

Proposal for a Council Regulation amending Regulation (EC) No 1683/95 laying down a uniform format for visas

(2002/C 51 E/03)

COM(2001) 577 final — 2001/0232(CNS)

(Submitted by the Commission on 9 October 2001)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(iii) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

(1) Council Regulation (EC) No 1683/95⁽¹⁾ laid down a uniform format for visas.

(2) It is necessary to make provision for the establishment of common standards relating to the implementation of the format in particular common rules on the technical methods and standards to be used for filling in the form.

(3) The integration of a photograph produced according to high security standards is a first step towards the use of elements establishing a more reliable link between the holder and the visa format as an important contribution to ensuring that the uniform format for visas is protected even against fraudulent use. The specifications set out in the ICAO (International Civil Aviation Organization) document on machine readable visas will be taken into account.

(4) Common standards relating to the implementation of the uniform format of visas are essential to achieve a high technical standard and to facilitate detection of forged or falsified visa stickers.

(5) The powers to adopt such common standards should be conferred on the Committee established by Article 6 of Regulation (EC) No 1683/95 which should be adapted to take account of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽²⁾.

(6) Regulation (EC) No 1683/95 should therefore be amended accordingly.

(7) The measures provided for in this Regulation to make the uniform format for visas more secure do not affect the

rules currently governing recognition of the validity of travel documents.

(8) This Regulation should not affect the competence of Member States with regard to the recognition of States and territorial units and passports, travel and identity documents issued by their authorities.

(9) This Regulation constitutes in relation to the implementation of the Agreement on the association of Norway and Iceland a development of the Schengen acquis in the sense of the Protocol integrating the Schengen acquis into the framework of the European Union,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1683/95 is amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. Further technical specifications for the uniform format for visas relating to the following shall be established in accordance with the procedure referred to in Article 6(2):

(a) additional elements and security requirements including enhanced anti-forgery, counterfeiting and falsification standards;

(b) technical methods and standards to be used for the filling in of the uniform visa.

2. The colours of the paper may be changed in accordance with the procedure referred to in Article 6(2).'

2. Article 6 is replaced by the following:

'Article 6

1. The Commission shall be assisted by a committee, composed of representatives of the Member States and chaired by a representative of the Commission.

⁽¹⁾ OJ L 164, 14.7.1995, p. 1.

⁽²⁾ OJ L 184, 17.7.1999, p. 23.

2. Where reference is made to this paragraph, the regulatory procedure laid down in Article 5 of Decision 1999/468/EC shall apply in compliance with Article 7 thereof.
3. The period provided for in Article 5(6) shall be of two months.'
3. In Article 8 the following paragraph is added:

'The integration of the photograph provided for in point 2a of the Annex shall be implemented at the latest five years after the adoption of the measures referred to in Article 2.'

4. In the Annex the following point is inserted:

'2a. An integrated photograph produced according to high security standards, which will be placed on the left side of the sticker.'

Article 2

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

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