowing full digitisation should be developed, making full use of the recent legal and technological developments.	
33.		<i>(17a) When applying Regulation (EC) No 810/2009, Member States should respect their respective obligations under international law, in particular the United Nations Convention Relating to the Status of Refugees, the European Convention for the Protection of</i>		

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		<i>Human Rights and Fundamental Freedoms, the International Covenant on Civil and Political Rights, the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the United Nations Convention on the Rights of the Child and other relevant international instruments.</i>		
34.	<p>(18) In accordance with Articles 1 and 2 of the Protocol No 22 on the Position of Denmark annexed to the Treaty on European Union (TEU) and to the Treaty establishing the European Community on the Functioning of the European Union (TFEU) Denmark is not taking part in the adoption of this Regulation and is not bound by it, or subject to its application. Given that this Regulation builds upon the Schengen acquis under the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark shall, in accordance with Article 4 of that Protocol, decide within a period of six months after the Council has decided on this Regulation whether it will implement it in its national law.</p>		<p>(18) In accordance with Articles 1 and 2 of the Protocol No 22 on the Position of Denmark annexed to the Treaty on European Union (TEU) and to the Treaty establishing the European Community on the Functioning of the European Union (TFEU) Denmark is not taking part in the adoption of this Regulation and is not bound by it, or subject to its application. Given that this Regulation builds upon the Schengen acquis under the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark shall, in accordance with Article 4 of that Protocol, decide within a period of six months after the Council has decided on this Regulation whether it will implement it in its national law.</p>	<p>(18) In accordance with Articles 1 and 2 of the Protocol No 22 on the Position of Denmark annexed to the Treaty on European Union (TEU) and to the Treaty establishing the European Community on the Functioning of the European Union (TFEU) Denmark is not taking part in the adoption of this Regulation and is not bound by it, or subject to its application. Given that this Regulation builds upon the Schengen acquis under the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark shall, in accordance with Article 4 of that Protocol, decide within a period of six months after the Council has decided on this Regulation whether it will implement it in its national law.</p>

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35.	(19) This Regulation constitutes a development of the provisions of the Schengen <i>acquis</i> in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ⁹ . The United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.		(19) This Regulation constitutes a development of the provisions of the Schengen <i>acquis</i> in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ¹⁰ . The United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.	(19) This Regulation constitutes a development of the provisions of the Schengen <i>acquis</i> in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ¹¹ . The United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.
36.	(20) This Regulation constitutes a development of the provisions of the Schengen <i>acquis</i> in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ¹² . Ireland is therefore not taking part in the adoption of the Regulation and is not bound by it or subject to its application.		(20) This Regulation constitutes a development of the provisions of the Schengen <i>acquis</i> in which Ireland does not take part, in accordance with Council Decision 2002/192/EC. Ireland is therefore not taking part in the adoption of the Regulation and is not bound by it or subject to its application.	(20) This Regulation constitutes a development of the provisions of the Schengen <i>acquis</i> in which Ireland does not take part, in accordance with Council Decision 2002/192/EC. Ireland is therefore not taking part in the adoption of the Regulation and is not bound by it or subject to its application.
37.	(21) As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen <i>acquis</i> within the meaning of the Agreement concluded between the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning		(21) As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen <i>acquis</i> within the meaning of the Agreement concluded between the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning	(21) As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen <i>acquis</i> within the meaning of the Agreement concluded between the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning

⁹ Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* (OJ L 131, 1.6.2000, p. 43).

¹⁰ Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* (OJ L 131, 1.6.2000, p. 43).

¹¹ Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* (OJ L 131, 1.6.2000, p. 43).

¹² Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

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	the latters' association with the implementation, application and development of the Schengen <i>acquis</i> ¹³ which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC. ¹⁴		the latters' association with the implementation, application and development of the Schengen <i>acquis</i> ¹⁵ which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC. ¹⁶	the latters' association with the implementation, application and development of the Schengen <i>acquis</i> ¹⁷ which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC. ¹⁸
38.	(22) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen <i>acquis</i> within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen <i>acquis</i> ¹⁹ , which fall within the area referred to in Article 1, point B, of Decision 1999/437/EC read in		(22) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen <i>acquis</i> within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen <i>acquis</i> ²¹ , which fall within the area referred to in Article 1, point B, of Decision 1999/437/EC read in	(22) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen <i>acquis</i> within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen <i>acquis</i> ²³ , which fall within the area referred to in Article 1, point B, of Decision 1999/437/EC read in

¹³ OJ L 176, 10.7.1999, p. 36.

¹⁴ Council Decision of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

¹⁵ OJ L 176, 10.7.1999, p. 36.

¹⁶ Council Decision of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

¹⁷ OJ L 176, 10.7.1999, p. 36.

¹⁸ Council Decision of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

¹⁹ OJ L 53, 27.2.2008, p. 52.

²¹ OJ L 53, 27.2.2008, p. 52.

²³ OJ L 53, 27.2.2008, p. 52.

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	conjunction with Article 3 of Council Decision 2008/146/EC. ²⁰		conjunction with Article 3 of Council Decision 2008/146/EC. ²²	conjunction with Article 3 of Council Decision 2008/146/EC. ²⁴
39.	(23) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen <i>acquis</i> within the meaning of the Protocol signed between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement concluded between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen <i>acquis</i> , which fall within the area referred to in Article 1, point B, of Decision 1999/437/EC read in conjunction with Article 3 of		(23) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen <i>acquis</i> within the meaning of the Protocol signed between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement concluded between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen <i>acquis</i> , which fall within the area referred to in Article 1, point B, of Decision 1999/437/EC read in conjunction with Article 3 of	(23) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen <i>acquis</i> within the meaning of the Protocol signed between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement concluded between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen <i>acquis</i> , which fall within the area referred to in Article 1, point B, of Decision 1999/437/EC read in conjunction with Article 3 of

²⁰ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

²² Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

²⁴ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

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	Council Decision 2011/350/EU ²⁵ on the conclusion of that Protocol.		Council Decision 2011/350/EU ²⁶ on the conclusion of that Protocol.	Council Decision 2011/350/EU ²⁷ on the conclusion of that Protocol.
40.	(24) As regards Cyprus, this Regulation constitutes an act building upon or otherwise related to the Schengen acquis, within the meaning of Article 3(12) of the 2003 Act of Accession.		(24) As regards Cyprus, this Regulation constitutes an act building upon or otherwise related to the Schengen acquis, within the meaning of Article 3(42) of the 2003 Act of Accession.	(24) As regards Cyprus, this Regulation constitutes an act building upon or otherwise related to the Schengen acquis, within the meaning of Article 3(42) of the 2003 Act of Accession.
41.	(25) As regards Bulgaria and Romania, this Regulation constitutes an act building upon or otherwise related to the Schengen acquis within the meaning of Article 4(12) of the 2005 Act of Accession.		(25) As regards Bulgaria and Romania, this Regulation constitutes an act building upon or otherwise related to the Schengen acquis within the meaning of Article 4(42) of the 2005 Act of Accession.	(25) As regards Bulgaria and Romania, this Regulation constitutes an act building upon or otherwise related to the Schengen acquis within the meaning of Article 4(42) of the 2005 Act of Accession.
42.	(26) As regards Croatia, this Regulation constitutes an act building upon, or otherwise related to, the Schengen acquis within the		(26) As regards Croatia, this Regulation constitutes an act building upon, or otherwise related to, the Schengen acquis within the	(26) As regards Croatia, this Regulation constitutes an act building upon, or otherwise related to, the Schengen acquis within the

²⁵ Council Decision of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

²⁶ Council Decision of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

²⁷ Council Decision of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

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	meaning of Article 4(2) of the 2011 Act of Accession.		meaning of Article 4(2) of the 2011 Act of Accession.	meaning of Article 4(2) of the 2011 Act of Accession.
43.	(27) Regulation (EC) No 810/2009 should therefore be amended accordingly,		(27) Regulation (EC) No 810/2009 should therefore be amended accordingly,	(27) Regulation (EC) No 810/2009 should therefore be amended accordingly,
44.		<i>(27a) The necessary measures should be taken to implement this Regulation. The power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission for the purposes of making technical amendments to the Annexes to this Regulation.</i>		
45.		<i>(27b) Appropriate measures should be adopted for the monitoring and evaluation of this Regulation in relation to harmonisation of the processing of visa applications. Monitoring and evaluation should also seek to monitor full respect for fundamental rights by Member States when processing visa applications, as well as the application of the principle of non-discrimination and the protection of personal data.</i>		
46.	HAVE ADOPTED THIS REGULATION:		HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
47.	<i>Article 1</i>		<i>Article 1</i>	<i>Article 1</i>

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48.	<i>Regulation (EC) No 810/2009 is amended as follows:</i>		<i>Regulation (EC) No 810/2009 is amended as follows:</i>	<i>Regulation (EC) No 810/2009 is amended as follows:</i>
49.	<i>(1) In Article 1, paragraph 1 is replaced by the following:</i>	<i>(1) In Article 1, paragraph 1 is replaced by the following:</i>	<i>(1) In Article 1, paragraph 1 is replaced by the following:</i>	<i>(1) In Article 1, paragraph 1 is replaced by the following:</i>
50.	“1. This Regulation establishes the conditions and procedures for issuing visas for intended stays on the territory of the Member States not exceeding 90 days in any 180-days period.”;	1. This Regulation establishes the conditions and procedures for issuing visas for intended stays on the territory of the Member States: (a) not exceeding 90 days in any 180-days period; and (b) <i>in the case of sport and culture professionals, for up to one year without exceeding 90 days in any 180-day period in any single Member State.</i>	“1. This Regulation establishes the conditions and procedures for issuing visas for intended stays on the territory of the Member States not exceeding 90 days in any 180-days period.”;	<i>COM to provide explanations concerning other provisions which allow for frequent travel and longer stays (while respecting the 90/180 days rule)</i>
51.		<i>(1a) In Article 1, the following paragraphs are added:</i>		
52.		<i>3a. When applying this Regulation, Member States shall act in full compliance with relevant Union law, including the Charter of Fundamental Rights of the European Union, relevant international law, including the United Nations Convention Relating to the Status of Refugees, obligations related to access to international protection, in particular the principle of non-refoulement, and fundamental rights. In accordance with the general principles of Union law,</i>		<i>COM compromise suggestion to be considered by the EP:</i> <i>3a. When applying this Regulation, Member States shall act in full compliance with relevant Union law, including the Charter of Fundamental Rights of the European Union, relevant international law, including the United Nations Convention Relating to the Status of Refugees, obligations related to access to international protection, in particular the principle of non-</i>

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		<i>decisions under this Regulation shall be taken on an individual basis;</i>		refoulement, and fundamental rights. <i>In accordance with the general principles of Union law, decisions under this Regulation shall be taken on an individual basis;</i>
53.		<i>(3b) By 31 December 2025 the Commission shall submit a legislative proposal providing for the possibility to apply for a visa by electronic means.</i>		Possible compromise: to move in recital 17
54.	<i>(2) Article 2 is amended as follows:</i>	<i>(2) Article 2 is amended as follows:</i>	<i>(2) Article 2 is amended as follows:</i>	<i>(2) Article 2 is amended as follows:</i>
55.	<i>(a) in point 2, point (a) is replaced by the following:</i>		<i>(a) in point 2, point (a) is replaced by the following:</i>	<i>(a) in point 2, point (a) is replaced by the following:</i>
56.	<i>“(a) an intended stay on the territory of the Member States of a duration of no more than 90 days in any 180 days period; or”;</i>		<i>“(a) an intended stay on the territory of the Member States of a duration of no more than 90 days in any 180 days period; or”;</i>	<i>“(a) an intended stay on the territory of the Member States of a duration of no more than 90 days in any 180 days period; or”;</i>
57.	<i>(b) point 7 is replaced by the following:</i>		<i>(b) point 7 is replaced by the following:</i>	<i>(b) point 7 is replaced by the following:</i>
58.	<i>“7. ‘recognised travel document’ means a travel document recognised by one or more Member States for the purpose of crossing the external borders and affixing a visa pursuant to Decision No 1105/2011 of the European Parliament and of the Council.”;</i>		<i>“7. ‘recognised travel document’ means a travel document recognised by one or more Member States for the purpose of crossing the external borders and affixing a visa pursuant to Decision No 1105/2011 of the</i>	<i>“7. ‘recognised travel document’ means a travel document recognised by one or more Member States for the purpose of crossing the external borders and affixing a visa pursuant to Decision No 1105/2011</i>

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			European Parliament and of the Council. ²⁸ ;	of the European Parliament and of the Council. ²⁹ ;
59.	(c) <i>point 11 is deleted;</i>		(e) point 11 is deleted;	<i>Council to reconsider if the deletion of the definition of commercial intermediaries would be acceptable</i>
60.	(d) <i>The following new point is added:</i>		(d) <i>The following new points is are added:</i>	
61.	“12. ‘seafarer’ means any person who is employed, engaged or works in any capacity on board a seagoing ship or a ship navigating in international inland waters.”		“12. ‘seafarer’ means any person who is employed, engaged or works in any capacity on board a seagoing ship <i>in maritime navigation</i> or a ship navigating in international inland waters.	<i>Provisionally agreed:</i> “12. ‘seafarer’ means any person who is employed, engaged or works in any capacity on board a seagoing ship <i>in maritime navigation</i> or a ship navigating in international inland waters.
62.		(da) <i>the following point is added:</i>		
63.		<i>12a. ‘sport and culture professionals’: means third-country nationals who are not citizens of the Union within the meaning of Article 20(1) of the Treaty, and belong to the following categories: performing artists and their support staff, elite sports persons and their support staff and, where appropriate, family members of</i>		

²⁸ Decision No 1105/2011/EU of the European Parliament and of the Council of 25 October 2011 on the list of travel documents which entitle the holder to cross the external borders and which may be endorsed with a visa and on setting up a mechanism for establishing this list. OJ L 287, 4.11.2011, p. 9.

²⁹ Decision No 1105/2011/EU of the European Parliament and of the Council of 25 October 2011 on the list of travel documents which entitle the holder to cross the external borders and which may be endorsed with a visa and on setting up a mechanism for establishing this list. OJ L 287, 4.11.2011, p. 9.

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		<i>those persons, who have been able to demonstrate clearly the administrative and logistical obstacles to organising a tour or a competition in several Member States in the Schengen area lasting more than three months.’;</i>		
64.			13. ‘electronic signature’ means data in electronic form which is attached to or logically associated with other data in electronic form and which is used by the signatory to sign, as defined by Regulation (EU) N° 910/2014 ³⁰ .”	Provisionally agreed: 13. ‘electronic signature’ means data in electronic form which is attached to or logically associated with other data in electronic form and which is used by the signatory to sign, as defined by Regulation (EU) N° 910/2014 ³¹ .”
65.	(3) in Article 3(5) points (b) and (c) are replaced by the following:	(3) in Article 3(5) points (b) and (c) are replaced by the following:	(3) in Article 3(5) points (b) and (c) are replaced by the following:	(3) in Article 3(5) points (b) and (c) are replaced by the following:
66.	“(b) third-country nationals holding a valid residence permit issued by a Member State which does not take part in the adoption of this Regulation or by a Member State which does not yet apply the provisions of the Schengen acquis in full, or third-country nationals holding one of the valid residence permits listed in Annex V issued by Andorra, Canada, Japan, San Marino	“(b) third-country nationals holding a valid residence permit issued by a Member State which does not take part in the adoption of this Regulation or by a Member State which does not yet apply the provisions of the Schengen acquis in full, or third-country nationals holding one of the valid residence permits listed in Annex V issued by Andorra, Canada, Japan, San Marino	“(b) third-country nationals holding a valid residence permit issued by a Member State which does not take part in the adoption of this Regulation or by a Member State which does not yet apply the provisions of the Schengen acquis in full, or third-country nationals holding one of the valid residence permits listed in Annex V issued by Andorra, Canada, Japan, San Marino	Provisionally agreed: “(b) third-country nationals holding a valid residence permit issued by a Member State which does not take part in the adoption of this Regulation or by a Member State which does not yet apply the provisions of the Schengen acquis in full, or third-country nationals holding one of the valid residence

³⁰ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC, OJ L 257, 28.8.2014, p. 73–114.

³¹ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC, OJ L 257, 28.8.2014, p. 73–114.

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	or the United States of America guaranteeing the holder's unconditional readmission, or holding a residence permit for the Caribbean parts of the Kingdom of the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba);	or the United States of America guaranteeing the holder's unconditional readmission, or holding a residence permit for the Caribbean parts of the Kingdom of the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba);	or the United States of America guaranteeing the holder's unconditional readmission, or holding a valid residence permit for the Caribbean parts one or more of the overseas countries and territories of the Kingdom of the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba)	permits listed in Annex V issued by Andorra, Canada, Japan, San Marino or the United States of America guaranteeing the holder's unconditional readmission, or holding a valid residence permit for the Caribbean parts one or more of the overseas countries and territories of the Kingdom of the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba)
67.	(c) third-country nationals holding a valid visa for a Member State which does not take part in the adoption of this Regulation, or for a Member State which does not yet apply the provisions of the Schengen acquis in full, or for a country party to the Agreement on the European Economic Area, or for Canada, Japan or the United States of America, or holders of a valid visa for the Caribbean parts of the Kingdom of the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba), when travelling to the issuing country or to any other third country, or when, having used the visa, returning from the issuing country;";	(c) third-country nationals holding a valid visa for a Member State which does not take part in the adoption of this Regulation, or for a Member State which does not yet apply the provisions of the Schengen acquis in full, or for a country party to the Agreement on the European Economic Area, or for Canada, Japan or the United States of America, or holders of a valid visa for the Caribbean parts of the Kingdom of the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba), when travelling to the issuing country or to any other third country, or when, having used the visa, returning from the issuing country;";	(c) third-country nationals holding a valid visa for a Member State which does not take part in the adoption of this Regulation, or for a Member State which does not yet apply the provisions of the Schengen acquis in full, or for a country party to the Agreement on the European Economic Area, or for Canada, Japan or the United States of America, or holders of a valid visa for the Caribbean parts one or more of the overseas countries and territories of the Kingdom of the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba), when travelling to the issuing country or to any other third country, or when, having used the visa, returning from the issuing country;";	Provisionally agreed: (c) third-country nationals holding a valid visa for a Member State which does not take part in the adoption of this Regulation, or for a Member State which does not yet apply the provisions of the Schengen acquis in full, or for a country party to the Agreement on the European Economic Area, or for Canada, Japan or the United States of America, or holders of a valid visa for the Caribbean parts one or more of the overseas countries and territories of the Kingdom of the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba), when travelling to the issuing country or to any other third country, or when, having used the visa, returning from the issuing country;";

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68.			(3a) Article 4, paragraph 1, is replaced by the following:	
69.			<p>“1. Applications shall be examined and decided on by consulates.</p> <p>1a. By derogation from para 1, Member States may decide that applications are examined and decided on by central authorities. Member States shall ensure that those authorities have sufficient knowledge of local circumstances of the country where the application is lodged in order to assess the migratory and security risk, as well as sufficient knowledge of the language to analyse documents, and that consulates are involved, where necessary, to conduct additional examination and interviews.”;</p>	
70.	(4) in Article 4, paragraph 2 is replaced by the following:		(4) in Article 4, paragraph 2 is replaced by the following:	(4) in Article 4, paragraph 2 is replaced by the following:
71.	“2. By way of derogation from paragraph 1, the authorities responsible for checks on persons may examine and decide on applications at the external borders of the Member States, in accordance with Articles 35, 36 and 36a.”;		“2. By way of derogation from paragraph 1, the authorities responsible for checks on persons may examine and decide on applications at the external borders of the Member States, in accordance with Articles 35, and 36 and 36a. ”;	

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72.	(5) in Article 5(1) point (b) is replaced by the following:	(5) in Article 5(1) point (b) is replaced by the following:	(5) in Article 5(1) point (b) is replaced by the following:	(5) in Article 5(1) point (b) is replaced by the following:
73.	“(b) if the visit includes more than one destination, or if several separate visits are to be carried out within a period of two months, the Member State whose territory constitutes the main destination of the visit(s) in terms of the length of stay, counted in days; or”;	(b) if the visit includes more than one destination, or if several separate visits are to be carried out within a period of two months, the Member State where the host organisation or undertaking is located, if applicable, or the Member State whose territory constitutes the main destination of the visit(s) in terms of the length of stay, counted in days or, if the main destination cannot be ascertained, the Member States through whose external border the applicant intends to enter the territory of the Member States ;	“(b) if the visit includes more than one destination, or if several separate visits are to be carried out within a period of two months, the Member State whose territory constitutes the main destination of the visit(s) in terms of the length or purpose of stay, counted in days ; or”;	Council to check the inclusion of "purpose" EP compromise suggestion: revert to COM proposal
74.		(5a) In Article 5, the following paragraph is inserted:		
75.		‘2a. If the Member State that is competent in accordance with points (a) or (b) of paragraph 1, is neither present nor represented in the third country where the applicant lodges the application in accordance with Article 10, the applicant shall be entitled to lodge the application: (a) at the consulate of one of the Member States of destination of the intended visit,		For the political level

