



2014/0094(COD)

29.9.2015

AMENDMENTS

84 - 357

Draft report

Juan Fernando López Aguilar

(PE557.179v03-00)

on the proposal for a regulation of the European Parliament and of the Council
on the Union Code on Visas (Visa Code) (recast)

Proposal for a regulation

(COM(2014)0164 – C8-0001/2014 – 2014/0094(COD))

Amendment 84
Tanja Fajon

Proposal for a regulation
Recital 2

Text proposed by the Commission

(2) ***Union policy in the field of visas allowing for stays of up to 90 days in any 180 days*** is a fundamental component of the creation of a common area without internal borders. The common rules on the conditions and procedures for issuing visas should be governed by the principle of solidarity and mutual confidence between Member States.

Amendment

(2) ***The common policy on visas*** is a fundamental component of the creation of a common area without internal borders. The common rules on the conditions and procedures for issuing visas should be governed by the principle of solidarity and mutual confidence between Member States.

Or. en

Justification

A recital should not contain such detailed elements which are part of the enacting provisions in the articles. The recitals should rather lay down the rationale of the main provisions of the act.

Amendment 85
Tanja Fajon

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) Regulation (EC) No 810/2009 ***aims, inter alia, to further develop the common visa policy as part of a multi-layer system in order to*** facilitate legitimate travel and ***tackle irregular immigration through further harmonisation of legislation and practices.***

Amendment

(3) ***The Union Code on Visas (Visa Code; Regulation (EC) No 810/2009) constitutes a main element of the common policy on visas. It aims at the same time to secure a high level of security, tackle irregular immigration and*** facilitate legitimate travel. ***It should contribute to generating growth and be coherent with other Union policies, such as external relations, trade, education, culture and tourism.***

Justification

This recital should contain all the aims of the Code which currently are distributed in a number of different recitals.

Amendment 86

Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) Regulation (EC) No 810/2009 aims, inter alia, to further develop the common visa policy as part of a multi-layer system in order to facilitate legitimate travel **and tackle irregular immigration** through further harmonisation of legislation and practices .

Amendment

(3) Regulation (EC) No 810/2009 aims, inter alia, to further develop the common visa policy as part of a multi-layer system in order to facilitate legitimate travel through further harmonisation of legislation and practices.

Or. it

Amendment 87

Tanja Fajon, Birgit Sippel

Proposal for a regulation

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Regulation (EC) No 810/2009 clarified and simplified the legal framework and greatly modernised and standardised visa procedures. However, 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 be reinforced.

Or. en

Justification

This recital should contain a general statement as to the modifications contained in the present review.

Amendment 88

Tanja Fajon, Birgit Sippel

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) *It should also ensure that under certain conditions* multiple-entry visas *are issued in order to* lessen the administrative burden of Member States' consulates and to facilitate smooth travel for frequent or regular travellers. Applicants known to the consulate for their integrity and reliability should as far as possible benefit from a simplified procedure.

Amendment

(4) ***Further harmonisation is particularly necessary as regards the issuing*** multiple-entry visas ***as such visas*** lessen the administrative burden of Member States' consulates and to facilitate smooth travel for frequent or regular travellers. Applicants known to the consulate for their integrity and reliability should as far as possible benefit from a simplified procedure.

Or. en

Amendment 89

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) It should also ensure that under certain conditions multiple-entry visas are issued in order to lessen the administrative burden of Member States' consulates and to facilitate smooth travel for frequent or regular travellers. Applicants known to the consulate for their integrity and reliability should as far as possible benefit from a simplified procedure.

Amendment

(4) It should also ensure that under certain conditions multiple-entry visas are issued in order to lessen the administrative burden of Member States' consulates and to facilitate smooth travel for frequent or regular travellers. Applicants known to the consulate for their integrity and reliability should as far as possible benefit from a simplified procedure. ***A list of the third countries which can take advantage of these facilities should therefore be drawn***

up. For the purpose of establishing which third countries should be placed on this list, such criteria as illegal immigration, public policy and security, cooperation with regard to repatriation agreements or the European Union's relations with the third country in question should be applied to make a case-by-case assessment.

Or. de

Amendment 90

Tanja Fajon

Proposal for a regulation

Recital 5

Text proposed by the Commission

Amendment

(5) Regulation (EC) No 810/2009 clarified and simplified the legal framework and greatly modernised and standardised visa procedures. However, specific provisions that were intended to facilitate procedures in individual cases on the basis of subjective criteria are not sufficiently applied.

deleted

Or. en

Justification

The content of this proposed recital has been included in recital 3 a new.

Amendment 91

Tanja Fajon

Proposal for a regulation

Recital 6

Text proposed by the Commission

Amendment

(6) A smart visa policy should entail

deleted

continued security at the external borders whilst ensuring the effective functioning of the Schengen area and facilitating travel opportunities for legitimate travel. The common visa policy should contribute to generating growth and be coherent with other Union policies, such as external relations, trade, education, culture and tourism.

Or. en

Justification

The content of this proposed recital has been included in recital 3.

Amendment 92

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) A *smart* visa policy should *entail continued security at the external borders* whilst ensuring the effective functioning of the Schengen area and *facilitating travel opportunities for legitimate travel*. The common visa policy should *contribute to generating growth and* be coherent with other Union policies, such as external relations, trade, education, culture and tourism.

