

**Question for written answer E-000886/2015
to the Commission**

Rule 130

Pavel Svoboda (PPE)

Subject: Residence of third-country nationals in EU/Schengen Member States following expiration of long-term residence permits

We submitted a question (No E-007775/2014) concerning residence of third-country nationals who are not required to hold a visa in EU/Schengen Member States and whose long-term residence permits have expired, but who wish to continue residing in an EU/Schengen Member State pursuant to the rules on short-term stays.

The purpose of our question was to gain the Commission's opinion on whether it is possible, under current legislation, for this third-country national to leave the territory of the Member State in which he/she had previously resided, since the relevant provisions link entitlement to short-term stays with 'entry' into the territory.

We feel that the response provided by the Commission fails to answer this question. In its response, the Commission states that 'before the expiration of the residence permit the person should request the prolongation/extension of stay from the Member State that issued the permit'. In the case of, for instance, an American student whose long-term residence for the purposes of study has just expired, he/she would be unable to apply for a prolongation of his/her long-term residence, since 1) that person no longer holds any title that would entitle him/her to apply for long-term residence, and 2) that person does not intend to remain for longer than three months in the EU/Schengen Area.

Therefore, is it possible for that person to remain without interruption in the same EU/Schengen Member State even after the expiration of his/her long-term residence permit?