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		<p><i>(b) at the consulate of the Member State of first entry, if point (a) is not applicable,</i></p> <p><i>(c) in all other cases at the consulates of any of the Member States that are present in the country where the applicant lodges the application.</i></p> <p><i>If the consulate of the Member State that is competent in accordance with paragraph 1 or the consulate of the Member State referred to in the first subparagraph of this paragraph are located at a distance of more than 500 km from the applicant's place of residence, or if a return journey by public transport from the applicant's place of residence would require an overnight stay, and if the consulate of another Member State is located closer to the applicant's place of residence, the applicant shall be entitled to lodge the application at the consulate of the latter Member State';</i></p>		
76.		<i>(5b) In Article 5, the following paragraph is inserted:</i>		
77.		<i>'2b. If the Member State that is competent in accordance with paragraphs 1 or 2 has established a representation arrangement with another Member State for the purpose of considering applications and issuing visas on its behalf, in</i>		

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		<i>accordance with Article 8, the applicant shall submit his or her application to the consulate of the representing Member State.’;</i>		
78.	(6) Article 8 is amended as follows:	(6) Article 8 is amended as follows:	(6) Article 8 is amended as follows:	(6) Article 8 is amended as follows:
79.		<i>(-a) paragraph 1 is replaced by the following:</i>	<i>(0) paragraph 1 is replaced by the following:</i>	
80.		<i>‘1. Without prejudice to Article 6, a Member State may agree to represent another Member State that is competent in accordance with Article 5 for the purpose of examining applications and issuing visas on behalf of that Member State. A Member State may also represent another Member State in a limited manner solely for the collection of applications and the enrolment of biometric identifiers’;</i>	<i>“1. A Member State may agree to represent another Member State that is competent in accordance with Article 5 for the purpose of examining applications and taking decisions on visas on behalf of that Member State. A Member State may also represent another Member State in a limited manner solely for the collection of applications and the enrolment of biometric identifiers. ”</i>	Provisionally agreed: <i>“1. A Member State may agree to represent another Member State that is competent in accordance with Article 5 for the purpose of examining applications and taking decisions on visas on behalf of that Member State. A Member State may also represent another Member State in a limited manner solely for the collection of applications and the enrolment of biometric identifiers. ”</i>
81.	(a) paragraph 2 is deleted;		(a) paragraph 2 is deleted;	(a) paragraph 2 is deleted;
82.	(b) paragraphs 3 and 4 are replaced by the following:		(b) paragraphs 3 and 4 are replaced by the following:	(b) paragraphs 3 and 4 are replaced by the following:
83.	“3. Where the representation is limited to the collection of applications, the collection and data, and their transmission to the represented Member State shall be carried out in compliance with the		“3. Where the representation is limited to the collection of applications, the collection and data, and their the transmission of data to the represented Member State shall be carried out in compliance with the	Provisionally agreed: “3. Where the representation is limited to the collection of applications, the collection and data, and their the transmission of data to the represented Member State shall

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	relevant data protection and security rules.		relevant data protection and security rules.	be carried out in compliance with the relevant data protection and security rules.
84.	4. A bilateral arrangement shall be established between the representing Member State and the represented Member State. That arrangement :		4. A bilateral arrangement shall be established between the representing Member State and the represented Member State. That arrangement :	4. A bilateral arrangement shall be established between the representing Member State and the represented Member State. That arrangement :
85.	(a) shall specify the duration of the representation, if only temporary, and the procedures for its termination;		(a) shall specify the duration of the representation, if only temporary, and the procedures for its termination;	(a) shall specify the duration of the representation, if only temporary, and the procedures for its termination;
86.	(b) may, in particular when the represented Member State has a consulate in the third country concerned, provide for the provision of premises, staff and payments by the represented Member State.”;		(b) may, in particular when the represented Member State has a consulate in the third country concerned, provide for the provision of premises, staff and payments by the represented Member State.	(b) may, in particular when the represented Member State has a consulate in the third country concerned, provide for the provision of premises, staff and payments by the represented Member State.
87.			<i>(c) it may stipulate that the central authorities of the represented Member State are to be consulted on applications from certain categories of third-country nationals. This consultation shall not exceed seven calendar days.”;</i>	Council to check whether it insists on this provision
88.		<i>(ba) paragraph 6 is replaced by the following:</i>		
89.		‘6. With a view to ensuring that a poor transport infrastructure or long distances in a specific region or geographical area does not require a		

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		disproportionate effort on the part of applicants to have access to a consulate, Member States lacking their own consulate in that region or area shall endeavour to conclude representation arrangements with Member States that have consulates in that region or area <i>in order to combat discrimination between third-country nationals due to inequality of access to consular services.</i> <i>Such agreements may also be concluded with the representation of a Member State in a neighbouring country of the third country concerned if it is closer to the applicant's place of residence.'</i>		
90.	(c) paragraphs 7 and 8 are replaced by the following:		(c) paragraphs 7 and 8 are replaced by the following:	(c) paragraphs 7 and 8 are replaced by the following:
91.	“7. The represented Member State shall notify the Commission of the representation arrangements or the termination of those arrangements at the latest one month before they enter into force or are terminated, except in cases of <i>force majeure</i> .		“7. The represented Member State shall notify the Commission of the representation arrangements or the termination of those arrangements at the latest one month 15 calendar days before they enter into force or are terminated, except in cases of <i>force majeure</i> .	Compromise proposal to be confirmed by Council: “7. The represented Member State shall notify the Commission of the representation arrangements or the termination of those arrangements at the latest one month 20 calendar days before they enter into force or are terminated, except in cases of <i>force majeure</i> .

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92.	8. The consulate of the representing Member State shall, at the same time that the notification referred to in paragraph 7 takes place, inform both the consulates of other Member States and the Delegation of the European Union in the jurisdiction concerned about representation arrangements or the termination of such arrangements.”;		8. The consulate of the representing Member State shall, at the same time that the notification referred to in paragraph 7 takes place, inform both the consulates of other Member States and the Delegation of the European Union in the jurisdiction concerned about representation arrangements or the termination of such arrangements.”;	8. The consulate of the representing Member State shall, at the same time that the notification referred to in paragraph 7 takes place, inform both the consulates of other Member States and the Delegation of the European Union in the jurisdiction concerned about representation arrangements or the termination of such arrangements.”;
93.	<i>(d) the following new paragraph is added:</i>		<i>(d) the following new paragraph is added:</i>	<i>(d) the following new paragraph is added:</i>
94.	“10. In cases of prolonged technical force majeure, a Member State shall seek temporary representation by another Member State in the given location for all or some categories of visa applicants.”;		“10. In cases of prolonged technical force majeure, a Member State shall seek temporary representation by another Member State in the given location for all or some categories of visa applicants.”;	“10. In cases of prolonged technical force majeure, a Member State shall seek temporary representation by another Member State in the given location for all or some categories of visa applicants.”;
95.	<i>(7) Article 9 is amended as follows:</i>	<i>(7) Article 9 is amended as follows:</i>	<i>(7) Article 9 is amended as follows:</i>	<i>(7) Article 9 is amended as follows:</i>
96.	<i>(a) paragraph 1 is replaced by the following:</i>	<i>(a) paragraph 1 is replaced by the following:</i>	<i>(a) paragraph 1 is replaced by the following:</i>	<i>(a) paragraph 1 is replaced by the following:</i>
97.	“Applications may be lodged no more than six months, and for seafarers in the performance of their duties, no more than nine months before the start of the intended visit and, as a rule, no later than 15 calendar days before that start.”;	“Applications may be lodged no more than nine months before the start of the intended visit and, as a rule, no later than 15 calendar days before that start. <i>In justified individual cases of urgency, including when it is necessary on professional or humanitarian grounds, for reasons of national</i>	“1. Applications may shall be lodged no more than six months, and for seafarers in the performance of their duties, no more than nine months, before the start of the intended visit, and, as a rule, no later than 15 calendar days before that the start of the intended visit. ”;	Possible compromise proposal on a middle ground between 6 and 9 months. To be discussed at political level.

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		<i>interest or because of international obligations, a consulate may allow for the lodging of applications later than 15 calendar days before the start of the intended visit’;</i>		
98.		<i>(aa) in paragraph 3 the following subparagraph is added</i>		
99.		In justified cases of urgency, the consulate may allow applicants to lodge their applications either without appointment, or an appointment shall be given immediately. <i>In an electronic procedure, in the event of failure to reply within one month of the submission of the application, provision shall be made for a remedy to enable the application to be examined in any event.’</i>		EP to reconsider its amendment
100.	<i>(b) paragraph 4 is replaced by the following:</i>		<i>(b) paragraph 4 is replaced by the following:</i>	<i>(b) paragraph 4 is replaced by the following:</i>
101.	(c) “4. Without prejudice to Article 13, applications may be lodged: (a) by the applicant; (b) by an accredited commercial intermediary, as referred to in Article 45; (c) by a professional, cultural, sports or educational association or institution on behalf its members.”;		(e) “4. Without prejudice to Article 13, applications may be lodged: (a) by the applicant; (b) by an accredited commercial intermediary, as referred to in Article 45; (c) by a professional, cultural, sports or educational	Council to reconsider the deletion of (c)

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
			association or institution on behalf its members.”;	
102.		<i>(a -a) by the legal representatives of the applicant</i>		Council to reflect on the EP amendment
103.	<i>(d) the following new paragraph is added:</i>		<i>(d) the following new paragraph is added:</i>	<i>(d) the following new paragraph is added:</i>
104.	“5. An applicant shall not be required to appear in person at more than one location in order to lodge an application.”;		“5. An applicant shall not be required to appear in person at more than one location in order to lodge an application.”;	“5. An applicant shall not be required to appear in person at more than one location in order to lodge an application.”;
105.	<i>(8) Article 10 is amended as follows:</i>	<i>(8) Article 10 is amended as follows:</i>	<i>(8) Article 10 is amended as follows:</i>	<i>(8) Article 10 is amended as follows:</i>
106.	<i>(a) paragraph 1 is replaced by the following:</i>	<i>(a) paragraph 1 is replaced by the following:</i>	<i>(a) paragraph 1 is replaced by the following:</i>	<i>(a) paragraph 1 is replaced by the following:</i>
107.	“Applicants shall appear in person when lodging an application for the collection of fingerprints, in accordance with Article 13 (2), (3) and (7)(b).”;	<i>Without prejudice to Articles 13, 42, 43 and 45, applicants may lodge their applications in person or electronically.”</i>	“1. Applicants shall appear in person when lodging an application for the collection of fingerprints, in accordance with Article 13 (2), (3) and (7)(b).”;	Possible compromise: “1. Applicants shall appear in person when lodging an application for the collection of fingerprints, in accordance with Article 13 (2), (3) and (7)(b). <i>Without prejudice to Articles 13, 42, 43 and 45,</i> applicants <i>may lodge their applications</i> in person <i>or electronically.”</i> ;
108.	<i>(b) paragraph 2 is deleted;</i>		<i>(b) paragraph 2 is deleted;</i>	<i>(b) paragraph 2 is deleted;</i>
109.	<i>(9) Article 11 is amended as follows:</i>		<i>(9) Article 11 is amended as follows:</i>	<i>(9) Article 11 is amended as follows:</i>

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
110.	(a) <i>the first sentence of paragraph 1 is replaced by the following:</i>		(a) <i>the first sentence of paragraph 1 is replaced by the following:</i>	(a) <i>the first sentence of paragraph 1 is replaced by the following:</i>
111.	“1. Each applicant shall submit a manually or electronically completed and manually or electronically signed application form, as set out in Annex I.”;		“1. Each applicant shall submit a manually or electronically completed and manually or electronically signed an application form, as set out in Annex I. The application form shall be completed manually. Where available, it may be completed electronically. It shall be signed manually or, where electronic signature is recognized by the Member State competent for examining and deciding on an application, electronically. ”	Compromise proposal to be confirmed by Council: “1. Each applicant shall submit a manually or electronically completed and manually or electronically signed application form, as set out in Annex I. The application form shall be signed manually or, where electronic signature is recognized by the Member State competent for examining and deciding on an application, electronically. ”;
112.			(a1) <i>the following new paragraph 1a is added:</i>	
113.			“1a. <i>Where the applicant signs the application form electronically, the electronic signature shall meet the requirements for qualified electronic signature as set out in Article 26 of the Regulation (EU) N° 910/2014.</i> ”;	Provisionally agreed: “1a. <i>Where the applicant signs the application form electronically, the electronic signature shall meet the requirements for qualified electronic signature as set out in Article 26 of the Regulation (EU) N° 910/2014.</i> ”;
114.	(b) <i>The following new paragraph 1a is inserted:</i>		(b) <i>The following new paragraph 1aa is inserted:</i>	
115.	“1a. The content of the electronic version of the application form, if		“1aa. The content of the electronic version of the application form, if	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	applicable, shall be as set out in Annex I.”;		applicable, shall be as set out in Annex I.”;	
116.	(c) <i>paragraph 3 is replaced by the following:</i>		(c) <i>paragraph 3 is replaced by the following:</i>	(c) <i>paragraph 3 is replaced by the following:</i>
117.	<p>(d) “3. The form shall, as a minimum, be available in the following languages:</p> <p>(a) the official language(s) of the Member State for which a visa is requested; and</p> <p>(b) the official language(s) of the host country.</p> <p>In addition to the language(s) referred to in point (a), the form may be made available in any other official language(s) of the institutions of the European Union;”;</p>		<p>(d) “3. The form shall, as a minimum, be available in the following languages:</p> <p>(a) the official language(s) of the Member State for which a visa is requested <i>or which handles the application in representation</i>; and</p> <p>(b) the official language(s) of the host country.</p> <p>In addition to the language(s) referred to in point (a), the form may be made available in any other official language(s) of the institutions of the European Union;”;</p>	<p>Provisionally agreed:</p> <p>(d) “3. The form shall, as a minimum, be available in the following languages:</p> <p>(a) the official language(s) of the Member State for which a visa is requested <i>or which handles the application in representation</i>; and</p> <p>(b) the official language(s) of the host country.</p> <p>In addition to the language(s) referred to in point (a), the form may be made available in any other official language(s) of the institutions of the European Union;”;</p>
118.	(e) <i>paragraph 4 is deleted;</i>		(e) <i>paragraph 4 is deleted replaced by the following:</i>	
119.			<p>“4. <i>If the official language(s) of the host country is/are not integrated into the form, a translation into that/those language(s) shall be made available separately to applicants.</i>”;</p>	<p>Provisionally agreed:</p> <p>“4. <i>If the official language(s) of the host country is/are not integrated into the form, a translation into that/those</i></p>

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
				<i>language(s) shall be made available separately to applicants.”;</i>
120.		<i>(9a) in Article 13 (2) the following subparagraph is added:</i>		
121.		<i>‘Without prejudice to paragraph 3, the applicant may not be requested by an external service provider to appear in person for each application in order to collect the biometric identifiers each time. To enable external service providers to verify that biometric identifiers have been collected, the applicant shall be issued with a receipt after the collection of the biometric identifiers’;</i>		<i>COM to provide compromise proposal (possibly based on the ETIAS regulation)</i>
122.	<i>(10) Article 14 is amended as follows:</i>	<i>(10) Article 14 is amended as follows:</i>	<i>(10) Article 14 is amended as follows:</i>	<i>(10) Article 14 is amended as follows:</i>
123.			<i>(0) paragraph 3 is replaced by the following:</i>	
124.			“A non-exhaustive list of supporting documents which the consulate may <u>be requested</u> from the applicant in order to verify the fulfilment of the conditions listed in paragraphs 1 and 2 is set out in Annex II.”;	
125.	<i>(a) paragraphs 4 and 5 are replaced by the following:</i>		<i>(a) paragraphs 4 and 5 are replaced by the following:</i>	<i>(a) paragraphs 4 and 5 are replaced by the following:</i>
126.	“4. Member States may require applicants to present a proof of sponsorship and private	4. Member States may require applicants to present a proof of sponsorship and private	“4. Member States may require applicants to present a proof of sponsorship and or private	<i>Provisionally agreed:</i>

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	<p>accommodation or both by completing a form drawn up by each Member State. That form shall indicate in particular:</p> <p>(a) whether its purpose is proof of sponsorship or of private accommodation;</p> <p>(b) whether the sponsor/inviting person is an individual, a company or an organisation;</p> <p>(c) the identity and contact details of the sponsor/inviting person;</p> <p>(d) the applicant(s);</p> <p>(e) the address of the accommodation;</p> <p>(f) the length and purpose of the stay;</p> <p>(g) possible family ties with the sponsor/inviting person.</p> <p>(h) the information required pursuant to Article 37(1) of Regulation (EC) No 767/2008.</p> <p>In addition to the Member State's official language(s), the form shall be drawn up in at least one other official language of the institutions of the Union. A specimen of the form shall be sent to the Commission.</p>	<p>accommodation or both by completing a form drawn up by <i>the Commission</i>. That form shall indicate in particular:</p> <p>(a) whether its purpose is proof of sponsorship or of private accommodation;</p> <p>(b) whether the sponsor/inviting person is an individual, a company or an organisation;</p> <p>(c) the identity and contact details of the sponsor/inviting person;</p> <p>(d) the applicant(s);</p> <p>(e) the address of the accommodation;</p> <p>(f) the length and purpose of the stay;</p> <p>(g) possible family ties with the sponsor/inviting person.</p> <p>(h) the information required pursuant to Article 37(1) of Regulation (EC) No 767/2008.</p> <p><i>The Commission shall adopt implementing acts setting out the form referred to in the first subparagraph of this paragraph. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2). The form shall be used to inform the sponsor/inviting</i></p>	<p>accommodation, or <i>of</i> both, by completing a form drawn up by each Member State. That form shall indicate in particular:</p> <p>(a) whether its purpose is proof of sponsorship or of private accommodation, <i>or both</i>;</p> <p>(b) whether the sponsor/inviting person is an individual, a company or an organisation;</p> <p>(c) the identity and contact details of the sponsor/inviting person;</p> <p>(d) the applicant(s) <i>identity data (name and surname, date of birth, place of birth and nationality)</i>;</p> <p>(e) the address of the accommodation;</p> <p>(f) the length and purpose of the stay;</p> <p>(g) possible family ties with the sponsor/inviting person.</p> <p>(h) the information required pursuant to Article 37(1) of Regulation (EC) No 767/2008.</p> <p>In addition to the Member State's official language(s), the form shall be drawn up in at least one other official language of the institutions of the Union. A specimen of the</p>	<p>“4. Member States may require applicants to present a proof of sponsorship and <i>or</i> private accommodation, or <i>of</i> both, by completing a form drawn up by each Member State. That form shall indicate in particular:</p> <p>(a) whether its purpose is proof of sponsorship or of private accommodation, <i>or both</i>;</p> <p>(b) whether the sponsor/inviting person is an individual, a company or an organisation;</p> <p>(c) the identity and contact details of the sponsor/inviting person;</p> <p>(d) the applicant(s) <i>identity data (name and surname, date of birth, place of birth and nationality)</i>;</p> <p>(e) the address of the accommodation;</p> <p>(f) the length and purpose of the stay;</p> <p>(g) possible family ties with the sponsor/inviting person.</p> <p>(h) the information required pursuant to Article 37(1) of Regulation (EC) No 767/2008.</p> <p>In addition to the Member State's official language(s), the form shall be drawn up in at least one other</p>

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		<i>person about the processing of their personal data and the applicable rules.</i> In addition to the Member State's official language(s), the form shall be drawn up in at least one other official language of the institutions of the Union.	form shall be sent to the Commission.	official language of the institutions of the Union. A specimen of the form shall be sent to the Commission.
127.	5. Member States' consulates shall within local Schengen cooperation, as referred to in Article 48, assess the implementation of the conditions laid down in paragraph 1, to take account of local circumstances, and of migratory and security risks.”;		5. Member States' consulates shall within local Schengen cooperation, as referred to in Article 48, assess the implementation of the conditions laid down in paragraph 1, to take account of local circumstances, and of migratory and security risks.”;	5. Member States' consulates shall within local Schengen cooperation, as referred to in Article 48, assess the implementation of the conditions laid down in paragraph 1, to take account of local circumstances, and of migratory and security risks.”;
128.	(b) <i>The following new paragraph 5a is inserted:</i>		(b) <i>The following new paragraph 5a is inserted:</i>	(b) <i>The following new paragraph 5a is inserted:</i>
129.	“5a. Where necessary in order to take account of local circumstances as referred to in Article 48, the Commission shall by means of implementing acts adopt a harmonised list of supporting documents to be used in each jurisdiction. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).”;		“5a. Where necessary in order to take account of local circumstances as referred to in Article 48, the Commission shall by means of implementing acts adopt a harmonised list of supporting documents to be used in each jurisdiction. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).”;	“5a. Where necessary in order to take account of local circumstances as referred to in Article 48, the Commission shall by means of implementing acts adopt a harmonised list of supporting documents to be used in each jurisdiction. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).”;
130.			(c) <i>paragraph 6 is replaced by the following:</i>	

