


Procedure file

Basic information		
CNS - Consultation procedure Regulation	2000/0810(CNS)	Procedure completed
Free movement of persons: national long-stay visa. Initiative France		
Repealed by 2006/0142(COD)		
Subject		
7.10 Free movement and integration of third-country nationals		
7.10.04 External borders crossing and controls, visas		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Citizens' Freedoms and Rights, Justice and Home Affairs		29/08/2000
		PPE-DE DEPREZ Gérard	
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs and Internal Market		17/10/2000
		ELDR WALLIS Diana	
	PETI Petitions		09/10/2000
		V/ALE LAMBERT Jean	
Council of the European Union	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA)	2350	28/05/2001

Key events			
23/06/2000	Legislative proposal published	09667/2000	Summary
04/09/2000	Committee referral announced in Parliament		
05/12/2000	Vote in committee		Summary
05/12/2000	Committee report tabled for plenary, 1st reading/single reading	A5-0388/2000	
18/01/2001	Debate in Parliament		
18/01/2001	Decision by Parliament	T5-0042/2001	Summary
28/05/2001	Act adopted by Council after consultation of Parliament		
28/05/2001	End of procedure in Parliament		
06/06/2001	Final act published in Official Journal		

Technical information	
Procedure reference	2000/0810(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealed by 2006/0142(COD)
Legal basis	EC Treaty (after Amsterdam) EC 062; EC Treaty (after Amsterdam) EC 063
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/12987

Documentation gateway					
Legislative proposal		09667/2000 OJ C 200 13.07.2000, p. 0004	23/06/2000	CSL	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0388/2000	05/12/2000	EP	
Text adopted by Parliament, 1st reading/single reading		T5-0042/2001 OJ C 262 18.09.2001, p. 0186-0264	18/01/2001	EP	Summary

Additional information	
European Commission	EUR-Lex

Final act
Regulation 2001/1091 OJ L 150 06.06.2001, p. 0004 Summary

Free movement of persons: national long-stay visa. Initiative France

PURPOSE: proposal of a Regulation on the freedom of movement with a long-stay visa. **CONTENT:** This draft Regulation constitutes a development of the Schengen acquis within the meaning of the Protocol integrating the Schengen acquis into the framework of the European Union. Because there may be a time lag between the arrival on a Member State's territory of a person holding a national long-stay visa issued by that Member State and the moment when the person receives a residence permit enabling him or her to move freely in the other Member States' territories, it has been decided to take steps to facilitate the free movement of holders of national long-stay visas pending the issue of their residence permits. This would be achieved by stipulating that such long-stay visas, which currently enable their holders to transit only once through the territories of the other Member States in order to reach the territory of the State which issued the visa, are concurrently valid as uniform short-stay visas, provided that the applicants fulfil the conditions of entry and residence laid down in the Convention implementing the 1985 Schengen Agreement. This measure is a first step in the harmonisation of the conditions for the issue of national long-stay visas.?

Free movement of persons: national long-stay visa. Initiative France

The committee adopted the report by Gérard DEPRez (EPP-ED, B) amending the French initiative under the consultation procedure. While it endorsed the initiative, the committee felt that the legal basis of the proposal should be modified as it was incorrect in relation to the objective as stated in the explanatory memorandum accompanying the initiative - i.e. to facilitate the free movement, within the Schengen area, of holders of national long-stay visas pending the issue of their residence permits. This would enable them to be placed on an equal footing with other third country nationals and not be penalised, in terms of their freedom of movement, by virtue of the cumbersome administrative procedures which meant that Member States sometimes took weeks if not months to issue residence permits. The report therefore proposed that Article 62(3) should be taken as the legal basis and hence that Article 21 of Chapter 4 of the Convention implementing the Schengen Agreement (rather than Article 18 of Chapter 3 as currently proposed) should be amended. It argued that, in order to satisfy the stated objective of the French initiative, it would be enough to add a new paragraph to Article 21 stating that the first paragraph of that article "shall

also apply to aliens who are holders of a long-stay visa issued by a Member State pending the issue of their residence permit". The Common Consular Instructions should also be amended accordingly to bring them into line with the amendment to Article 21 of the Schengen Convention. ?

Free movement of persons: national long-stay visa. Initiative France

The Parliament approved the resolution by Mr Gérard DEPREZ (EPP/ED, B) which welcomes the initiative from the French Presidency concerning visas and free movement. (Please refer to the previous document).?

Free movement of persons: national long-stay visa. Initiative France

PURPOSE: to regulate the free movement of third nationals with a long-stay visa. **COMMUNITY MEASURE:** Council Regulation 1091/2001/EC on freedom of movement with a long-stay visa. **CONTENT:** This Regulation seeks to lay down criteria to regulate the movement of third nationals in the EU. According to the Regulation, visas for stays exceeding three months shall be national visas issued by one of the Member States in accordance with its national law. For a period of not more than three months from their initial date of validity such visas shall be valid concurrently as uniform short-stay visas, subject to fulfilling certain criteria. Otherwise, such visas shall merely enable their holders to transit through the territories of the other Member States in order to reach the territory of the Member States which issued the visa. Moreover, visas for visits exceeding three months shall be national visas issued by one of the Member States in accordance with its national legislation. **ENTRY INTO FORCE:** 07.06.2001.?