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131.			“6. Consulates may waive one or more of the requirements of paragraph 1 <i>may be waived</i> in the case of an applicant known to them for his integrity and reliability, in particular the lawful use of previous visas, if there is no doubt that he will fulfil the requirements of Article 5(1) of the Schengen Borders Code at the time of the crossing of the external borders of the Member States.”;	
132.	(11) Article 15 is amended as follows:	Article 15 is deleted	(11) Article 15 is amended as follows:	For the political level
133.	(a) paragraph 1 is replaced by the following:		(a) paragraph 1 is replaced by the following:	
134.	“1. Applicants for a uniform visa for one entry shall prove that they are in possession of adequate and valid travel medical insurance to cover any expenses that might arise in connection with repatriation for medical reasons, urgent medical attention and emergency hospital treatment or death, during their intended stay on the territory of the Member States.”;	deleted	“1. Applicants for a uniform visa for one entry shall prove that they are in possession of adequate and valid travel medical insurance to cover any expenses that might arise in connection with repatriation for medical reasons, urgent medical attention and emergency hospital treatment or death, during their intended stay on the territory of the Member States.”;	
135.	(b) in paragraph 2, the first subparagraph is replaced by the following:		(b) in paragraph 2, the first subparagraph is replaced by the following:	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
136.	“2. Applicants for a uniform visa for multiple entries shall prove that they are in possession of adequate and valid travel medical insurance covering the period of their first intended visit.”;	<i>deleted</i>	“2. Applicants for a uniform visa for multiple entries shall prove that they are in possession of adequate and valid travel medical insurance covering the period of their first intended visit.”;	
137.	<i>(12) Article 16 is amended as follows:</i>	<i>(12) Article 16 is amended as follows:</i>	<i>(12) Article 16 is amended as follows:</i>	<i>(12) Article 16 is amended as follows:</i>
138.	<i>(a) paragraphs 1 and 2 are replaced by the following:</i>	<i>(a) paragraphs 1 and 2 are replaced by the following:</i>	<i>(a) paragraphs 1 and 2 are replaced by the following:</i>	<i>(a) paragraphs 1 and 2 are replaced by the following:</i>
139.	“1. Applicants shall pay a visa fee of EUR 80.	1 Applicants shall pay a visa fee of EUR 80.	“1. Applicants shall pay a visa fee of EUR 80.	“1. Applicants shall pay a visa fee of EUR 80.
140.		1a Applicants whose data are already registered in the Visa Information System and whose biometric identifiers have been collected in accordance with Article 13 shall pay a visa fee of EUR 60.		
141.	2. Children from the age of six years and below the age of 12 years shall pay a visa fee of EUR 40.”;	2 Children from the age of 12 years and below the age of 18 years shall pay a visa fee of EUR 40.	2. Children from the age of six years and below the age of 12 years shall pay a visa fee of EUR 40.”;	
142.	<i>(b) The following new paragraph 2a is inserted:</i>	<i>(b) The following new paragraph 2a is inserted:</i>	<i>(b) The following new paragraph 2a is inserted:</i>	<i>(b) The following new paragraph 2a is inserted:</i>
143.	“2a A visa fee of EUR 160 shall apply when the Commission so decides in accordance with Article 25a(5).”;	2a Applicants who form part of a group travelling for sports, cultural or educational purposes shall pay a visa fee of EUR 60.	“2a ₂ A visa fee of EUR 120 or EUR 160 shall apply when the Commission so decides the implementing decision is adopted by the Council in accordance with Article 25a(5). This provision shall	

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			<i>not apply to children below the age of 12 years.”;</i>	
144.	(c) <i>paragraph 3 is deleted.</i>	(c) <i>paragraph 3 is deleted.</i>	(c) <i>paragraph 3 is deleted.</i>	(c) <i>paragraph 3 is deleted.</i>
145.		(d) <i>paragraph 4 is replaced by the following:</i>		
146.		<p>“4 The visa fee shall be waived for applicants belonging to one of the following categories:</p> <p>(a) children under twelve years;</p> <p>(b) school pupils, students, postgraduate students and accompanying teachers who undertake stays for the purpose of study or educational training;</p> <p>(c) researchers from third countries, as defined in Council Directive 2005/71/EC²⁷, travelling for the purpose of carrying out scientific research or participating in a scientific seminar or conference;</p> <p>(d) representatives of non-profit organisations aged 25 years or less participating in seminars, conferences, sports, cultural or educational events organised by non-profit organisations;</p> <p>(e) family members of the citizens of the Union as referred in to Article 5(2) of Directive 2004/38/EC.”;</p>		

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
147.	<i>(d) in paragraph 4, point (c) is replaced by the following:</i>		<i>(d) in paragraph 4, point (c) is replaced by the following:</i>	
148.	“(c) researchers from third countries, as defined in Council Directive 2005/71/EC ³² , travelling for the purpose of carrying out scientific research or participating in a scientific seminar or conference;“;		“(c) researchers from third countries, as defined in Council Directive 2005/71/EC Directive (EU) 2016/801 ³³ , travelling for the purpose of carrying out scientific research or participating in a scientific seminar or conference;“”;	
149.	<i>(e) in paragraph 5 the second subparagraph is deleted;</i>	<i>(e) paragraph 5 is replaced by the following:</i>	<i>(e) in paragraph 5 the second subparagraph is deleted;</i>	
150.		<p>“5. The visa fee may be waived for:</p> <p>(a) children from the age of twelve years and below the age of 18 years;</p> <p>(b) holders of diplomatic and service passports;</p> <p>(c) participants aged 25 years or less in seminars, conferences, sports, cultural or educational events, organised by non-profit organisations.</p> <p>(d) applicants for a visa with limited territorial validity issued on humanitarian grounds, for reasons</p>		

³² Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purpose of scientific research (OJ L 289, 3.11.2005, p. 15).

³³ ~~Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third country nationals for the purpose of scientific research (OJ L 289, 3.11.2005, p. 15)~~ **Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (OJ L 132, 21.5.2016, p. 21–57).**

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		<i>of national interest or because of international obligations as well as beneficiaries of a Union resettlement or relocation programme;</i> <i>(e) applicants for a visa with limited territorial validity.”;</i>		
151.		<i>(ea) paragraph 6 is replaced by the following:</i>		
152.		“6. In individual cases, the amount of the visa fee to be charged may be waived or reduced when to do so serves to promote cultural or sporting interests, interests in the field of foreign policy, development policy and other areas of vital public interest, or for humanitarian reasons <i>or because of international obligations.</i> ”;		
153.			<i>(e1) in paragraph 7 the second subparagraph is replaced by the following:</i>	
154.			“When charged in a currency other than euro, the amount of the visa fee charged in that currency shall be determined and regularly reviewed in application of the euro foreign exchange reference rate set by the European Central Bank. The amount charged may be rounded up and consulates <i>it shall be ensured</i> under	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
			local Schengen cooperation that they charge similar fees are charged. ";	
155.	(f) <i>the following new paragraph is inserted:</i>		(f) <i>the following new paragraph is inserted:</i>	(f) <i>the following new paragraph is inserted:</i>
156.	"8a. The Commission shall assess the need to revise the amount of the visa fees set out in Article 16(1), (2) and (2a) every two years, taking into account objective criteria, such as the general EU-wide inflation rate as published by Eurostat, and the weighted average of the salaries of Member States' civil servants and, where appropriate, amend the amount of the visa fees by means of delegated acts.";		"8a. The Commission shall assess the need to revise the amount of the visa fees set out in Article 16(1), (2) and (2a) every two three years, taking into account objective criteria, such as the general EU-wide inflation rate as published by Eurostat, and the weighted average of the salaries of Member States' civil servants and, where appropriate, amend the amount of the visa fees by means of delegated acts.";	
157.	(13) <i>Article 17 is amended as follows:</i>	(13) <i>Article 17 is amended as follows:</i>	(13) <i>Article 17 is amended as follows:</i>	(13) <i>Article 17 is amended as follows:</i>
158.	(a) <i>The first sentence of paragraph 1 is replaced by the following:</i>	(a) paragraph 1 is replaced by the following:	(a) The first sentence of paragraph 1 is replaced by the following:	
159.	"A service fee may be charged by an external service provider referred to in Article 43.";	1. A service fee may be charged by an external service provider referred to in Article 43. The service fee shall be proportionate to the costs incurred by the external service provider while performing one or more of the tasks referred to in Article 43(6)."	"1. A service fee may be charged by an external service provider referred to in Article 43.";	
160.	(b) <i>paragraph 3 is deleted;</i>	(b) paragraph 3 is deleted;	(b) <i>paragraph 3 is deleted;</i>	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
161.		<i>(ba) paragraph 4 is replaced by the following:</i>		
162.		“4. The service fee shall not exceed half of the amount of the visa fee set out in Article 16(1), irrespective of the possible reductions in or exemptions from the visa fee as provided for in Article 16(2), (4), (5) and (6). <i>It shall include all costs related to the submission of the visa application, including the transmission of the application and the travel document from the external service provider to the consulate and the return of the travel document to the external service provider.</i> ”;		
163.	<i>(c) the following new paragraph 4a is inserted:</i>		<i>(c) the following new paragraph 4a is inserted:</i>	<i>(c) the following new paragraph 4a is inserted:</i>
164.	“4a. By derogation from paragraph 4, the service fee shall not exceed the amount of the visa fee, in third countries whose nationals are subject to the visa requirement where no Member State has a consulate for the purpose of collecting visa applications.”;		“4a. By derogation from paragraph 4, the service fee shall not exceed the amount of the visa fee, in third countries whose nationals are subject to the visa requirement where no <i>the competent</i> Member State has a <i>no</i> consulate for the purpose of collecting visa applications <i>and it is not represented by another Member State the service fee shall, in principle, not exceed the amount of the visa fee. In circumstances where this amount is not sufficient to</i>	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
			<i>provide a full service, a higher amount of service fee may be required. In such case, Member States shall notify the Commission of such scheme at the latest three months before the start of its implementation. The notification shall specify the grounds for the determination of the level of the service fee, in particular the detailed costs leading to the determination of a higher amount.”;</i>	
165.	<i>(d) paragraph 5 is deleted;</i>	<i>(d) paragraph 5 is replaced by the following:</i>	<i>(d) paragraph 5 is deleted;</i>	
166.		“5. The Member State(s) concerned shall maintain the possibility for all applicants to lodge their applications directly at its/their consulates <i>or at the consulate of a Member State with which it/they have a representation arrangement, in accordance with Article 8.</i>”;		
167.		<i>(da) the following paragraph is added:</i>		
168.		<i>“5a. The applicant shall be given a receipt upon payment of the service fee.”;</i>		
169.		<i>(13a) Article 19 is amended as follows:</i>	<i>(13a) Article 19 is amended as follows:</i>	
170.			<i>(a) paragraph 1 is replaced by the following:</i>	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
171.			<p>“1. The competent consulate <i>or the central authorities of the competent Member State</i> shall verify whether:</p> <p>— the application has been lodged within the period referred to in Article 9(1),</p> <p>— the application contains the items referred to in Article 10(3)(a) to (c),</p> <p>— the biometric data of the applicant have been collected, and</p> <p>— the visa fee has been collected.”;</p>	
172.			<p><i>(b) the first subparagraph of paragraph 2 is replaced by the following:</i></p>	
173.			<p>“2. Where the competent consulate <i>or the central authorities of the competent Member State</i> find that the conditions referred to in paragraph 1 have been fulfilled, the application shall be admissible and the consulate <i>or the central authorities</i> shall:</p> <p>— follow the procedures described in Article 8 of the VIS Regulation, and</p> <p>— further examine the application.”;</p>	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
174.		(c) <i>paragraph 3 is replaced by the following:</i>	(c) <i>the first subparagraph of paragraph 3 is replaced by the following:</i>	
175.		<p>“3. Where the competent consulate finds that the conditions referred to in paragraph 1 have not been fulfilled, <i>it shall, where appropriate, notify the applicant, indicate the deficiencies and allow the applicant to correct them. If the deficiencies are not corrected,</i> the application shall be inadmissible and the consulate shall without delay:</p> <ul style="list-style-type: none"> — return the application form and any documents submitted by the applicant, — destroy the collected biometric data, — reimburse the visa fee, and — not examine the application.”; 	<p>“3. Where the competent consulate <i>or the central authorities of the competent Member States</i> find that the conditions referred to in paragraph 1 have not been fulfilled, the application shall be inadmissible and the consulate <i>or central authorities</i> shall without delay:</p> <ul style="list-style-type: none"> — return the application form and any documents submitted by the applicant, — destroy the collected biometric data, — reimburse the visa fee, and — not examine the application.”; 	
176.		<i>paragraph 4 is replaced by the following:</i>		
177.		‘4. By way of derogation, an application that does not meet the requirements set out in paragraph 1 may be considered admissible on humanitarian grounds, for reasons of national interest <i>or because of international obligations.</i> ’;		
178.	(14) <i>Article 21 is amended as follows:</i>	(14) <i>Article 21 is amended as follows:</i>	(14) <i>Article 21 is amended as follows:</i>	(14) <i>Article 21 is amended as follows:</i>

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
179.	(a) in paragraph 3, point (e) is replaced by the following :	(a) in paragraph 3, point (e) is deleted ;	(a) in paragraph 3; is amended as follows:	
180.			– (i) the first sentence is replaced by the following:	
181.			“3. While checking whether the applicant fulfils the entry conditions, the consulate or the central authorities , shall verify.”;	
182.			– (ii) point (e) is replaced by the following :	
183.	“(e) that the applicant is in possession of adequate and valid travel medical insurance, where applicable, covering the period of the intended stay, or, if a uniform visa for multiple entry is applied for, the period of the first intended visit.”;		“(e) that the applicant is in possession of adequate and valid travel medical insurance, where applicable, covering the period of the intended stay, or, if a uniform visa for multiple entry is applied for, the period of the first intended visit.”;	
184.	(b) paragraph 4 is replaced by the following:		(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following:
185.	“4. The consulate shall, where applicable, verify the length of previous and intended stays in order to verify that the applicant has not exceeded the maximum duration of authorised stay in the territory of the Member States, irrespective of possible stays authorised under a national long-stay visa or a residence permit.”;		“4. The consulate or the central authorities shall, where applicable, verify the length of previous and intended stays in order to verify that the applicant has not exceeded the maximum duration of authorised stay in the territory of the Member States, irrespective of possible stays authorised under a national long-stay visa or a residence permit.”;	

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186.			<i>(b1) the first sentence of paragraph 6 is replaced by the following:</i>	
187.			“6. In the examination of an application for an airport transit visa, the consulate <i>or the central authorities</i> shall in particular verify.”;	
188.	<i>(c) paragraph 8 is replaced by the following:</i>	<i>(c) paragraph 8 is replaced by the following:</i>	<i>(c) paragraph 8 is replaced by the following:</i>	<i>(c) paragraph 8 is replaced by the following:</i>
189.	“8. During the examination of an application, consulates may in justified cases carry out an interview with the applicant and request additional documents.”;	“8. During the examination of an application, consulates may in justified cases carry out an interview with the applicant and request additional documents. <i>These interviews may be conducted using modern digital tools and remote means of communication, such as voice or video calls via internet. Fundamental rights of applicants shall be guaranteed during the process.</i> ”;	“8. During the examination of an application, consulates <i>or the central authorities</i> may in justified cases carry out an interview with the applicant and request additional documents.”;	
190.	<i>(15) Article 22 is amended as follows</i>	<i>(15) Article 22 is amended as follows</i>	<i>(15) Article 22 is amended as follows</i>	<i>(15) Article 22 is amended as follows</i>
191.	<i>(a) paragraphs 2 and 3 are replaced by the following:</i>		<i>(a) paragraphs 1, 2 and 3 are replaced by the following:</i>	
192.			“1. <i>For grounds of threat to public policy, internal security, international relations or public health, a Member State may require</i>	

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			<i>the central authorities of other Member States to consult its central authorities during the examination of applications lodged by nationals of specific third countries or specific categories of such nationals. Such consultation shall not apply to applications for airport transit visas.</i>	
193.	“2. The central authorities consulted shall reply definitively as soon as possible but not later than seven calendar days after being consulted. The absence of a reply within this deadline shall mean that they have no grounds for objecting to the issuing of the visa.		2. The central authorities consulted shall reply definitively as soon as possible but not later than seven calendar days after being consulted. The absence of a reply within this deadline shall mean that they have no grounds for objecting to the issuing of the visa.	2. The central authorities consulted shall reply definitively as soon as possible but not later than seven calendar days after being consulted. The absence of a reply within this deadline shall mean that they have no grounds for objecting to the issuing of the visa.
194.	3. Member States shall notify the Commission of the introduction or withdrawal of the requirement of prior consultation, as a rule, at the latest 15 calendar days before it becomes applicable. This information shall also be given under local Schengen cooperation in the jurisdiction concerned.”;		3. Member States shall notify the Commission of the introduction or withdrawal of the requirement of prior consultation, as a rule, at the latest 15 30 calendar days before it becomes applicable. This information shall also be given under local Schengen cooperation in the jurisdiction concerned.”;	
195.		<i>(aa) paragraph 4 is replaced by the following:</i>		
196.		‘4. The Commission shall publish such notifications’;		
197.	<i>(b) paragraph 5 is deleted;</i>		<i>(b) paragraph 5 is deleted;</i>	<i>(b) paragraph 5 is deleted;</i>

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
198.	(16) Article 23 is amended as follows:	(16) Article 23 is amended as follows	(16) Article 23 is amended as follows:	(16) Article 23 is amended as follows:
199.	(a) paragraphs 1 and 2 are replaced by the following:	(a) paragraphs 1 and 2 are replaced by the following	(a) paragraphs 1 and 2 are replaced by the following:	(a) paragraphs 1 and 2 are replaced by the following:
200.	“1. Applications shall be decided within 10 calendar days of the date of the lodging of an application which is admissible in accordance with Article 19.	“1. Applications shall be decided within 10 calendar days of the date of the lodging of an application which is admissible in accordance with Article 19, or within five calendar days for visa applicants whose data are already registered in the Visa Information System and whose biometric identifiers have been collected in accordance with Article 13.	“1. Applications shall be decided within 10 15 calendar days of the date of the lodging of an application which is admissible in accordance with Article 19.	
201.	That period may be extended up to a maximum of 45 calendar days in individual cases, notably when further scrutiny of the application is needed.”;	That period may be extended up to a maximum of 30 calendar days in individual cases, notably when further scrutiny of the application is needed.	1a. That period may be extended up to a maximum of 45 60 calendar days in individual cases, notably when further scrutiny of the application is needed.”;	
202.		(aa) the following paragraph is inserted:		
203.		‘2a. Applications shall be decided on without delay in justified individual cases of urgency, including when it is necessary on professional or humanitarian grounds, for reasons of national interest or because of international obligations.’;		
204.	(b) paragraph 3 is deleted;		(b) paragraph 3 is deleted;	(b) paragraph 3 is deleted;

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205.	<i>(c) paragraph 4 is amended as follows:</i>		<i>(c) paragraph 4 is amended as follows:</i>	<i>(c) paragraph 4 is amended as follows:</i>
206.	<i>– (i) the following new point ba) is inserted:</i>		<i>– (i) the following new point ba) is inserted:</i>	<i>– (i) the following new point ba) is inserted:</i>
207.	<i>“(ba) issue an airport transit visa in accordance with Article 26; or”;</i>		<i>“(ba) issue an airport transit visa in accordance with Article 26; or”;</i>	<i>“(ba) issue an airport transit visa in accordance with Article 26; or”;</i>
208.	<i>– (ii) point (d) is deleted;</i>		<i>– (ii) point (d) is deleted;</i>	<i>– (ii) point (d) is deleted;</i>
209.	<i>(17) Article 24 is amended as follows:</i>	<i>(17) Article 24 is amended as follows:</i>	<i>(17) Article 24 is amended as follows:</i>	<i>(17) Article 24 is amended as follows:</i>
210.	<i>(a) paragraph 1 is amended as follows:</i>		<i>(a) paragraph 1 is amended as follows:</i>	<i>(a) paragraph 1 is amended as follows:</i>
211.	<i>– (i) in the second subparagraph, the first sentence is replaced by the following:</i>		<i>– (i) in the second subparagraph, the first sentence is replaced by the following:</i>	<i>– (i) in the second subparagraph, the first sentence is replaced by the following:</i>
212.	<i>“A visa may be issued for one or multiple entries.”</i>		<i>“A visa may be issued for one, two or multiple entries.”</i>	<i>“A visa may be issued for one, two or multiple entries.”</i>
213.	<i>– (ii) the third subparagraph is deleted;</i>		<i>– (ii) the third subparagraph is deleted;</i>	<i>– (ii) the third subparagraph is deleted;</i>
214.	<i>– (iii) the fourth subparagraph is replaced by the following:</i>		<i>– (iii) the fourth subparagraph is replaced by the following:</i>	<i>– (iii) the fourth subparagraph is replaced by the following:</i>
215.	<i>“Without prejudice to Article 12(a), the period of validity of a single entry visa shall include a 'period of grace' of 15 calendar days.”;</i>		<i>“Without prejudice to Article 12(a), the period of validity of a single entry visa shall include a 'period of grace' of 15 calendar days.”;</i>	<i>“Without prejudice to Article 12(a), the period of validity of a single entry visa shall include a 'period of grace' of 15 calendar days.”;</i>

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216.		<i>(aa) the following paragraph is inserted:</i>		
217.		<i>“1a. Applicants whom the consulates consider to meet the entry conditions, and in respect of whom no grounds for refusal referred to in Article 32 exist, shall be issued a visa in accordance with this Article.”;</i>		
218.	<i>(b) paragraph 2 is replaced by the following:</i>	<i>(b) paragraph 2 letters (a) (b) and (c) are replaced by the following:</i>	<i>(b) paragraph 2 is replaced by the following:</i>	
219.	“2. Multiple-entry visas with a long validity shall be issued for the following validity periods, unless the validity of the visa would exceed that of the travel document:		“2. Provided that the applicant fulfils the entry conditions set out in Article 6(1)(a), (c), (d) and (e) of the Schengen Borders Code, m Multiple-entry visas with a long validity shall be issued for the following validity periods, unless the validity of the visa would exceed that of the travel document:	
220.	(a) for a validity period of one year, provided that the applicant has obtained and lawfully used three visas within the previous two years;	(a) for a validity period of one year, provided that the applicant has obtained and lawfully used three visas within the previous two years, and in the case of seafarers in the performance of their duties, for a validity period of one year, provided that the applicant has obtained and lawfully used two visas within the previous two years;	(a) for a validity period of one year, provided that the applicant has obtained and lawfully used three visas within the previous two years;	
221.	(b) for a validity period of two years shall be issued, provided that the applicant has obtained and lawfully	(b) for a validity period of two years if the applicant has obtained, within the preceding two years, a	(b) for a validity period of two years shall be issued , provided that the applicant has obtained and	

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	used a previous multiple-entry visa valid for one year;	multiple-entry visa valid for one year;	lawfully used a previous multiple-entry visa valid for one year <i>within the previous two years</i> ;	
222.	(c) for a validity period of five years, provided that the applicant has obtained and lawfully used a previous multiple-entry visa valid for two years.”;	(c) for a validity period of five years <i>if</i> the applicant has obtained, <i>within the preceding three years</i> , a previous multiple-entry visa valid for two years.;	(c) for a validity period of five years, provided that the applicant has obtained and lawfully used a previous multiple-entry visa valid for two years <i>within the previous three years</i> .	
223.				
224.			<i>Airport transit visa and visa with limited territorial validity issued according to Article 25, paragraph 1, shall not be taken into account for the issuance of multiple-entry visas.”;</i>	
225.	(c) <i>the following new paragraphs are inserted:</i>		(c) <i>the following new paragraphs are inserted:</i>	(c) <i>the following new paragraphs are inserted:</i>
226.	“2a. By way of derogation from paragraph 2, the validity period of the visa issued may be shortened in individual cases where there is reasonable doubt that the entry conditions will be met for the entire period.		“2a. By way of derogation from paragraph 2, the validity period of the visa issued may be shortened in individual cases where there is reasonable doubt that the entry conditions will be met for the entire period <i>or there are reasonable grounds to grant a visa with a shorter period of validity</i> .	
227.	2b. By way of derogation from paragraph 2, Member States' consulates shall within local		2b. By way of derogation from paragraph 2, Member States' consulates shall within local	2b. By way of derogation from paragraph 2, Member States' consulates shall within local

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	Schengen cooperation as referred to in Article 48, assess whether the rules on the issuing of the multiple entry visas set out in paragraph 2 need to be adapted to take account of local circumstances, and of migratory and security risk, in view of the adoption of more favourable or more restrictive rules in accordance with paragraph 2d.		Schengen cooperation as referred to in Article 48, assess whether the rules on the issuing of the multiple entry visas set out in paragraph 2 need to be adapted to take account of local circumstances, and of migratory and security risk, in view of the adoption of more favourable or more restrictive rules in accordance with paragraph 2d.	Schengen cooperation as referred to in Article 48, assess whether the rules on the issuing of the multiple entry visas set out in paragraph 2 need to be adapted to take account of local circumstances, and of migratory and security risk, in view of the adoption of more favourable or more restrictive rules in accordance with paragraph 2d.
228.		<i>(c) paragraph 2 (c) is replaced by the following:</i>		
229.	2c. Without prejudice to paragraph 2, a multiple entry visa valid for up to five years may be issued to applicants who prove the need or justify their intention to travel frequently and/or regularly provided that they prove their integrity and reliability, in particular the lawful use of previous visas, their economic situation in the country of origin and their genuine intention to leave the territory of the Member States before the expiry of the visa for which they have applied.	2c. Without prejudice to paragraph 2, a multiple entry visa valid for up to five years shall be issued to applicants who prove the need or justify their intention to travel frequently and/or regularly, <i>in particular due to their occupational or family status, such as business persons, civil servants engaged in regular official contacts with Member States and the institutions of the Union, representatives of civil society organisations travelling for the purpose of educational training, seminars and conferences, family members of citizens of the Union, family members of third-country nationals legally residing in Member States and seafarers,</i> provided that they prove their integrity and reliability, in particular the lawful use of previous visas, their economic situation in the	2c. Without prejudice to paragraph 2, a multiple entry visa valid for up to five years may be issued to applicants who prove the need or justify their intention to travel frequently and/or regularly provided that they prove their integrity and reliability, in particular the lawful use of previous visas, their economic situation in the country of origin and their genuine intention to leave the territory of the Member States before the expiry of the visa for which they have applied.	

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		country of origin and their genuine intention to leave the territory of the Member States before the expiry of the visa for which they have applied.		
230.	2d. Where necessary on the basis of the assessment referred to in paragraph 2b, the Commission shall by means of implementing acts adopt the rules regarding the condition for the issuing of multiple-entry visas laid down in paragraph 2 to be applied in each jurisdiction in order to take account of local circumstances, of the migratory and security risks and of the cooperation of the third country in question on readmission of irregular migrants in the light of the indicators set out in Article 25a(2), and of its overall relation with the Union. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).”;		2d. Where necessary on the basis of the assessment referred to in paragraph 2b, the Commission shall by means of implementing acts adopt the rules regarding the condition for the issuing of multiple-entry visas laid down in paragraph 2 to be applied in each jurisdiction in order to take account of local circumstances, of the migratory and security risks and of the cooperation of the third country in question on readmission of irregular migrants in the light of the indicators set out in Article 25a(2) , and of its overall relation with the Union. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).”;	
231.	<i>(18) the following new Article is inserted:</i>	<i>(18) the following new Article is inserted:</i>	<i>(18) the following new Article is inserted:</i>	
232.	“Article 25a Cooperation on readmission	“Article 25a Cooperation on readmission	“Article 25a Cooperation on readmission	For the political level
233.	1. Article 14 (6), Article 16(1) and (5), point (b), Article 23(1), and Article 24(2) shall not apply to applicants or categories of	1. <i>Depending on the levels of cooperation of a third country with Member States on the readmission of irregular migrants, assessed on</i>	1. Article 14 (6), Article 16(1) and (5), point (b), Article 23(1), and Article 24(2) <i>and (2c)</i> shall not apply to applicants or categories of	

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	applicants, who are nationals of a third country that is considered not to be cooperating sufficiently with Member States on the readmission of irregular migrants, on the basis of relevant and objective data, in accordance with this Article. This Article is without prejudice to the powers conferred on the Commission by Article 24(2d).	<i>the basis of relevant and objective data, the application of</i> Article 16(1a) and (5), point (b) and Article 24(2) <i>may be adjusted for</i> applicants or categories of applicants, who are nationals of a third country <i>as specified in paragraph 4</i> . This article is without prejudice to the powers conferred on the Commission by Article 24(2d)	applicants, who are nationals of a third country that is considered not to be cooperating sufficiently with Member States on the readmission of irregular migrants, on the basis of relevant and objective data, in accordance with this Article. This Article is without prejudice to the powers conferred on the Commission by Article 24(2d).	
234.	2. The Commission shall regularly assess third countries' cooperation with regard to readmission, taking account, in particular, of the following indicators:	2. The Commission shall regularly <i>and at least once a year</i> , assess <i>the relevant</i> third countries' cooperation with regard to readmission, taking account, in particular, of the following indicators:	2. The Commission shall regularly assess, <i>at least once a year</i> , third countries' cooperation with regard to readmission, taking account, in particular, of the following indicators:	
235.	(a) the number of return decisions issued to persons illegally staying on the territory of the Member States from the third country in question;	(a) the number of <i>third-country nationals who are subject to an administrative or judicial decision in accordance with Directive 2008/115/EC of the European Parliament and of the Council</i> ;	(a) the number of return decisions issued to persons illegally staying on the territory of the Member States from the third country in question;	
236.	(b) the number of actual returns of persons issued with return decisions as a percentage of the number of return decisions issued to citizens of the third country in question including, where appropriate, on the basis of Union or bilateral readmission agreements, the number of third country nationals who have transited through its territory;	(b) the number of readmission requests <i>by a Member State</i> accepted by the third country as a percentage of the number of such applications submitted to it;	(b) the number of actual <i>forced</i> returns of persons issued with return decisions as a percentage of the number of return decisions issued to citizens of the third country in question including, where appropriate, on the basis of Union or bilateral readmission agreements, the number of third country nationals who have transited through its territory;	

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237.	<p>(c) the number of readmission requests accepted by the third country as a percentage of the number of such applications submitted to it.</p>	<p><i>(c) the levels of practical cooperation in the area of return at the different stages of the return procedure, such as:</i></p> <p><i>(i) timely assistance in identification procedures;</i></p> <p><i>(ii) delivery and acceptance of necessary travel documents.</i></p> <p><i>The Commission shall report the results of its assessment to the European Parliament and the Council, which shall discuss the matter, in particular with regard to the level of cooperation with the relevant third country in the readmission of irregular migrants.</i></p> <p><i>In particular, the following elements shall be considered to assess a third country's cooperation on readmission:</i></p> <p><i>(a) participation in pilot projects on labour migration with a view to deterring irregular migration;</i></p> <p><i>(b) demonstrated efforts to reintegrate returnees and ensure the sustainability of returns;</i></p> <p><i>(c) demonstrated efforts to fight against trafficking, smuggling and associated violations of the rights of the individuals involved, such as through (participation in capacity building and training activities including on preventing abuse and exploitation.</i></p>	<p>(c) the number of readmission requests <i>per Member State</i> accepted by the third country as a percentage of the number of such applications submitted to it.</p>	

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		<i>The European Parliament shall be informed by the Commission of the conclusions of the assessment.</i>		
238.			<p><i>(d) the level of practical cooperation in the area of return cooperation in the different stages of the return procedure, such as:</i></p> <ul style="list-style-type: none"> <i>i. assistance provided in the identification of persons illegally staying on the territory of the Member States and in the timely issuance of travel documents</i> <i>ii. acceptance of the EU travel document or laissez-passer;</i> <i>iii. acceptance of charter flights;</i> <i>iv. acceptance of joint return operations.</i> <p><i>Such an assessment shall be based on the use of reliable data provided by Member States, as well as by Union's institutions, organs, bodies and Agencies. The Commission shall regularly, at least once a year, report its assessment to the Council.</i></p>	
239.	3. A Member State may also notify the Commission if it is confronted with substantial and persisting practical problems in the cooperation with a third country in the readmission of irregular migrants	3. A Member State may also notify the Commission if it observes substantial and persisting problems as well as substantial improvements in cooperation with a third country in the readmission of irregular migrants	3. A Member State may also notify the Commission if it is confronted with substantial and persisting practical problems in the cooperation with a third country in the readmission of irregular migrants on the basis of the same indicators as	

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	on the basis of the same indicators as those listed in paragraph 2.	on the basis of the same indicators as those listed in paragraph 2. The Commission shall examine any notification within a period of 15 days . <i>The Commission shall immediately inform the European Parliament and the Council of the results of its examination.</i>	those listed in paragraph 2. <i>The Commission shall immediately inform the Council about the notification.</i>	
240.	4. The Commission shall examine any notification made pursuant to paragraph 3 within a period of one month.		4. The Commission shall examine any notification made pursuant to paragraph 3 within a period of one month. <i>The Commission shall inform the Council of the results of its examination.</i>	
241.	5. Where, on the basis of the analysis referred to in paragraphs 2 and 4, the Commission decides that a country is not cooperating sufficiently, and that action is therefore needed, it may, taking also account of the Union's overall relations with the third country concerned, adopt an implementing act, in accordance with the examination procedure referred to in Article 52(2):	4. Where, on the basis of the analysis referred to in paragraphs 2 and 3, <i>taking account of the Union's overall relations with the third country concerned, especially in cooperation in the field of readmission, and taking into account the assessment and discussions referred to in paragraph 2, the Commission decides that a third country is:</i>	5. Where, on the basis of the analysis referred to in paragraphs 2 and 4, <i>and taking into account the steps taken by the Commission to improve the level of cooperation of the third country concerned in the field of readmission, the Union's overall relations with that third country, as well as its overall cooperation in the field of migration,</i> the Commission decides that a country is not cooperating sufficiently and that action is therefore needed, <i>or where, within 12 months, a simple majority of Member States have notified the Commission in accordance with paragraph 3, the Commission may,</i>	

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			<p><i>while continuing its efforts to improve the cooperation with the third country concerned, shall submit a proposal to the Council to adopt an implementing decision ;</i></p> <p>taking also account of the Union's overall relations with the third country concerned, adopt an implementing act, in accordance with the examination procedure referred to in Article 52(2):</p>	
242.	<p>(a) temporarily suspending the application of either Article 14(6), Article 16(5) point (b), Article 23(1), or Article 24(2), or of some or all of those provisions, to all nationals on the third country concerned or to certain categories thereof, or</p>	<p><i>(a) cooperating sufficiently, it shall adopt an implementing act, in accordance with the examination procedure referred to in Article 52(2a), concerning applicants or categories of applicants who are nationals of that third country who apply for a visa on the territory of that third country, providing for one or more of the following:</i></p> <p><i>(i) reduction of the visa fee in accordance with Article 16(2a) ;</i></p> <p><i>(ii) reduction of the time within which decisions on an application are to be made in accordance with to Article 23(1a);</i></p> <p><i>(iii) increase in the period of validity of multiple entry visas in accordance with the last subparagraph of Article 24(2); and/or</i></p>	<p>(a) temporarily suspending the application of either Article 14(6), Article 16(5) point (b), Article 23(1), or Article 24(2) and (2c), or of some or all of those provisions, to all nationals on the third country concerned or to certain categories thereof, and/or</p>	

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		<i>(iv) facilitation of participation in labour migration projects.</i>		
243.	(b) applying the visa fee set out in Article 16(2a) to all nationals of the third country concerned or to certain categories thereof.	<p><i>(b) not cooperating sufficiently, it may, taking also account of the Union's overall relations with the third country concerned, adopt an implementing act, in accordance with the examination procedure referred to in Article 52(2a):</i></p> <p><i>(i) temporarily modifying the application of either Article 14(6) or of Article 23(1) in respect of nationals or categories of nationals of the third country concerned; or</i></p> <p><i>(ii) temporarily suspending the application of Article 16(5b), Article 23(1), or some of their provisions, or Article 24(2) in respect of nationals or categories of nationals of the third country concerned."</i></p>	(b) applying, <i>on a gradual basis, one of</i> the visa fees set out in Article 16(2a) to all nationals of the third country concerned or to certain categories thereof.	
244.	6. The Commission shall continuously assess on the basis of the indicators set out in paragraph 2 whether significant improvement in the given third country's cooperation on readmission of irregular migrants can be established and, taking also account of the Union's overall relations with the third country concerned, may decide to repeal or		6. The Commission shall continuously assess and report on the basis of the indicators set out in paragraph 2 whether significant substantial and sustained improvement in the given third country's cooperation on readmission of irregular migrants can be established and, taking also account of the Union's overall relations with the third country concerned, may decide to submit a proposal to the	

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	amend the implementing act referred to in paragraph 5.		Council to repeal or amend the implementing act decision referred to in paragraph 5.	
245.	7. At the latest six months after the entry into force of the implementing act referred to in paragraph 5, the Commission shall report to the European Parliament and to the Council on progress achieved in that third country's cooperation on readmission.”;		7. At the latest six months after the entry into force of the implementing act decision referred to in paragraph 5, the Commission shall report to the European Parliament and to the Council on progress achieved in that third country's cooperation on readmission.”;	
246.	(19) Article 27 is amended as follows:		(19) Article 27 is amended as follows:	(19) Article 27 is amended as follows:
247.	(a) paragraphs 1 and 2 are replaced by the following:		(a) paragraphs 1 and 2 are replaced by the following:	(a) paragraphs 1 and 2 are replaced by the following:
248.	“1. The Commission shall by means of implementing acts adopt the details for filling in the visa sticker. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).		“1. The Commission shall by means of implementing acts adopt the details for filling in the visa sticker. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).	“1. The Commission shall by means of implementing acts adopt the details for filling in the visa sticker. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).
249.	2. Member States may add national entries in the ‘comments’ section of the visa sticker. These entries shall neither duplicate the mandatory entries established in accordance with the procedure referred to in		2. Member States may add national entries in the ‘comments’ section of the visa sticker. These entries shall neither not duplicate the mandatory entries established in accordance with the procedure	

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	paragraph 1 nor indicate a specific travel purpose.”;		referred to in paragraph 1 nor indicate a specific travel purpose.”;	
250.	(b) paragraph 4 is replaced by the following:		(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following:
251.	“4. A visa sticker for a single entry visa may be filled in manually only in case of technical <i>force majeure</i> . No changes shall be made to a manually filled in visa sticker.”;		“4. A visa sticker for a single entry visa may be filled in manually only in case of technical <i>force majeure</i> . No changes shall be made to a manually filled in visa sticker.”;	“4. A visa sticker for a single entry visa may be filled in manually only in case of technical <i>force majeure</i> . No changes shall be made to a manually filled in visa sticker.”;
252.	(20) Article 29 is amended as follows:		(20) Article 29 is amended as follows:	(20) Article 29 is amended as follows:
253.	(a) paragraph 1 is replaced by the following:		(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:
254.	“1. The printed visa sticker shall be affixed to the travel document.”		“1. The printed visa sticker shall be affixed to the travel document.”	
255.	(b) The following new paragraph is inserted:		(b) The following new paragraph is inserted:	(b) The following new paragraph is inserted:
256.	“1a. The Commission shall by means of implementing acts adopt the detailed arrangements for affixing the visa sticker. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).”;		“1a. The Commission shall by means of implementing acts adopt the detailed arrangements for affixing the visa sticker. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).”;	“1a. The Commission shall by means of implementing acts adopt the detailed arrangements for affixing the visa sticker. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).”;
257.	(21) Article 31 is amended as follows:		(21) Article 31 is amended as follows:	(21) Article 31 is amended as follows:

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258.			<i>(0) paragraph 1 is replaced by the following:</i>	
259.			“1. A Member State may require that its central authorities be informed of visas issued by consulates of other Member States to nationals of specific third countries or to specific categories of such nationals, except in the case of airport transit visas.”;	
260.	<i>(a) paragraph 2 is replaced by the following:</i>		<i>(a) paragraph 2 is replaced by the following:</i>	<i>(a) paragraph 2 is replaced by the following:</i>
261.	“2. Member States shall notify the Commission of the introduction or withdrawal of the requirement for such information at the latest 15 calendar days before it becomes applicable. The information shall also be given under local Schengen cooperation in the jurisdiction concerned.”;		“2. Member States shall notify the Commission of the introduction or withdrawal of the requirement for such information at the latest 15 30 calendar days before it becomes applicable. The information shall also be given under local Schengen cooperation in the jurisdiction concerned.”;	
262.	<i>(b) paragraph 4 is deleted;</i>		<i>(b) paragraph 4 is deleted;</i>	<i>(b) paragraph 4 is deleted;</i>
263.	<i>(22) Article 32 is amended as follows:</i>	<i>(22) Article 32 is amended as follows:</i>	<i>(22) Article 32 is amended as follows:</i>	
264.	<i>(a) In paragraph 1(a) the following point (iia) is inserted:</i>		<i>(a) In paragraph 1(a) the following point (iia) is inserted:</i>	<i>(a) In paragraph 1(a) the following point (iia) is inserted:</i>
265.	“(iia) does not provide justification for the purpose and conditions of the intended airport transit;”		“(iia) does not provide justification for the purpose and conditions of the intended airport transit;”;	“(iia) does not provide justification for the purpose and conditions of the intended airport transit;”;

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266.		<i>(aa) point (a) of paragraph 1, point (vii) is deleted;</i>		
267.		<i>(ab) paragraph 2 is replaced by the following:</i>		
268.		‘2. A decision on refusal and the reasons on which it is based shall be notified to the applicant by means of the standard form set out in Annex VI <i>in a language which the applicant understands or can be reasonably supposed to understand.</i> ’;		
269.	<i>(b) paragraph 3 is replaced by the following:</i>	<i>(b) paragraph 3 is replaced by the following:</i>	<i>(b) paragraph 3 is replaced by the following:</i>	<i>(b) paragraph 3 is replaced by the following:</i>
270.	“3. Applicants who have been refused a visa shall have the right to appeal which shall, at a certain stage of the proceedings, guarantee an effective judicial appeal. Appeals shall be instituted against the Member State that has taken the final decision on the application and in accordance with the national law of that Member State. Member States shall provide applicants with detailed information regarding the procedure to be followed in the event of an appeal, as specified in Annex VI.”;	“3. Applicants who have been refused a visa shall have the right to appeal which shall, at a certain stage of the proceedings, guarantee an effective judicial appeal. Appeals shall be instituted against the Member State that has taken the final decision on the application and in accordance with the national law of that Member State. <i>The deadline for appeal shall be at least 30 calendar days.</i> Member States shall provide applicants with detailed information regarding the procedure to be followed in the event of an appeal, as specified in Annex VI, <i>in a language the applicants understand or can be reasonably supposed to understand.</i> ”;	“3. Applicants who have been refused a visa shall have the right to appeal. which shall, at a certain stage of the proceedings, guarantee an effective judicial appeal. Appeals shall be instituted against the Member State that has taken the final decision on the application and in accordance with the national law of that Member State. Member States shall provide applicants with detailed information regarding the procedure to be followed in the event of an appeal, as specified in Annex VI.”;	

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271.		<i>(ba) the following paragraph is inserted:</i>		
272.		<p><i>“3a. The standard form for notifying and motivating refusal, annulment or revocation of a visa set out in Annex VI shall be available, as a minimum, in the following languages:</i></p> <p><i>(a) the official language(s) of the Member State for which a visa is requested; and</i></p> <p><i>(b) the official language(s) of the host country.</i></p> <p><i>In addition to the language(s) referred to in point (a), the form may be made available in any other official language(s) of the Union. A translation of the standard form into the official language(s) of the host country shall be produced within the framework of the local Schengen cooperation as referred to in Article 48.”;</i></p>		
273.	<i>(c) paragraph 4 is deleted;</i>		<i>(c) paragraph 4 is deleted;</i>	<i>(c) paragraph 4 is deleted;</i>
274.		<i>(22a) in Article 34, paragraph 7 is replaced by the following:</i>		
275.		<p><i>‘7. A visa holder whose visa has been annulled or revoked shall have the right to appeal, unless the visa was revoked at his request in accordance with paragraph 3. Appeals shall be conducted against</i></p>		

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		the Member State that has taken the decision on the annulment or revocation and in accordance with the national law of that Member State. Member States shall provide applicants with information regarding the procedure to be followed in the event of an appeal, as specified in Annex VI. <i>If the visa holder whose visa has been annulled or revoked is already present on the territory of a Member State, no return decision may be taken until the appeal period is exhausted or the final decision on the appeal has been duly notified to the visa holder.</i> ;		
276.		<i>(24b) in Article 35, paragraph 2 is deleted;</i>		
277.	<i>(23) Article 36 is amended as follows:</i>		<i>(23) Article 36 is amended as follows:</i>	<i>(23) Article 36 is amended as follows:</i>
278.	<i>(a) paragraph 2 is deleted;</i>		<i>(a) paragraph 2 is deleted;</i>	<i>(a) paragraph 2 is deleted;</i>
279.	<i>(b) the following new paragraph is inserted:</i>		<i>(b) the following new paragraph is inserted:</i>	<i>(b) the following new paragraph is inserted:</i>
280.	“2a. The Commission shall by means of implementing acts adopt operational instructions for issuing visas at the border to seafarers. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).”;		“2a. The Commission shall by means of implementing acts adopt operational instructions for issuing visas at the border to seafarers. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).”;	“2a. The Commission shall by means of implementing acts adopt operational instructions for issuing visas at the border to seafarers. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).”;

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281.	(24) <i>The following new Article is inserted:</i>		(24) — The following new Article is inserted:	
282.	“Article 36a Visas applied for at the external border under a specific scheme		“Article 36a Visas applied for at the external border under a specific scheme	
283.	1. In order to promote short term tourism and subject to the conditions set out in this Article, a Member State may decide temporarily to allow the lodging of visa applications at specific land- or sea-border crossing points to persons fulfilling the entry conditions set out in Article 6 (1) of Regulation (EC) No 2016/399 of the European Parliament and of the Council.		1. — In order to promote short term tourism and subject to the conditions set out in this Article, a Member State may decide temporarily to allow the lodging of visa applications at specific land- or sea-border crossing points to persons fulfilling the entry conditions set out in Article 6 (1) of Regulation (EC) No 2016/399 of the European Parliament and of the Council.	
284.	2. The duration of the scheme shall be limited to four months in any calendar year and the categories of beneficiary shall be clearly defined and exclude third-country nationals falling within the category of persons for whom prior consultation is required in accordance with Article 22 and persons not residing in the country adjacent to the land-border crossing point or in a country having direct ferry connections to the sea-border crossing point. Those schemes shall only apply to nationals of third countries with which readmission		2. — The duration of the scheme shall be limited to four months in any calendar year and the categories of beneficiary shall be clearly defined and exclude third-country nationals falling within the category of persons for whom prior consultation is required in accordance with Article 22 and persons not residing in the country adjacent to the land-border crossing point or in a country having direct ferry connections to the sea-border crossing point. Those schemes shall only apply to nationals of third countries with which readmission	

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	agreements have been concluded and for which the Commission has not taken a decision in accordance with Article 25a(5).		agreements have been concluded and for which the Commission has not taken a decision in accordance with Article 25a(5).	
285.	3. The Member State concerned shall establish appropriate structures and deploy specially trained staff for the processing of visa applications and the carrying out of all verifications and risk assessment, as set out in Article 21.	3. The Member State concerned shall establish appropriate structures and deploy specially trained staff for the processing of visa applications and the carrying out of all verifications and risk assessment, as set out in Article 21. <i>Staff shall receive training on digital file management.</i>	3. The Member State concerned shall establish appropriate structures and deploy specially trained staff for the processing of visa applications and the carrying out of all verifications and risk assessment, as set out in Article 21.	
286.	4. A visa issued pursuant to a specific scheme shall allow for only one entry, be valid only for the territory of the issuing Member State and shall authorise a stay of no more than seven calendar days. No 'period of grace' shall be included in the period of validity of the visa.		4. A visa issued pursuant to a specific scheme shall allow for only one entry, be valid only for the territory of the issuing Member State and shall authorise a stay of no more than seven calendar days. No 'period of grace' shall be included in the period of validity of the visa.	
287.	5. Where a visa is refused at the external border pursuant to a specific scheme, the Member State may not impose on the carrier concerned the obligations set out in Article 26 of the Convention Implementing the Schengen Agreement.		5. Where a visa is refused at the external border pursuant to a specific scheme, the Member State may not impose on the carrier concerned the obligations set out in Article 26 of the Convention Implementing the Schengen Agreement.	
288.	6. Member States shall notify the Commission of any schemes at the latest six months before the start of their implementation. The		6. Member States shall notify the Commission of any schemes at the latest six months before the start of their implementation. The	

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	notification shall specify the categories of beneficiary, the geographical scope, the organisational arrangements for the scheme and the measures envisaged to ensure compliance with the conditions set out in this Article. The Commission shall publish this notification in the <i>Official Journal of the European Union</i> .		notification shall specify the categories of beneficiary, the geographical scope, the organisational arrangements for the scheme and the measures envisaged to ensure compliance with the conditions set out in this Article. The Commission shall publish this notification in the Official Journal of the European Union.	
289.	7. Three months after the end of the scheme, the Member State concerned shall submit a detailed implementation report to the Commission. The report shall contain information on the number of visas applied for, issued and refused (including the citizenship of the persons concerned), the duration of stay and the departure rate (including the citizenship of persons not departing from the territory of the Member State at the expiry of the visa).”;		7. Three months after the end of the scheme, the Member State concerned shall submit a detailed implementation report to the Commission. The report shall contain information on the number of visas applied for, issued and refused (including the citizenship of the persons concerned), the duration of stay and the departure rate (including the citizenship of persons not departing from the territory of the Member State at the expiry of the visa).”;	
290.		(24a) in Article 37, paragraph 2 is replaced by the following:		
291.		‘2. The storage and handling of visa stickers shall be subject to adequate security measures to avoid fraud or loss. Each consulate shall keep an account of its stock of visa stickers and register how each visa sticker has been used. Any fraud or		

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		<i>major loss shall be reported to the Commission</i> ;		
292.	(25) in Article 37, paragraph 3 is be replaced by the following:		(25) in Article 37, paragraph 3 is be replaced by the following:	(25) in Article 37, paragraph 3 is be replaced by the following:
293.	(a) “3. Member States’ consulates shall keep archives of applications in paper or electronic format. Each individual file shall contain the relevant information allowing for a reconstruction, if need be, of the background for the decision taken on the application.		“3. Member States’ consulates or central authorities shall keep archives of applications in paper or electronic format. Each individual file shall contain the relevant information allowing for a reconstruction, if need be, of the background for the decision taken on the application.	
294.	Individual application files shall be kept for a minimum of one year from the date of the decision on the application as referred to in Article 23(1) or, in the case of appeal, until the end of the appeal procedure.”;	Individual application files shall be kept for a minimum of two years from the date of the decision on the application as referred to in Article 23(1) or, in the case of appeal, until the end of the appeal procedure.	Individual application files shall be kept for a minimum of one year from the date of the decision on the application as referred to in Article 23(1) or, in the case of appeal, until the end of the appeal procedure, whichever is the longest. In any case, if applicable, the individual electronic application files shall be kept for the period of validity of the issued visa. ”;	
295.	(26) in Article 38, the following new paragraph is inserted:		(26) in Article 38; is amended as follows:	
296.			(a) the title is replaced by the following:	

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297.			“Resources for examining applications and monitoring of the visa procedures consulates ”;	
298.			<i>(b) paragraph 1 is replaced by the following:</i>	
299.			“1. Member States shall deploy appropriate staff in sufficient numbers in consulates to carry out the tasks relating to the examining of applications, in such a way as to ensure reasonable and harmonised quality of service to the public.”;	
300.			<i>(c) the following new paragraph is inserted:</i>	
301.	“1a. Member States shall ensure that the entire procedure, including the cooperation with external service providers, is monitored by expatriate staff to ensure the integrity of all stages of the procedure.” ;		“1a. Member States shall ensure that the entire visa procedure in consulates , including the lodging and handling of applications, the printing of visa stickers and practical cooperation with external service providers, is are monitored by expatriate staff to ensure the integrity of all stages of the procedure.”;	
302.			<i>(d) paragraph 3 is replaced by the following:</i>	
303.			“3. Member States’ central authorities shall provide adequate training to both expatriate staff and	

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			locally employed staff and shall be responsible for providing them with complete, precise and up-to-date information on the relevant Community Union and national law.”;	
304.			<i>(e) the following new paragraph is inserted:</i>	
305.			<i>“3a. Where Member States apply central decision making as referred to in Article 4(1a), they shall conduct specific training to ensure that staff employed centrally have sufficient and updated country-specific knowledge of local socio-economic circumstances and complete, precise and up-to-date information on the relevant Union and national law.”;</i>	
306.		<i>(26a) in Article 38, the following paragraph is inserted:</i>		
307.		<i>‘4a. Member States shall ensure that consulates have a complaints procedure in place for visa applicants. Information on this procedure shall be made available by the consulates and, where applicable, by the external service provider on their websites. Member States shall ensure that a record of complaints is kept.’;</i>		
308.		<i>(26b) in Article 39, paragraph 1 is replaced by the following:</i>		

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309.		‘1. Member States’ consulates shall ensure that applicants are received courteously. <i>The arrangements for the reception of applicants and for processing of their applications shall duly respect fundamental rights, as referred to in the Charter of Fundamental Rights of the European Union and the European Convention for the Protection of Human Rights and Fundamental Freedoms. Visa applications should be processed on a non-discriminatory basis and in a professional manner which respects applicants.</i> ’;		
310.			(26a) <i>Article 39 is amended as follows:</i>	
311.			(a) <i>paragraph 2 is replaced by the following:</i>	
312.			“2. Consular <i>and central authorities</i> ’ staff shall, in the performance of their duties, fully respect human dignity. Any measures taken shall be proportionate to the objectives pursued by such measures.”;	
313.		(26c) <i>in Article 39, paragraph 3 is replaced by the following:</i>	(b) <i>paragraph 3 is replaced by the following:</i>	
314.		"3. While performing their tasks, consular staff shall not discriminate against persons on	“3. While performing their tasks, consular <i>and central</i>	

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		grounds of <i>nationality</i> , sex, <i>gender</i> , <i>family status</i> , origin, <i>actual or assumed</i> religion, belief, disability, age or sexual orientation."	<i>authorities</i> ’ staff shall not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. ”;	
315.	(27) <i>Article 40 is replaced by the following:</i>		(27) <i>Article 40 is replaced by the following:</i>	(27) <i>Article 40 is replaced by the following:</i>
316.	<i>“Article 40</i> Consular organisation and cooperation		<i>“Article 40</i> Consular organisation and cooperation	<i>“Article 40</i> Consular organisation and cooperation
317.	1. Each Member State shall be responsible for organising the procedures relating to applications.		1. Each Member State shall be responsible for organising the procedures relating to applications.	1. Each Member State shall be responsible for organising the procedures relating to applications.
318.	2. Member States shall:		2. Member States shall:	2. Member States shall:
319.	(a) equip their consulates and authorities responsible for issuing visas at the borders with the requisite material for the collection of biometric identifiers, as well as the offices of their honorary consuls, where they make use of them, to collect biometric identifiers in accordance with Article 42;		(a) equip their consulates and authorities responsible for issuing visas at the borders with the requisite material for the collection of biometric identifiers, as well as the offices of their honorary consuls, where they make use of them, to collect biometric identifiers in accordance with Article 42;	(a) equip their consulates and authorities responsible for issuing visas at the borders with the requisite material for the collection of biometric identifiers, as well as the offices of their honorary consuls, where they make use of them, to collect biometric identifiers in accordance with Article 42;
320.	(b) cooperate with one or more other Member States under representation arrangements or any other form of consular cooperation.		(b) cooperate with one or more other Member States under representation arrangements or any other form of consular cooperation.	(b) cooperate with one or more other Member States under representation arrangements or any other form of consular cooperation.

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321.	3. A Member State may also cooperate with an external service provider in accordance with Article 43.		3. A Member State may also cooperate with an external service provider in accordance with Article 43.	3. A Member State may also cooperate with an external service provider in accordance with Article 43.
322.	4. Member States shall notify to the Commission their consular organisation and cooperation in each consular location.		4. Member States shall notify to the Commission their consular organisation and cooperation in each consular location.	4. Member States shall notify to the Commission their consular organisation and cooperation in each consular location.
323.	5. In the event of termination of cooperation with other Member States, Member States shall assure the continuity of full service.”;		5. In the event of termination of cooperation with other Member States, Member States shall strive to assure the continuity of full service.”;	
324.	(28) Article 41 is deleted;		(28) Article 41 is deleted;	(28) Article 41 is deleted;
325.	(29) Article 43 is amended as follows:		(29) Article 43 is amended as follows:	(29) Article 43 is amended as follows:
326.	(a) paragraph 3 is deleted;		(a) paragraph 3 is deleted;	(a) paragraph 3 is deleted;
327.			(a1) paragraph 5 is replaced by the following:	
328.			“5. External service providers shall not have access to the VIS under any circumstances. Access to the VIS shall be reserved exclusively to duly authorised staff of consulates or the central authorities. ”;	
329.	(b) paragraph 6 is amended as follows:		(b) paragraph 6 is amended as follows:	(b) paragraph 6 is amended as follows:

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330.	– (i) point (a) is replaced by the following:		– (i) point (a) is replaced by the following:	– (i) point (a) is replaced by the following:
331.	“(a) providing general information on visa requirements, in accordance with Article 47(1)(a) – (c), and application forms.” ;		“(a) providing general information on visa requirements, in accordance with Article 47(1)(a) – (c), and application forms;”;	“(a) providing general information on visa requirements, in accordance with Article 47(1)(a) – (c), and application forms;”;
332.			– (ii) point (c) is replaced by the following:	
333.			“(c) collecting data and applications (including collection of biometric identifiers) and transmitting the application to the consulate or the central authorities ”;	
334.	– (ii) point (e) is replaced by the following:		– (iii) point (e) is replaced by the following:	
335.	“(e) managing the appointments for the applicant, where applicable, at the consulate or at the external service provider.”;		“(e) managing the appointments for the applicant, where applicable, at the consulate or at the external service provider.”;	“(e) managing the appointments for the applicant, where applicable, at the consulate or at the external service provider.”;
336.			– (iv) point (f) is replaced by the following:	
337.			“(f) collecting the travel documents, including a refusal notification if applicable, from the consulate or the central authorities and returning them to the applicant.”;	

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338.	(c) paragraph 7 is replaced by the following:		(c) paragraph 7 is replaced by the following:	(c) paragraph 7 is replaced by the following:
339.	“7. When selecting an external service provider, the Member State concerned shall assess the reliability and solvency of the organisation or company and ensure that there is no conflict of interests. The scrutiny shall include, as appropriate, the necessary licences, commercial registration, statutes and bank contracts.”;		“7. When selecting an external service provider, the Member State concerned shall assess the reliability and solvency of the organisation or company and ensure that there is no conflict of interests. The scrutiny shall include, as appropriate, the necessary licences, commercial registration, statutes and bank contracts.”;	“7. When selecting an external service provider, the Member State concerned shall assess the reliability and solvency of the organisation or company and ensure that there is no conflict of interests. The scrutiny shall include, as appropriate, the necessary licences, commercial registration, statutes and bank contracts.”;
340.	(d) paragraph 9 is replaced by the following:	(d) paragraph 9 is replaced by the following:	(d) paragraph 9 is replaced by the following:	(d) paragraph 9 is replaced by the following:
341.	“9. Member States shall be responsible for compliance with the rules on the protection of personal data and ensure that the external service provider is subject to the monitoring by the data protection supervisory authorities pursuant to Article 51(1) of Regulation (EU) 2016/679.”;	9. <i>The Member State(s) concerned shall continue to be responsible for compliance with the rules, including with regard to respect for fundamental rights, and in particular the principle of non-discrimination and the protection of personal data, and shall ensure that the external service provider is subject to the monitoring by the data protection supervisory authorities pursuant to Article 51(1) of Regulation (EU) 2016/679.</i>	“9. Member States shall be responsible for compliance with the rules on the protection of personal data and ensure that the external service provider is subject to the monitoring by the data protection supervisory authorities pursuant to Article 51(1) of Regulation (EU) 2016/679.”;	
342.	(e) paragraph 11 is amended as follows:		(e) paragraph 11 is amended as follows:	(e) paragraph 11 is amended as follows:
343.	– (i) “(a) the general information on the criteria,		– (i) “(a) the general information on the criteria,	– (i) “(a) the general information on the criteria,

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	conditions and procedures for applying for a visa, as set out in Article 47(1)(a), (b) and (c), and the content of the application forms provided by the external service provider to applicants.”;		conditions and procedures for applying for a visa, as set out in Article 47(1)(a), (b) and (c), and the content of the application forms provided by the external service provider to applicants.”;	conditions and procedures for applying for a visa, as set out in Article 47(1)(a), (b) and (c), and the content of the application forms provided by the external service provider to applicants.”;
344.			– (ii) "(b) all the technical and organisational security measures required to protect personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, in particular where the cooperation involves the transmission of files and data to the consulate or the central authorities of the Member State(s) concerned, and all other unlawful forms of processing personal data; ”;	
345.	– (ii) <i>the second subparagraph is replaced by the following:</i>		– (iii) <i>the second subparagraph is replaced by the following:</i>	
346.	“To this end, the consulate(s) of the Member State(s) concerned shall, on a regular basis and as a minimum every six months, carry out spot checks on the premises of the external service provider. Member States may agree to share the burden of this regular monitoring.”;		“To this end, the central authorities or the consulate(s) of the Member State(s) concerned shall, on a regular basis and as a minimum every six twelve months, carry out spot checks on the premises of the external service provider. Member States may agree to share the burden of this regular monitoring.”;	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
347.	(f) <i>The following new paragraph is inserted:</i>		(f) <i>The following new paragraph is inserted:</i>	(f) <i>The following new paragraph is inserted:</i>
348.	“11a. By 1st January each year, Member States shall report to the Commission on their cooperation with and monitoring (as referred to in Annex X, point C) of external service providers worldwide.”;		“11a. By 1st January February each year, Member States shall report to the Commission on their cooperation with and monitoring (as referred to in Annex X, point C) of external service providers worldwide.”;	
349.	(30) <i>Article 44 is replaced by the following:</i>		(30) <i>Article 44 is replaced by the following:</i>	(30) <i>Article 44 is replaced by the following:</i>
350.	<i>“Article 44</i> Encryption and secure transfer of data		<i>“Article 44</i> Encryption and secure transfer of data	<i>“Article 44</i> Encryption and secure transfer of data
351.	1. In the case of cooperation among Member States and cooperation with an external service provider and recourse to honorary consuls, the Member State(s) concerned shall ensure that data are fully encrypted, whether transferred electronically or physically on an electronic storage medium.		1. In the case of cooperation among Member States and cooperation with an external service provider and recourse to honorary consuls, the Member State(s) concerned shall ensure that data are fully encrypted, whether transferred electronically or physically on an electronic storage medium.	1. In the case of cooperation among Member States and cooperation with an external service provider and recourse to honorary consuls, the Member State(s) concerned shall ensure that data are fully encrypted, whether transferred electronically or physically on an electronic storage medium.
352.	2. In third countries that prohibit the encryption of data to be electronically transferred the Member State(s) concerned shall not allow data to be transferred electronically.		2. In third countries that prohibit the encryption of data to be electronically transferred the Member State(s) concerned shall not allow data to be transferred electronically.	2. In third countries that prohibit the encryption of data to be electronically transferred the Member State(s) concerned shall not allow data to be transferred electronically.

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
353.	In such cases, the Member State(s) concerned shall ensure that the electronic data are transferred physically in fully encrypted form on an electronic storage medium by a consular officer of a Member State or, where such transfer would require disproportionate or unreasonable measures, in another safe and secure way, for example by using established operators experienced in transporting sensitive documents and data in the third country concerned.		In such cases, the Member State(s) concerned shall ensure that the electronic data are transferred physically in fully encrypted form on an electronic storage medium by a consular officer of a Member State or, where such transfer would require disproportionate or unreasonable measures, in another safe and secure way, for example by using established operators experienced in transporting sensitive documents and data in the third country concerned.	In such cases, the Member State(s) concerned shall ensure that the electronic data are transferred physically in fully encrypted form on an electronic storage medium by a consular officer of a Member State or, where such transfer would require disproportionate or unreasonable measures, in another safe and secure way, for example by using established operators experienced in transporting sensitive documents and data in the third country concerned.
354.	3. In all cases the level of security for the transfer shall be adapted to the sensitive nature of the data.”;		3. In all cases the level of security for the transfer shall be adapted to the sensitive nature of the data.”;	3. In all cases the level of security for the transfer shall be adapted to the sensitive nature of the data.”;
355.	(31) Article 45 is amended as follows:		(31) Article 45 is amended as follows:	(31) Article 45 is amended as follows:
356.	(a) paragraph 1 is replaced by the following:		(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:
357.	“1. Member States may accept the lodging of applications, but not the collection of biometric identifiers, by a private administrative agency, a transport company or a travel agency, such as a tour operator or a retailer (commercial intermediaries).”		“1. Member States may accept the lodging of applications, but not the collection of biometric identifiers, by a private administrative agency, a transport company or a travel agency, such as a tour operator or a retailer (commercial intermediaries).”	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
358.	<i>(b) paragraph 3 is replaced by the following:</i>		<i>(b) paragraph 3 is replaced by the following:</i>	<i>(b) paragraph 3 is replaced by the following:</i>
359.	“3. Accredited commercial intermediaries shall be monitored regularly by spot checks involving face-to-face or telephone interviews with applicants, the verification of trips and accommodation, and wherever deemed necessary, the verification of the documents relating to group return.”;		“3. Accredited commercial intermediaries shall be monitored regularly by spot checks involving face-to-face or telephone interviews with applicants, the verification of trips and accommodation, and wherever deemed necessary, the verification of the documents relating to group return.”;	“3. Accredited commercial intermediaries shall be monitored regularly by spot checks involving face-to-face or telephone interviews with applicants, the verification of trips and accommodation, and wherever deemed necessary, the verification of the documents relating to group return.”;
360.			<i>(c) in paragraph 5, the last subparagraph is replaced by the following:</i>	
361.			“Each consulate and the central authorities , shall make sure that the public is informed about the list of accredited commercial intermediaries with which it cooperates, where relevant .”;	
362.	<i>(32) in Article 47(1), point (c), is replaced by the following:</i>		<i>(32) in Article 47(1), point (c), is replaced by the following:</i>	<i>(32) in Article 47(1), point (c), is replaced by the following:</i>
363.	“(c) where the application may be submitted (competent consulate or external service provider);”		“(c) where the application may be submitted (competent consulate or external service provider);”;	“(c) where the application may be submitted (competent consulate or external service provider);”;
364.	<i>(33) Article 48 is amended as follows:</i>		<i>(33) Article 48 is amended as follows:</i>	<i>(33) Article 48 is amended as follows:</i>

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
365.	<i>(a) paragraph 1 is replaced by the following:</i>		<i>(a) paragraph 1 is replaced by the following:</i>	<i>(a) paragraph 1 is replaced by the following:</i>
366.	“1. Member States’ consulates and the Union delegations shall cooperate within each jurisdiction to ensure a harmonised application of the common visa policy taking into account local circumstances.		“1. Member States’ consulates and the Union delegations shall cooperate within each jurisdiction to ensure a harmonised application of the common visa policy taking into account local circumstances.	“1. Member States’ consulates and the Union delegations shall cooperate within each jurisdiction to ensure a harmonised application of the common visa policy taking into account local circumstances.
367.			<i>Where central authorities are examining and deciding on applications in the jurisdiction concerned, Member States shall ensure the active involvement of that central authority in Local Schengen cooperation. The staff contributing to local Schengen cooperation shall be adequately trained and involved in the examination of visa applications in the jurisdiction concerned.</i>	
368.	To this end, in accordance with Article 5(3) of Council Decision 2010/427 ³⁴ , the Commission shall issue instructions to Union delegations to carry out the relevant coordination tasks provided for in this Article.”;		To this end, in accordance with Article 5(3) of Council Decision 2010/427 , the Commission shall issue instructions to Union delegations to carry out the relevant coordination tasks provided for in this Article.”;	To this end, in accordance with Article 5(3) of Council Decision 2010/427 , the Commission shall issue instructions to Union delegations to carry out the relevant coordination tasks provided for in this Article.”;
369.	<i>(b) the following new paragraph is inserted:</i>	<i>(b) the following new paragraph is inserted:</i>	<i>(b) the following new paragraph is inserted:</i>	<i>(b) the following new paragraph is inserted:</i>

³⁴

Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service, OJ L 201, 3.8.2010, p. 30.

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
370.	<p>“1a. Member States and the Commission shall, in particular, cooperate in order to:</p> <p>(a) prepare a harmonised list of supporting documents to be submitted by applicants, taking into account Article 14;</p> <p>b) prepare a local implementation of Article 24(2) regarding the issuing of multiple entry visas;</p> <p>(c) ensure a common translation of the application form, where relevant;</p> <p>(d) establish the list of travel documents issued by the host country and update it regularly;</p> <p>(e) draw up a common information sheet;</p> <p>(f) monitor, where relevant, the implementation of the derogations set out in Article 25a(5) and (6).”;</p>	<p>“1a. Member States and the Commission shall, in particular, cooperate in order to:</p> <p>(a) prepare a harmonised list of supporting documents to be submitted by applicants, taking into account Article 14;</p> <p>(b) prepare a local implementation of Article 24(2) regarding the issuing of multiple entry visas;</p> <p>(c) ensure a common translation of the application form, and of the standard form for notifying and giving reasons for refusal, annulment or revocation of a visa, where relevant;</p> <p>(d) establish the list of travel documents issued by the host country and update it regularly;</p> <p>(e) draw up a common information sheet;</p> <p>(f) monitor, where relevant, the implementation of the derogations set out in Article 25a(5) and (6).”;</p>	<p>“1a. Member States and the Commission shall, in particular, cooperate in order to:</p> <p>(a) prepare a harmonised list of supporting documents to be submitted by applicants, taking into account Article 14;</p> <p>(b) prepare a local implementation of Article 24(2) regarding the issuing of multiple entry visas;</p> <p>(c) ensure a common translation of the application form, where relevant;</p> <p>(d) establish the list of travel documents issued by the host country and update it regularly;</p> <p>(e) draw up a common information sheet;</p> <p>(f) monitor, where relevant, the implementation of the derogations set out in Article 25a(5) and (6).”;</p>	
371.	<p>(c) <i>paragraph 2 is deleted.</i></p>		<p>(c) <i>paragraph 2 is deleted.</i></p>	<p>(c) <i>paragraph 2 is deleted.</i></p>

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
372.	(d) paragraph 3 is replaced by the following:		(d) paragraph 3 is replaced by the following:	(d) paragraph 3 is replaced by the following:
373.	(e) “3. Member States under local Schengen cooperation shall exchange the following information:		(e) — “3. Member States under local Schengen cooperation shall exchange the following information:	
374.		Article 48 – paragraph 3 – point (b) – (vi) is modified as follows		
375.	(a) quarterly statistics on uniform visas, visas with limited territorial validity, and airport transit visas applied for, issued, and refused;		(a) quarterly statistics on uniform visas, visas with limited territorial validity, and airport transit visas applied for, issued, and refused;	(a) quarterly statistics on uniform visas, visas with limited territorial validity, and airport transit visas applied for, issued, and refused;
376.	(b) information with regard to the assessment of migratory and/or security risks, in particular on: <ul style="list-style-type: none"> (i) the socioeconomic structure of the host country; (ii) sources of information at local level, including social security, health insurance, fiscal registers and entry-exit registrations; (iii) the use of false, counterfeit or forged documents; (iv) irregular immigration routes; (v) trends in fraudulent behaviour; (vi) trends in refusals; 	(vi) trends in refusals and the reasons therefor;	(b) information with regard to the assessment of migratory and/or security risks, in particular on: <ul style="list-style-type: none"> (i) the socioeconomic structure of the host country; (ii) sources of information at local level, including social security, health insurance, fiscal registers and entry-exit registrations; (iii) the use of false, counterfeit or forged documents; (iv) irregular immigration routes; (v) trends in fraudulent behaviour; (vi) trends in refusals; 	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
377.	(c) information on cooperation with transport companies;		(c) information on cooperation with <i>external service providers and with</i> transport companies;	
378.	(d) information on insurance companies providing adequate travel medical insurance, including verification of the type of coverage and possible excess amount.”;	<i>deleted</i>	(d) information on insurance companies providing adequate travel medical insurance, including verification of the type of coverage and possible excess amount.”;	
379.			<i>(e) in paragraph 5, the second subparagraph is deleted;</i>	
380.	<i>(f) the following new paragraph is inserted:</i>		<i>(f) the following new paragraph is inserted:</i>	<i>(f) the following new paragraph is inserted:</i>
381.	“6a. An annual report shall be drawn up within each jurisdiction by 31 December each year. On the basis of these reports, the Commission shall draw up an annual report on the state of local Schengen cooperation to be submitted to the European Parliament and the Council.”;		“6a. An annual report shall be drawn up within each jurisdiction by 31 December each year. On the basis of these reports, the Commission shall draw up an annual report on the state of local Schengen cooperation to be submitted to the European Parliament and the Council.”;	“6a. An annual report shall be drawn up within each jurisdiction by 31 December each year. On the basis of these reports, the Commission shall draw up an annual report on the state of local Schengen cooperation to be submitted to the European Parliament and the Council.”;
382.		<i>(33a) Article 49 is replaced by the following:</i>		
383.		‘Article 49 Arrangements in relation to the Olympic and Paralympic Games <i>and other high-level international sporting competitions</i> Member States hosting the Olympic and Paralympic Games <i>and other high-level international sporting</i>		

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
		<i>competitions</i> shall apply the specific procedures and conditions facilitating the issuing of visas set out in Annex XI.'		
384.	(34) <i>Article 50 is deleted;</i>		(34) <i>Article 50 is deleted;</i>	(34) <i>Article 50 is deleted;</i>
385.	(35) <i>The following new Articles are inserted:</i>		(35) <i>The following new Articles are inserted:</i>	(35) <i>The following new Articles are inserted:</i>
386.	<i>“Article 50a</i> Exercise of the delegation		<i>“Article 50a</i> Exercise of the delegation	<i>“Article 50a</i> Exercise of the delegation
387.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.		1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
388.	2. Powers to adopt delegated acts referred to in Article 16(8a) shall be conferred on the Commission for an indeterminate period of time.		2. Powers to adopt delegated acts referred to in Article 16(8a) shall be conferred on the Commission for an indeterminate period of time.	2. Powers to adopt delegated acts referred to in Article 16(8a) shall be conferred on the Commission for an indeterminate period of time.
389.	3. The delegation of power referred to in Article 16(8a) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect		3. The delegation of power referred to in Article 16(8a) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect	3. The delegation of power referred to in Article 16(8a) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect




	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	the validity of any delegated act already in force.		the validity of any delegated act already in force.	the validity of any delegated act already in force.
390.	4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.		4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
391.	5. A delegated act adopted pursuant to Article 16(8a), shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.		5. A delegated act adopted pursuant to Article 16(8a), shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	5. A delegated act adopted pursuant to Article 16(8a), shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
392.	Article 50b Urgency procedure		<i>Article 50b</i> Urgency procedure	<i>Article 50b</i> Urgency procedure
393.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	European Parliament and to the Council shall state the reasons for the use of the urgency procedure.	Council shall <i>be forwarded simultaneously and without delay and shall</i> state the reasons for the use of the urgency procedure	European Parliament and to the Council shall state the reasons for the use of the urgency procedure.	
394.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 50a(5). In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or the Council.”;		2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 50a(5). In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or the Council.”;	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 50a(5). In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or the Council.”;
395.	(36) Articles 51 and 52 are replaced by the following:		(36) Articles 51 and 52 are replaced by the following:	(36) Articles 51 and 52 are replaced by the following:
396.	“Article 51 Instructions on the practical application of this Regulation		“Article 51 Instructions on the practical application of this Regulation	“Article 51 Instructions on the practical application of this Regulation
397.	The Commission shall by means of implementing acts adopt the operational instructions on the practical application of the provisions of this Regulation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).		The Commission shall by means of implementing acts adopt the operational instructions on the practical application of the provisions of this Regulation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).	The Commission shall by means of implementing acts adopt the operational instructions on the practical application of the provisions of this Regulation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 52(2).
398.	Article 52 Committee procedure		Article 52 Committee procedure	Article 52 Committee procedure

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
399.	1. The Commission shall be assisted by a committee (the 'Visa Committee'). That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.		1. The Commission shall be assisted by a committee (the 'Visa Committee'). That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee (the 'Visa Committee'). That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
400.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.”;		2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. <i>Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</i> ”;	
401.	(37) <i>Annex I is replaced by the text set out in Annex I to this Regulation;</i>		(37) <i>Annex I is replaced by the text set out in Annex I to this Regulation;</i>	(37) <i>Annex I is replaced by the text set out in Annex I to this Regulation;</i>
402.	(38) <i>Annex V is replaced by the text set out in Annex II to this Regulation;</i>		(38) <i>Annex V is replaced by the text set out in Annex II to this Regulation;</i>	(38) <i>Annex V is replaced by the text set out in Annex II to this Regulation;</i>
403.	(39) <i>Annex VI is replaced by the text set out in Annex III to this Regulation;</i>		(39) <i>Annex VI is replaced by the text set out in Annex III to this Regulation;</i>	(39) <i>Annex VI is replaced by the text set out in Annex III to this Regulation;</i>
404.	(40) <i>Annexes VII, VIII and IX are deleted;</i>		(40) <i>Annexes VII, VIII and IX are deleted;</i>	(40) <i>Annexes VII, VIII and IX are deleted;</i>
405.	(41) <i>The text set out in IV to this Regulation replaces Annex X.</i>		(41) <i>The text set out in Annex IV to this Regulation replaces Annex X.</i>	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
406.		<i>(41a) in Annex XI, the title is replaced by the following:</i>		
407.		‘ANNEX XI SPECIFIC PROCEDURES AND CONDITIONS FACILITATING THE ISSUING OF VISAS TO MEMBERS OF THE OLYMPIC AND SPORTING FAMILY PARTICIPATING IN THE OLYMPIC GAMES, PARALYMPIC GAMES AND OTHER HIGH-LEVEL SPORTING COMPETITIONS ’		
408.	<i>Article 2</i> Monitoring and evaluation	<i>Article 2</i> Monitoring and evaluation	<i>Article 2</i> Monitoring and evaluation	<i>Article 2</i> Monitoring and evaluation
409.	1. Three years after [the date of entry into force of this Regulation], the Commission shall produce an evaluation of the application of this Regulation. This overall evaluation shall include an examination of the results achieved against objectives and of the implementation of the provisions of this Regulation.	1. Two years after [the date of entry into force of this Regulation], the Commission shall produce an evaluation of the application of this Regulation. This overall evaluation shall include an examination of the results achieved against objectives and of the implementation of the provisions of this Regulation.	1. Three years after [the date of entry into force of this Regulation], the Commission shall produce an evaluation of the application of this Regulation. This overall evaluation shall include an examination of the results achieved against objectives and of the implementation of the provisions of this Regulation.	
410.	2. The Commission shall transmit the evaluation referred to in paragraph 1 to the European Parliament and the Council. On the basis of the evaluation, the Commission shall submit, where necessary, appropriate proposals.	2. The Commission shall transmit the evaluation referred to in paragraph 1 to the European Parliament and the Council. On the basis of the evaluation, the Commission shall submit, where necessary, appropriate proposals.	2. The Commission shall transmit the evaluation referred to in paragraph 1 to the European Parliament and the Council. On the basis of the evaluation, the Commission shall submit, where necessary, appropriate proposals.	2. The Commission shall transmit the evaluation referred to in paragraph 1 to the European Parliament and the Council. On the basis of the evaluation, the Commission shall submit, where necessary, appropriate proposals.

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
411.		2a. No later than one year after ... [the date of entry into force of this Regulation], the Commission shall submit an evaluation report to the European Parliament and to the Council on the abolition of visa stickers and the introduction of the digital visa making it possible for a Schengen visa to be issued simply by registering it in the Visa Information System and sending an electronic notification to the applicant.		
412.	<i>Article 3</i>		<i>Article 3</i> <i>Entry into force</i>	<i>Article 3</i> <i>Entry into force</i>
413.	1. This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.		1. This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.	1. This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.
414.	2. It shall apply from [six months after the day of entry into force].		2. It shall apply from [six months after the day of entry into force].	2. It shall apply from [six months after the day of entry into force].
415.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.		This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.
416.	Done at Brussels, <i>For the European Parliament</i>		Done at Brussels, <i>For the European Parliament</i>	Done at Brussels, <i>For the European Parliament</i>

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	<i>For the Council</i> <i>The President The President</i>		<i>For the Council</i> <i>The President The President</i> The President <i>The President</i>	<i>For the Council</i> <i>The President The President</i> The President <i>The President</i>
417.	“ANNEX I Harmonised application form Application for Schengen Visa This application form is free		“ANNEX I Harmonised application form Application for Schengen Visa This application form is free	“ANNEX I Harmonised application form Application for Schengen Visa This application form is free
418.	 ³⁵		 ³⁶	 ³⁷
419.	Family members of EU, EEA or CH citizens shall not fill in fields no. 21, 22, 30, 31 and 32 (marked with*). Fields 1-3 shall be filled in in accordance with the data in the travel document.		Family members of EU, EEA or CH citizens shall not fill in fields no.21, 22, 30, 31 and 32 (marked with*). Fields 1-3 shall be filled in in accordance with the data in the travel document.	Family members of EU, EEA or CH citizens shall not fill in fields no.21, 22, 30, 31 and 32 (marked with*). Fields 1-3 shall be filled in in accordance with the data in the travel document.
420.	1. Surname (Family name)		1. Surname (Family name)	1. Surname (Family name)

³⁵ No logo is required for Norway, Iceland, Liechtenstein and Switzerland.

³⁶ No logo is required for Norway, Iceland, Liechtenstein and Switzerland.

³⁷ No logo is required for Norway, Iceland, Liechtenstein and Switzerland.

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
421.	2. Surname at birth (Former family name(s))		2. Surname at birth (Former family name(s))	2. Surname at birth (Former family name(s))
422.	3. First name(s) (Given name(s))		3. First name(s) (Given name(s))	3. First name(s) (Given name(s))
423.	4. Date of birth (day-month-year)		4. Date of birth (day-month-year)	4. Date of birth (day-month-year)
424.	5. Place of birth 6. Country of birth		5. Place of birth 6. Country of birth	5. Place of birth 6. Country of birth
425.	7. Current nationality Nationality at birth, if different: Other nationalities:		7. Current nationality Nationality at birth, if different: Other nationalities:	7. Current nationality Nationality at birth, if different: Other nationalities:
426.	8. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female		8. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	8. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female
427.	9. Civil status <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Registered Partnership <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widow(er) <input type="checkbox"/> Other (please specify):		9. Civil status <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Registered Partnership <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widow(er) <input type="checkbox"/> Other (please specify):	9. Civil status <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Registered Partnership <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widow(er) <input type="checkbox"/> Other (please specify):
428.	10. Parental authority/legal guardian: Surname, first name, address (if different from applicant's), telephone no., e-mail address, and nationality		10. Parental authority (<i>in case of minors</i>) /legal guardian: Surname, first name, address (if different from applicant's), telephone no., e-mail address, and nationality	
429.	11. National identity number, where applicable		11. National identity number, where applicable	11. National identity number, where applicable

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
430.			12. Type of travel document <input type="checkbox"/> Ordinary passport <input type="checkbox"/> Diplomatic passport <input type="checkbox"/> Service passport <input type="checkbox"/> Official passport <input type="checkbox"/> Special passport <input type="checkbox"/> Other travel document (please specify)	
431.	15. Number of travel document		153. Number of travel document	
432.	16. Date of issue		164. Date of issue	
433.	17. Valid until		175. Valid until	
434.	18. Issued by (country)		186. Issued by (country)	
435.	12. Personal data of the family member who is an EU, EEA or CH citizen		127. Personal data of the family member who is an EU, EEA or CH citizen if applicable	
436.	Surname		Surname	Surname
437.	First name(s)		First name(s)	First name(s)
438.	Date of birth		Date of birth	Date of birth
439.	Nationality		Nationality	Nationality
440.	Number of travel document or ID card		Number of travel document or ID card	Number of travel document or ID card
441.	13. Family relationship with an EU, EEA or CH citizen		138. Family relationship with an EU, EEA or CH citizen if applicable	

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	<input type="checkbox"/> spouse <input type="checkbox"/> child <input type="checkbox"/> grandchild <input type="checkbox"/> dependent ascendant <input type="checkbox"/> Registered Partnership <input type="checkbox"/> other		<input type="checkbox"/> spouse <input type="checkbox"/> child <input type="checkbox"/> grandchild <input type="checkbox"/> dependent ascendant <input type="checkbox"/> Registered Partnership <input type="checkbox"/> other	
442.	14. Type of travel document <input type="checkbox"/> Ordinary passport <input type="checkbox"/> Diplomatic passport <input type="checkbox"/> Service passport <input type="checkbox"/> Official passport <input type="checkbox"/> Special passport <input type="checkbox"/> Other travel document (please specify)		14. Type of travel document <input type="checkbox"/> Ordinary passport <input type="checkbox"/> Diplomatic passport <input type="checkbox"/> Service passport <input type="checkbox"/> Official passport <input type="checkbox"/> Special passport <input type="checkbox"/> Other travel document (please specify)	
443.	19. Applicant's home address and e-mail address		19. Applicant's home address and e-mail address	19. Applicant's home address and e-mail address
444.	Telephone number(s)		Telephone number(s)	Telephone number(s)
445.	20. Residence in a country other than the country of current nationality <input type="checkbox"/> No <input type="checkbox"/> Yes. Residence permit or equivalent No. Valid until		20. Residence in a country other than the country of current nationality <input type="checkbox"/> No <input type="checkbox"/> Yes. Residence permit or equivalent No. Valid until	20. Residence in a country other than the country of current nationality <input type="checkbox"/> No <input type="checkbox"/> Yes. Residence permit or equivalent No. Valid until
446.	*21. Current occupation		*21. Current occupation	*21. Current occupation
447.	* 22. Employer and employer's address and telephone number. For students, name and address of educational establishment		* 22. Employer and employer's address and telephone number. For students, name and address of educational establishment	* 22. Employer and employer's address and telephone number. For students, name and address of educational establishment

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
448.	23. (...) Purpose(s) of the journey: <input type="checkbox"/> Tourism..... <input type="checkbox"/> Business..... <input type="checkbox"/> Visiting family or friends <input type="checkbox"/> Cultural <input type="checkbox"/> Sports <input type="checkbox"/> Official visit <input type="checkbox"/> Medical reasons <input type="checkbox"/> Study <input type="checkbox"/> Airport transit <input type="checkbox"/> Other (please specify):		23. (...) Purpose(s) of the journey: <input type="checkbox"/> Tourism..... <input type="checkbox"/> Business..... <input type="checkbox"/> Visiting family or friends <input type="checkbox"/> Cultural <input type="checkbox"/> Sports <input type="checkbox"/> Official visit <input type="checkbox"/> Medical reasons <input type="checkbox"/> Study <input type="checkbox"/> Airport transit <input type="checkbox"/> Other (please specify):	
449.	24. Additional information on purpose of stay:		24. Additional information on purpose of stay:	24. Additional information on purpose of stay:
450.	25. Member State(s) of main destination (and other Member States of destination , if applicable)		25. Member State(s) of main destination (and other Member States of destination , if applicable)	25. Member State(s) of main destination (and other Member States of destination , if applicable)
451.	26. Member State of first entry		26. Member State of first entry	26. Member State of first entry
452.	FOR OFFICIAL USE ONLY Date of application: Visa application number: Application lodged at <input type="checkbox"/> Embassy/consulate <input type="checkbox"/> Service provider <input type="checkbox"/> Intermediary <input type="checkbox"/> Border (Name):	TM	FOR OFFICIAL USE ONLY Date of application: Visa application number: Application lodged at <input type="checkbox"/> Embassy/consulate <input type="checkbox"/> Service provider <input type="checkbox"/> Intermediary <input type="checkbox"/> Border (Name):	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	<input type="checkbox"/> Other File handled by: Supporting documents: <input type="checkbox"/> Travel document <input type="checkbox"/> Means of subsistence <input type="checkbox"/> Invitation <input type="checkbox"/> TMI <input type="checkbox"/> Means of transport <input type="checkbox"/> Other: Visa decision: <input type="checkbox"/> Refused <input type="checkbox"/> Issued: <input type="checkbox"/> A <input type="checkbox"/> C <input type="checkbox"/> LTV <input type="checkbox"/> Valid: From Until Number of entries: <input type="checkbox"/> 1 <input type="checkbox"/> Multiple		<input type="checkbox"/> Other File handled by: Supporting documents: <input type="checkbox"/> Travel document <input type="checkbox"/> Means of subsistence <input type="checkbox"/> Invitation <input type="checkbox"/> TMI <input type="checkbox"/> Means of transport <input type="checkbox"/> Other: Visa decision: <input type="checkbox"/> Refused <input type="checkbox"/> Issued: <input type="checkbox"/> A <input type="checkbox"/> C <input type="checkbox"/> LTV <input type="checkbox"/> Valid: From Until Number of entries: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> Multiple	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
			<i>Number of days</i>	
453.	<p>27. Number of entries requested</p> <p><input type="checkbox"/> Single entry</p> <p><input type="checkbox"/> Multiple entries</p> <p>Duration of the intended stay (indicate number of days):</p> <p>Intended date of arrival in the Schengen area:</p> <p>Intended date of departure from the Schengen area:</p>		<p>27. Number of entries requested</p> <p><input type="checkbox"/> Single entry <input type="checkbox"/> <i>Two entries</i></p> <p><input type="checkbox"/> Multiple entries</p> <p>Duration of the intended stay (indicate number of days):</p> <p>Intended date of arrival <i>of the first intended stay</i> in the Schengen area:</p> <p>Intended date of departure from the Schengen area <i>after the first intended stay</i>:</p>	
454.	<p>28. Fingerprints collected previously for the purpose of applying for a Schengen visa or a [touring visa]</p> <p><input type="checkbox"/> No <input type="checkbox"/> Yes.</p> <p>Date, if known</p> <p>Visa sticker number, if known</p>		<p>28. Fingerprints collected previously for the purpose of applying for a Schengen visa or a [touring visa]</p> <p><input type="checkbox"/> No <input type="checkbox"/> Yes.</p> <p>Date, if known</p> <p>Visa sticker number, if known</p>	
455.	<p>29. Entry permit for the final country of destination, where applicable</p> <p>Issued by</p> <p>Valid fromuntil</p>		<p>29. Entry permit for the final country of destination, where applicable</p> <p>Issued by</p> <p>Valid fromuntil</p>	<p>29. Entry permit for the final country of destination, where applicable</p> <p>Issued by</p> <p>Valid fromuntil</p>

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
456.	* 30. Surname and first name of the inviting person(s) in the Member State(s). If not applicable, name of hotel(s) or temporary accommodation(s) in the Member State(s)		* 30. Surname and first name of the inviting person(s) in the Member State(s). If not applicable, name of hotel(s) or temporary accommodation(s) in the Member State(s)	* 30. Surname and first name of the inviting person(s) in the Member State(s). If not applicable, name of hotel(s) or temporary accommodation(s) in the Member State(s)
457.	Address and e-mail address of inviting person(s)/hotel(s)/temporary accommodation(s)		Address and e-mail address of inviting person(s)/hotel(s)/temporary accommodation(s)	Address and e-mail address of inviting person(s)/hotel(s)/temporary accommodation(s)
458.	Telephone and telefax		Telephone and telefax	
459.	*31. Name and address of inviting company/organisation		*31. Name and address of inviting company/organisation	
460.	Telephone and telefax-of company/organisation		Telephone and telefax -of company/organisation	
461.	Surname, first name, address, telephone-, telefax, and e-mail address of contact person in company/organisation		Surname, first name, address, telephone-, telefax , and e-mail address of contact person in company/organisation	
462.	*32. Cost of travelling and living during the applicant's stay is covered:		*32. Cost of travelling and living during the applicant's stay is covered:	*32. Cost of travelling and living during the applicant's stay is covered:
463.	<input type="checkbox"/> by the applicant himself/herself Means of support <input type="checkbox"/> Cash		<input type="checkbox"/> by the applicant himself/herself Means of support <input type="checkbox"/> Cash	<input type="checkbox"/> by the applicant himself/herself Means of support <input type="checkbox"/> Cash

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	visits to the territory of Member States.		visits to the territory of Member States.	
467.	<p>I am aware of and consent to the following: the collection of the data required by this application form and the taking of my photograph and, if applicable, the taking of fingerprints, are mandatory for the examination of the visa application; and any personal data concerning me which appear on the visa application form, as well as my fingerprints and my photograph will be supplied to the relevant authorities of the Member States and processed by those authorities, for the purposes of a decision on my visa application.</p> <p>Such data as well as data concerning the decision taken on my application or a decision whether to annul, revoke or extend a visa issued will be entered into, and stored in the Visa Information System (VIS) for a maximum period of five years, during which it will be accessible to the visa authorities and the authorities competent for carrying out checks on visas at external borders and within the Member States, immigration and asylum authorities in the Member States for the purposes of verifying whether the conditions for the legal entry into, stay and residence on the</p>		<p>I am aware of and consent to the following: the collection of the data required by this application form and the taking of my photograph and, if applicable, the taking of fingerprints, are mandatory for the examination of the visa application; and any personal data concerning me which appear on the visa application form, as well as my fingerprints and my photograph will be supplied to the relevant authorities of the Member States and processed by those authorities, for the purposes of a decision on my visa application.</p> <p>Such data as well as data concerning the decision taken on my application or a decision whether to annul, revoke or extend a visa issued will be entered into, and stored in the Visa Information System (VIS) for a maximum period of five years, during which it will be accessible to the visa authorities and the authorities competent for carrying out checks on visas at external borders and within the Member States, immigration and asylum authorities in the Member States for the purposes of verifying whether the conditions for the legal entry into, stay and residence on the</p>	



	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	<p>territory of the Member States are fulfilled, of identifying persons who do not or who no longer fulfil these conditions, of examining an asylum application and of determining responsibility for such examination. Under certain conditions the data will be also available to designated authorities of the Member States and to Europol for the purpose of the prevention, detection and investigation of terrorist offences and of other serious criminal offences. The authority of the Member State responsible for processing the data is: [...].</p> <p>I am aware that I have the right to obtain in any of the Member States notification of the data relating to me recorded in the VIS and of the Member State which transmitted the data, and to request that data relating to me which are inaccurate be corrected and that data relating to me processed unlawfully be deleted. At my express request, the authority examining my application will inform me of the manner in which I may exercise my right to check the personal data concerning me and have them corrected or deleted, including the related remedies according to the national law of the State concerned. The national supervisory authority of that</p>		<p>territory of the Member States are fulfilled, of identifying persons who do not or who no longer fulfil these conditions, of examining an asylum application and of determining responsibility for such examination. Under certain conditions the data will be also available to designated authorities of the Member States and to Europol for the purpose of the prevention, detection and investigation of terrorist offences and of other serious criminal offences. The authority of the Member State responsible for processing the data is: [...].</p> <p>I am aware that I have the right to obtain in any of the Member States notification of the data relating to me recorded in the VIS and of the Member State which transmitted the data, and to request that data relating to me which are inaccurate be corrected and that data relating to me processed unlawfully be deleted. At my express request, the authority examining my application will inform me of the manner in which I may exercise my right to check the personal data concerning me and have them corrected or deleted, including the related remedies according to the national law of the State concerned. The national supervisory authority of that</p>	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	<p>Member State [contact details:] will hear claims concerning the protection of personal data.</p> <p>I declare that to the best of my knowledge all particulars supplied by me are correct and complete. I am aware that any false statements will lead to my application being rejected or to the annulment of a visa already granted and may also render me liable to prosecution under the law of the Member State which deals with the application.</p> <p>I undertake to leave the territory of the Member States before the expiry of the visa, if granted. I have been informed that possession of a visa is only one of the prerequisites for entry into the European territory of the Member States. The mere fact that a visa has been granted to me does not mean that I will be entitled to compensation if I fail to comply with the relevant provisions of Article 6(1) of Regulation (EU) No 2016/399 (Schengen Borders Code) and I am therefore refused entry. The prerequisites for entry will be checked again on entry into the European territory of the Member States.</p>		<p>Member State [contact details:] will hear claims concerning the protection of personal data.</p> <p>I declare that to the best of my knowledge all particulars supplied by me are correct and complete. I am aware that any false statements will lead to my application being rejected or to the annulment of a visa already granted and may also render me liable to prosecution under the law of the Member State which deals with the application.</p> <p>I undertake to leave the territory of the Member States before the expiry of the visa, if granted. I have been informed that possession of a visa is only one of the prerequisites for entry into the European territory of the Member States. The mere fact that a visa has been granted to me does not mean that I will be entitled to compensation if I fail to comply with the relevant provisions of Article 6(1) of Regulation (EU) No 2016/399 (Schengen Borders Code) and I am therefore refused entry. The prerequisites for entry will be checked again on entry into the European territory of the Member States.</p>	
468.	Place and date		Place and date	Place and date

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469.	Signature (signature of parental authority/legal guardian, if applicable):		Signature (signature of parental authority/legal guardian, if applicable):	Signature (signature of parental authority/legal guardian, if applicable):
470.	“ANNEX V LIST OF RESIDENCE PERMITS ENTITLING THE HOLDER TO TRANSIT THROUGH THE AIRPORTS OF MEMBER STATES WITHOUT BEING REQUIRED TO HOLD AN AIRPORT TRANSIT VISA		“ANNEX V LIST OF RESIDENCE PERMITS ENTITLING THE HOLDER TO TRANSIT THROUGH THE AIRPORTS OF MEMBER STATES WITHOUT BEING REQUIRED TO HOLD AN AIRPORT TRANSIT VISA	“ANNEX V LIST OF RESIDENCE PERMITS ENTITLING THE HOLDER TO TRANSIT THROUGH THE AIRPORTS OF MEMBER STATES WITHOUT BEING REQUIRED TO HOLD AN AIRPORT TRANSIT VISA
471.	ANDORRA: <ul style="list-style-type: none"> – Autorització temporal (temporary immigration permit – green). – Autorització temporal per a treballadors d’empreses estrangeres (temporary immigration permit for employees of foreign enterprises – green). – Autorització residència i treball (residence and work permit – green). – Autorització residència i treball del personal d’ensenyament (residence and work permit for teaching staff – green). 		ANDORRA: <ul style="list-style-type: none"> – Autorització temporal (temporary immigration permit – green). – Autorització temporal per a treballadors d’empreses estrangeres (temporary immigration permit for employees of foreign enterprises – green). – Autorització residència i treball (residence and work permit – green). – Autorització residència i treball del personal d’ensenyament (residence and work permit for teaching staff – green). 	ANDORRA: <ul style="list-style-type: none"> – Autorització temporal (temporary immigration permit – green). – Autorització temporal per a treballadors d’empreses estrangeres (temporary immigration permit for employees of foreign enterprises – green). – Autorització residència i treball (residence and work permit – green). – Autorització residència i treball del personal d’ensenyament (residence and work permit for teaching staff – green).

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	<ul style="list-style-type: none"> – Autorització temporal per estudis o per recerca (temporary immigration permit for studies or research – green). – Autorització temporal en pràctiques formatives (temporary immigration permit for internships and trainings – green). – Autorització residència (residence permit – green). 		<ul style="list-style-type: none"> – Autorització temporal per estudis o per recerca (temporary immigration permit for studies or research – green). – Autorització temporal en pràctiques formatives (temporary immigration permit for internships and trainings – green). – Autorització residència (residence permit – green). 	<ul style="list-style-type: none"> – Autorització temporal per estudis o per recerca (temporary immigration permit for studies or research – green). – Autorització temporal en pràctiques formatives (temporary immigration permit for internships and trainings – green). – Autorització residència (residence permit – green).
472.	CANADA: <ul style="list-style-type: none"> – Permanent resident (PR) card. – Permanent Resident Travel Document (PRTD). 		CANADA: <ul style="list-style-type: none"> – Permanent resident (PR) card. – Permanent Resident Travel Document (PRTD). 	CANADA: <ul style="list-style-type: none"> – Permanent resident (PR) card. – Permanent Resident Travel Document (PRTD).
473.	JAPAN: <ul style="list-style-type: none"> – Residence card. 		JAPAN: <ul style="list-style-type: none"> – Residence card. 	JAPAN: <ul style="list-style-type: none"> – Residence card.
474.	SAN MARINO: <ul style="list-style-type: none"> – Permesso di soggiorno ordinario (validity one year, renewable on expiry date). – Special residence permits for the following reasons (validity one year, renewable on expiry date): university attendance, sports, health care, religious reasons, persons working as nurses in public hospitals, diplomatic 		SAN MARINO: <ul style="list-style-type: none"> – Permesso di soggiorno ordinario (validity one year, renewable on expiry date). – Special residence permits for the following reasons (validity one year, renewable on expiry date): university attendance, sports, health care, religious reasons, persons working as nurses in public hospitals, diplomatic 	SAN MARINO: <ul style="list-style-type: none"> – Permesso di soggiorno ordinario (validity one year, renewable on expiry date). – Special residence permits for the following reasons (validity one year, renewable on expiry date): university attendance, sports, health care, religious reasons, persons working as nurses in public hospitals, diplomatic

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	<p>functions, cohabitation, permit for minors, humanitarian reasons, parental permit.</p> <ul style="list-style-type: none"> – Seasonal and temporary working permits (validity 11 months, renewable on expiry date). – Identity card issued to people having an official residence "residenza" in San Marino (validity of 5 years). 		<p>functions, cohabitation, permit for minors, humanitarian reasons, parental permit.</p> <ul style="list-style-type: none"> – Seasonal and temporary working permits (validity 11 months, renewable on expiry date). – Identity card issued to people having an official residence "residenza" in San Marino (validity of 5 years). 	<p>functions, cohabitation, permit for minors, humanitarian reasons, parental permit.</p> <ul style="list-style-type: none"> – Seasonal and temporary working permits (validity 11 months, renewable on expiry date). – Identity card issued to people having an official residence "residenza" in San Marino (validity of 5 years).
475.	<p>UNITED STATES OF AMERICA:</p> <ul style="list-style-type: none"> – Valid, unexpired immigrant visa. – May be endorsed at the port of entry for one year as temporary evidence of residence, while the I-551 card is pending production. – Valid, unexpired Form I-551 (Permanent Resident Card). – May be valid for up to 2 or 10 years – depending on the class of admission. – If there is no expiration date on the card, the card is valid for travel. – Valid, unexpired Form I-327 (Re-entry Permit). – Valid, unexpired Form I-571 (Refugee Travel Document endorsed as “Permanent Resident Alien”).” 		<p>UNITED STATES OF AMERICA:</p> <ul style="list-style-type: none"> – Valid, unexpired immigrant visa. – <i>May be endorsed at the port of entry for one year as temporary evidence of residence, while the I-551 card is pending production.</i> – May be endorsed at the port of entry for one year as temporary evidence of residence, while the I-551 card is pending production. – Valid, unexpired Form I-551 (Permanent Resident Card). <i>May be valid for up to 2 or 10 years – depending on the class of admission. If there is no expiration date on the card, the card is valid for travel.</i> – May be valid for up to 2 or 10 years – depending on the class of admission. 	

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			<ul style="list-style-type: none"> — If there is no expiration date on the card, the card is valid for travel. — Valid, unexpired Form I-327 (Re-entry Permit). — Valid, unexpired Form I-571 (Refugee Travel Document endorsed as “Permanent Resident Alien”).” VI 	
476.	“ANNEX VI		“ANNEX VI	“ANNEX VI
477.			 38	
478.	STANDARD FORM FOR NOTIFYING GROUNDS FOR REFUSAL, ANNULMENT OR REVOCATION OF A VISA REFUSAL/ANNULMENT/REVOC ATION OF VISA		STANDARD FORM FOR NOTIFYING GROUNDS FOR REFUSAL, ANNULMENT OR REVOCATION OF A VISA REFUSAL/ANNULMENT/REVOC ATION OF VISA	STANDARD FORM FOR NOTIFYING GROUNDS FOR REFUSAL, ANNULMENT OR REVOCATION OF A VISA REFUSAL/ANNULMENT/REVOC ATION OF VISA
479.	Ms/Mr _____ __,		Ms/Mr _____ __,	

³⁸ No logo is required for Norway, Iceland, Liechtenstein and Switzerland.

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	<input type="checkbox"/> The _____ Embassy/Consulate-General/Consulate/[other competent authority] in _____; <input type="checkbox"/> [Other competent authority] of _____; <input type="checkbox"/> The authorities responsible for checks on persons at _____ has/have <input type="checkbox"/> examined your visa application; <input type="checkbox"/> examined your visa, number: _____, issued: _____ [date/month/year]. <input type="checkbox"/> The visa has been refused <input type="checkbox"/> The visa has been annulled <input type="checkbox"/> The visa has been revoked		<input type="checkbox"/> The _____ Embassy/Consulate-General/Consulate/[other competent authority] in _____ _____ <i>[on behalf of (name of represented Member State)]</i> ; <input type="checkbox"/> [Other competent authority] of _____; <input type="checkbox"/> The authorities responsible for checks on persons at _____ has/have <input type="checkbox"/> examined your visa application; <input type="checkbox"/> examined your visa, number: _____, issued: _____ [date/month/year]. <input type="checkbox"/> The visa has been refused <input type="checkbox"/> The visa has been annulled <input type="checkbox"/> The visa has been revoked	
480.	This decision is based on the following reason(s):		This decision is based on the following reason(s):	This decision is based on the following reason(s):
481.	1. <input type="checkbox"/> a false/counterfeit/forged travel document was presented		1. <input type="checkbox"/> a false/counterfeit/forged travel document was presented	1. <input type="checkbox"/> a false/counterfeit/forged travel document was presented
482.	2. <input type="checkbox"/> justification for the purpose and conditions of the		2. <input type="checkbox"/> justification for the purpose and conditions of the	2. <input type="checkbox"/> justification for the purpose and conditions of the

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	intended stay was not provided		intended stay was not provided	intended stay was not provided
483.	3. <input type="checkbox"/> you have not provided proof of sufficient means of subsistence, for the duration of the intended stay or for the return to the country of origin or residence, or for the transit to a third country into which you are certain to be admitted		3. <input type="checkbox"/> you have not provided proof of sufficient means of subsistence, for the duration of the intended stay or for the return to the country of origin or residence, or for the transit to a third country into which you are certain to be admitted	3. <input type="checkbox"/> you have not provided proof of sufficient means of subsistence, for the duration of the intended stay or for the return to the country of origin or residence, or for the transit to a third country into which you are certain to be admitted
484.	4. <input type="checkbox"/> you have not provided proof that you are in a position to lawfully acquire sufficient means of subsistence, for the duration of the intended stay or for the return to the country of origin or residence, or for the transit to a third country into which you are certain to be admitted		4. <input type="checkbox"/> you have not provided proof that you are in a position to lawfully acquire sufficient means of subsistence, for the duration of the intended stay or for the return to the country of origin or residence, or for the transit to a third country into which you are certain to be admitted	4. <input type="checkbox"/> you have not provided proof that you are in a position to lawfully acquire sufficient means of subsistence, for the duration of the intended stay or for the return to the country of origin or residence, or for the transit to a third country into which you are certain to be admitted
485.	5. <input type="checkbox"/> you have already stayed for 90 days during the current 180 day period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial validity		5. <input type="checkbox"/> you have already stayed for 90 days during the current 180 day period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial validity	5. <input type="checkbox"/> you have already stayed for 90 days during the current 180 day period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial validity
486.	6. <input type="checkbox"/> an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry		6. <input type="checkbox"/> an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry	6. <input type="checkbox"/> an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry

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	by (indication of Member State)		by (indication of Member State)	by (indication of Member State)
487.	7. <input type="checkbox"/> one or more Member State(s) consider you to be a threat to public policy or internal security (indication of Member State(s))		7. <input type="checkbox"/> one or more Member State(s) consider you to be a threat to public policy or internal security (indication of Member State(s))	
488.	8. <input type="checkbox"/> one or more Member State(s) consider you to be a threat to public health as defined in Article 2(19) of Regulation (EEU) No 562/2006 (Schengen Borders Code) (indication of Member State(s))		8. <input type="checkbox"/> one or more Member State(s) consider you to be a threat to public health as defined in Article 2(19) of Regulation (EEU) No 562/2006 2016/399 (Schengen Borders Code) (indication of Member State(s))	
489.	9. <input type="checkbox"/> one or more Member State(s) consider you to be a threat to its/their international relations: (indication of Member State(s))		9. <input type="checkbox"/> one or more Member State(s) consider you to be a threat to its/their international relations: (indication of Member State(s))	
490.	10. <input type="checkbox"/> the information submitted regarding the justification for the purpose and conditions of the intended stay was not reliable		10. <input type="checkbox"/> the information submitted regarding the justification for the purpose and conditions of the intended stay was not reliable	10. <input type="checkbox"/> the information submitted regarding the justification for the purpose and conditions of the intended stay was not reliable

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
491.	11. <input type="checkbox"/> there are reasonable doubts as to the reliability of the statements made as regards..... <i>(please specify)</i>		11. <input type="checkbox"/> there are reasonable doubts as to the reliability of the statements made as regards..... <i>(please specify)</i>	11. <input type="checkbox"/> there are reasonable doubts as to the reliability of the statements made as regards..... <i>(please specify)</i>
492.	12. <input type="checkbox"/> there are reasonable doubts as to the reliability, as to the authenticity of the supporting documents submitted or as to the veracity of their contents		12. <input type="checkbox"/> there are reasonable doubts as to the reliability, as to the authenticity of the supporting documents submitted or as to the veracity of their contents	12. <input type="checkbox"/> there are reasonable doubts as to the reliability, as to the authenticity of the supporting documents submitted or as to the veracity of their contents
493.	13. <input type="checkbox"/> your intention to leave the territory of the Member States before the expiry of the visa could not be ascertained		13. <input type="checkbox"/> <i>there are reasonable doubts as to</i> your intention to leave the territory of the Member States before the expiry of the visa could not be ascertained	
494.	14. <input type="checkbox"/> sufficient proof that you have not been in a position to apply for a visa in advance, justifying application for a visa at the border, was not provided		14. <input type="checkbox"/> sufficient proof that you have not been in a position to apply for a visa in advance, justifying application for a visa at the border, was not provided	14. <input type="checkbox"/> sufficient proof that you have not been in a position to apply for a visa in advance, justifying application for a visa at the border, was not provided
495.	15. <input type="checkbox"/> justification for the purpose and conditions of the intended airport transit was not provided		15. <input type="checkbox"/> justification for the purpose and conditions of the intended airport transit was not provided	15. <input type="checkbox"/> justification for the purpose and conditions of the intended airport transit was not provided
496.	16 <input type="checkbox"/> you have not provided proof of possession of adequate and valid travel medical insurance	16 <input type="checkbox"/> you have not provided proof of possession of adequate and valid travel medical insurance	16 <input type="checkbox"/> you have not provided proof of possession of adequate and valid travel medical insurance	16 <input type="checkbox"/> you have not provided proof of possession of adequate and valid travel medical insurance

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
497.	17. <input type="checkbox"/> revocation of the visa was requested by the visa holder.		17. <input type="checkbox"/> revocation of the visa was requested by the visa holder ³⁹ .	
498.	Additional remarks: -----		Additional remarks: -----	Additional remarks: -----
499.	<p>You may appeal against the decision to refuse/annul/revoke a visa.</p> <p>The rules on appeal against decisions on refusal/annulment/revocation of a visa are set out in: <i>(reference to national law)</i>:</p> <p>Competent authority with which an appeal may be lodged: <i>(contact details)</i>:</p> <p>.....</p> <p>Information on the procedure to follow can be found at: <i>(contact details)</i>:</p> <p>.....</p> <p>An appeal procedure must be lodged within: (indication of time-limit):</p> <p>.....</p> <p>Date and stamp of embassy/consulate-general/consulate/of the authorities</p>		<p>You may appeal against the decision to refuse/annul/revoke a visa.</p> <p>The rules on appeal against decisions on refusal/annulment/revocation of a visa are set out in: <i>(reference to national law)</i>:</p> <p>Competent authority with which an appeal may be lodged: <i>(contact details)</i>:</p> <p>.....</p> <p>Information on the procedure to follow can be found at: <i>(contact details)</i>:</p> <p>.....</p> <p>An appeal procedure must be lodged within: (indication of time-limit):</p> <p>.....</p> <p>Date and stamp of embassy/consulate-general/consulate/of the authorities</p>	<p>You may appeal against the decision to refuse/annul/revoke a visa.</p> <p>The rules on appeal against decisions on refusal/annulment/revocation of a visa are set out in: <i>(reference to national law)</i>:</p> <p>Competent authority with which an appeal may be lodged: <i>(contact details)</i>:</p> <p>.....</p> <p>Information on the procedure to follow can be found at: <i>(contact details)</i>:</p> <p>.....</p> <p>An appeal procedure must be lodged within: (indication of time-limit):</p> <p>.....</p> <p>Date and stamp of embassy/consulate-general/consulate/of the authorities</p>

³⁹

Revocation of a visa based on this reason is not subject to the right of appeal.

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	responsible for checks on persons/of other competent authorities: Signature of person concerned ⁴⁰ :”		responsible for checks on persons/of other competent authorities: Signature of person concerned ⁴¹ :”	responsible for checks on persons/of other competent authorities: Signature of person concerned ⁴² :”
500.	ANNEX X		ANNEX X	ANNEX X
501.	LIST OF MINIMUM REQUIREMENTS TO BE INCLUDED IN THE LEGAL INSTRUMENT IN THE CASE OF COOPERATION WITH EXTERNAL SERVICE PROVIDERS		LIST OF MINIMUM REQUIREMENTS TO BE INCLUDED IN THE LEGAL INSTRUMENT IN THE CASE OF COOPERATION WITH EXTERNAL SERVICE PROVIDERS	LIST OF MINIMUM REQUIREMENTS TO BE INCLUDED IN THE LEGAL INSTRUMENT IN THE CASE OF COOPERATION WITH EXTERNAL SERVICE PROVIDERS
502.	A. The legal instrument shall: (a) enumerate the tasks to be carried out by the external service provider, in accordance with Article 43(6) of this Regulation; (b) indicate the locations where the external service provider is to operate and which consulate the individual application centre refers to; (c) list the services covered by the mandatory service fee (d) instruct the service provider to clearly inform the public that		A. The legal instrument shall: (a) enumerate the tasks to be carried out by the external service provider, in accordance with Article 43(6) of this Regulation; (b) indicate the locations where the external service provider is to operate and which consulate the individual application centre refers to; (c) list the services covered by the mandatory service fee (d) instruct the service provider to clearly inform the public that	A. The legal instrument shall: (a) enumerate the tasks to be carried out by the external service provider, in accordance with Article 43(6) of this Regulation; (b) indicate the locations where the external service provider is to operate and which consulate the individual application centre refers to; (c) list the services covered by the mandatory service fee (d) instruct the service provider to clearly inform the public that

⁴⁰ *If required by national law.*

⁴¹ *If required by national law.*

⁴² *If required by national law.*

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	other charges cover optional services.		other charges cover optional services.	other charges cover optional services.
503.	<p>B. In relation to the performance of its activities, the external service provider shall, with regard to data protection:</p> <p>(a) prevent at all times any unauthorised reading, copying, modification or deletion of data, in particular during their transmission to the diplomatic mission or consular post of the Member State(s) competent for processing an application;</p> <p>(b) in accordance with the instructions given by the Member State(s) concerned, transmit the data,</p> <ul style="list-style-type: none"> – electronically, in encrypted form, or – physically, in a secured way; <p>(c) transmit the data as soon as possible:</p> <ul style="list-style-type: none"> – in the case of physically transferred data, at least once a week, – in the case of electronically transferred encrypted data, at the latest at the end of the day of their collection; 		<p>B. In relation to the performance of its activities, the external service provider shall, with regard to data protection:</p> <p>(a) prevent at all times any unauthorised reading, copying, modification or deletion of data, in particular during their transmission to the diplomatic mission or consular post of the Member State(s) competent for processing an application;</p> <p>(b) in accordance with the instructions given by the Member State(s) concerned, transmit the data,</p> <ul style="list-style-type: none"> – electronically, in encrypted form, or – physically, in a secured way; <p>(c) transmit the data as soon as possible:</p> <ul style="list-style-type: none"> – in the case of physically transferred data, at least once a week, – in the case of electronically transferred encrypted data, at the latest at the end of the day of their collection; 	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	<ul style="list-style-type: none"> – ensure appropriate means of tracking individual application files to and from the consulate. (d) delete the data five days after their transmission and ensure that the only the name and contact details of the applicant for the purposes of the appointment arrangements, as well as the passport number, are kept until the return of the passport to the applicant and deleted five days thereafter; (e) ensure all the technical and organisational security measures required to protect personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, in particular where the cooperation involves the transmission of files and data to the diplomatic mission or consular post of the Member State(s) concerned and all other unlawful forms of processing personal data; (f) process the data only for the purposes of processing the personal data of applicants on behalf of the Member State(s) concerned; 		<ul style="list-style-type: none"> – ensure appropriate means of tracking individual application files to and from the consulate. (d) delete the data <i>at the latest five ten</i> days after their transmission and ensure that the only the name and contact details of the applicant for the purposes of the appointment arrangements, as well as the passport number, are kept until the return of the passport to the applicant and deleted five days thereafter; (e) ensure all the technical and organisational security measures required to protect personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, in particular where the cooperation involves the transmission of files and data to the diplomatic mission or consular post of the Member State(s) concerned and all other unlawful forms of processing personal data; (f) process the data only for the purposes of processing the personal data of applicants on behalf of the Member State(s) concerned; 	

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	<p>(g) apply data protection standards at least equivalent to those set out in Regulation (EU) 2016/679 ;</p> <p>(h) provide applicants with the information required pursuant to Article 37 of Regulation (EC) No 767/2008 .</p>		<p>(g) apply data protection standards at least equivalent to those set out in Regulation (EU) 2016/679 ;</p> <p>(h) provide applicants with the information required pursuant to Article 37 of Regulation (EC) No 767/2008 .</p>	
504.	<p>C. In relation to the performance of its activities, the external service provider shall, with regard to the conduct of staff:</p> <p>(a) ensure that its staff are appropriately trained;</p> <p>(b) ensure that its staff in the performance of their duties:</p> <ul style="list-style-type: none"> – receive applicants courteously, – respect the human dignity and integrity of applicants, do not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, and – respect the rules of confidentiality which shall also apply once members of staff have left their job or after suspension or termination of the legal instrument; 		<p>C. In relation to the performance of its activities, the external service provider shall, with regard to the conduct of staff:</p> <p>(a) ensure that its staff are appropriately trained;</p> <p>(b) ensure that its staff in the performance of their duties:</p> <ul style="list-style-type: none"> – receive applicants courteously, – respect the human dignity and integrity of applicants, do not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, and – respect the rules of confidentiality which shall also apply once members of staff have left their job or after suspension or termination of the legal instrument; 	<p>C. In relation to the performance of its activities, the external service provider shall, with regard to the conduct of staff:</p> <p>(a) ensure that its staff are appropriately trained;</p> <p>(b) ensure that its staff in the performance of their duties:</p> <ul style="list-style-type: none"> – receive applicants courteously, – respect the human dignity and integrity of applicants, do not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, and – respect the rules of confidentiality which shall also apply once members of staff have left their job or after suspension or termination of the legal instrument;

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	<ul style="list-style-type: none"> (c) provide identification of the staff working for the external service provider at all times; (d) prove that its staff do not have criminal records and have the requisite expertise; 		<ul style="list-style-type: none"> (c) provide identification of the staff working for the external service provider at all times; (d) prove that its staff do not have criminal records and have the requisite expertise; 	<ul style="list-style-type: none"> (c) provide identification of the staff working for the external service provider at all times; (d) prove that its staff do not have criminal records and have the requisite expertise;
505.	<p>D. In relation to the verification of the performance of its activities, the external service provider shall:</p> <ul style="list-style-type: none"> (a) provide for access by staff entitled by the Member State(s) concerned to its premises at all times without prior notice, in particular for inspection purposes; (b) ensure the possibility of remote access to its appointment system for inspection purposes; (c) ensure the use of relevant monitoring methods (e.g. test applicants; webcam); (d) ensure access to proof of data protection compliance by the Member State's national data protection authority, including reporting obligations, external audits and regular spot checks; (e) report in writing to the Member State(s) concerned without delay any security breaches or any complaints from applicants on 		<p>D. In relation to the verification of the performance of its activities, the external service provider shall:</p> <ul style="list-style-type: none"> (a) provide for access by staff entitled by the Member State(s) concerned to its premises at all times without prior notice, in particular for inspection purposes; (b) ensure the possibility of remote access to its appointment system for inspection purposes; (c) ensure the use of relevant monitoring methods (e.g. test applicants; webcam); (d) ensure access to proof of data protection compliance by the Member State's national data protection authority, including reporting obligations, external audits and regular spot checks; (e) report in writing to the Member State(s) concerned without delay any security breaches or any complaints from applicants on 	<p>D. In relation to the verification of the performance of its activities, the external service provider shall:</p> <ul style="list-style-type: none"> (a) provide for access by staff entitled by the Member State(s) concerned to its premises at all times without prior notice, in particular for inspection purposes; (b) ensure the possibility of remote access to its appointment system for inspection purposes; (c) ensure the use of relevant monitoring methods (e.g. test applicants; webcam); (d) ensure access to proof of data protection compliance by the Member State's national data protection authority, including reporting obligations, external audits and regular spot checks; (e) report in writing to the Member State(s) concerned without delay any security breaches or any complaints from applicants on

	Commission proposal	EP amendments	Council position (10418/18)	Compromise text
	data misuse or unauthorised access, and coordinate with the Member State(s) concerned in order to find a solution and give explanatory responses promptly to the complaining applicants		data misuse or unauthorised access, and coordinate with the Member State(s) concerned in order to find a solution and give explanatory responses promptly to the complaining applicants	data misuse or unauthorised access, and coordinate with the Member State(s) concerned in order to find a solution and give explanatory responses promptly to the complaining applicants
506.	<p>E. In relation to general requirements, the external service provider shall:</p> <p>(a) act under the instructions of the Member State(s) competent for processing the application;</p> <p>(b) adopt appropriate anti-corruption measures (e.g. adequate staff remuneration; cooperation in the selection of staff members employed on the task; two-man-rule; rotation principle);</p> <p>(c) respect fully the provisions of the legal instrument, which shall contain a suspension or termination clause, in particular in the event of breach of the rules established, as well as a revision clause with a view to ensuring that the legal instrument reflects best practice.”</p>		<p>E. In relation to general requirements, the external service provider shall:</p> <p>(a) act under the instructions of the Member State(s) competent for processing the application;</p> <p>(b) adopt appropriate anti-corruption measures (e.g. adequate staff remuneration; cooperation in the selection of staff members employed on the task; two-man-rule; rotation principle);</p> <p>(c) respect fully the provisions of the legal instrument, which shall contain a suspension or termination clause, in particular in the event of breach of the rules established, as well as a revision clause with a view to ensuring that the legal instrument reflects best practice.”</p>	<p>E. In relation to general requirements, the external service provider shall:</p> <p>(a) act under the instructions of the Member State(s) competent for processing the application;</p> <p>(b) adopt appropriate anti-corruption measures (e.g. adequate staff remuneration; cooperation in the selection of staff members employed on the task; two-man-rule; rotation principle);</p> <p>(c) respect fully the provisions of the legal instrument, which shall contain a suspension or termination clause, in particular in the event of breach of the rules established, as well as a revision clause with a view to ensuring that the legal instrument reflects best practice.”</p>