Amendment

(6) A visa policy *in keeping with human rights and fundamental freedoms* should *facilitate travel to the Union by third-country nationals who meet EU entry requirements* whilst *guaranteeing the free movement of persons and* ensuring the effective functioning of the Schengen area and *personal safety within the EU*. The common visa policy should be coherent with other Union policies, such as *freedom of movement and residence in the Member State of choice*, external relations, trade, education, culture and tourism.

Or. fr

Amendment 93

G rard Deprez, Juan Fernando L pez Aguilar

Proposal for a regulation
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) This Regulation should require Member States to issue transit visas and visas with limited territorial validity to beneficiaries of EU resettlement and relocation programmes and mechanisms as provided for in Article 8 of Directive 2001/55/EC on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and the Regulation of the European Parliament and of the Council establishing a crisis relocation mechanism and amending Regulation (EU) No 604/2013.

Or. fr

Amendment 94
Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) The issuing of a visa to a person seeking international protection constitutes a means of allowing such a person to access the territory of the EU and the Member States in a safe manner. When considering consular territorial competence, the admissibility of a visa application or the possibility of issuing a visa with limited territorial validity, consulates should, therefore, pay particular attention to persons seeking international protection. In respect of such persons, Member States should make use of the exceptions provided for in this Regulation on humanitarian grounds or in order to meet their international obligations, in particular the 1951

Convention relating to the Status of Refugees (1951 Geneva Convention) and other relevant European or international instruments.

Or. fr

Amendment 95

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Recital 6 b (new)

Text proposed by the Commission

Amendment

(6b) When applying this Regulation, Member States should comply with their respective obligations under international law, in particular the United Nations Convention relating to the Status of Refugees (1951 Geneva Convention), as well as the 1967 New York Protocol, 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.

Or. fr

Amendment 96

Andrejs Mamikins

Proposal for a regulation

Recital 7

Text proposed by the Commission

Amendment

(7) To ease mobility and to facilitate family visits for third-country nationals who are

(7) To ease mobility and to facilitate family visits for third-country nationals who are

visiting close relatives who are Union citizens residing in the territory of the Member State of which they are nationals and for close relatives of Union citizens residing in a third country and wishing to visit together the Member State of which the Union citizen has the nationality, certain procedural facilitations should be provided by this Regulation.

visiting close relatives who are Union citizens **and non-citizens (aliens) of Latvia and Estonia** residing in the territory of the Member State of which they are nationals and for close relatives of Union citizens **and non-citizens (aliens) of Latvia and Estonia** residing in a third country and wishing to visit together the Member State of which the Union citizen **or non-citizen (alien) of Latvia and Estonia** has the nationality, certain procedural facilitations should be provided by this Regulation.

Or. en

Amendment 97
Ignazio Corrao, Laura Ferrara

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) A distinction should be made between new first time applicants and persons who have been previously granted visas and who are registered in the Visa Information System (VIS), in order to simplify the procedure for registered travellers **while addressing the risk of irregular immigration and the security concern posed by some travellers**. This distinction should be reflected in all steps of the procedure.

Amendment

(9) A distinction should be made between new first time applicants and persons who have been previously granted visas and who are registered in the Visa Information System (VIS), in order to simplify the procedure for registered travellers. This distinction should be reflected in all steps of the procedure.

Or. it

Amendment 98
Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation
Recital 9

Text proposed by the Commission

Amendment

(9) A distinction should be made between new first time applicants and persons who have been previously granted visas and who are registered in the Visa Information System (VIS), in order to simplify the procedure for registered travellers while addressing the risk of irregular immigration and the security concern posed by some travellers. This distinction should be reflected in all steps of the procedure.

(9) First time applicants should lodge an application and supply the documents required in order to obtain a visa on the basis that this procedure does not restrict their right to freedom of movement and to leave their State of origin or the State in which they reside and does not give rise to any form of discrimination.

Or. fr

**Amendment 99
Brice Hortefeux**

**Proposal for a regulation
Recital 10**

Text proposed by the Commission

Amendment

(10) It should be presumed that applicants who are registered in VIS and have obtained and lawfully used two visas within the 12 months prior to the application fulfil the entry conditions regarding the risk of irregular immigration and the need to possess sufficient means of subsistence. However, this presumption should be rebuttable where the competent authorities establish that one or more of these conditions are not fulfilled in individual cases.

deleted

Or. fr

**Amendment 100
Ignazio Corrao, Laura Ferrara**

**Proposal for a regulation
Recital 10**

Text proposed by the Commission

(10) It should be presumed that applicants who are registered in VIS and have obtained and lawfully used two visas within the 12 months prior to the application fulfil the entry conditions ***regarding the risk of irregular immigration and the need to possess sufficient*** means of subsistence. However, this presumption should be rebuttable where the competent authorities establish that one or more of these conditions are not fulfilled in individual cases.

Amendment

(10) It should be presumed that applicants who are registered in VIS and have obtained and lawfully used two visas within the 12 months prior to the application fulfil the entry conditions, ***including the necessary*** means of subsistence. However, this presumption should be rebuttable where the competent authorities establish that one or more of these conditions are not fulfilled in individual cases.

Or. it

Amendment 101

Bodil Valero

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) It should be presumed that applicants who are registered in VIS and have obtained and lawfully used two visas within the ***12*** months prior to the application fulfil the entry conditions regarding the risk of irregular immigration and the need to possess sufficient means of subsistence. However, this presumption should be rebuttable where the competent authorities establish that one or more of these conditions are not fulfilled in individual cases.

Amendment

(10) It should be presumed that applicants who are registered in VIS and have obtained and lawfully used two visas within the ***24*** months prior to the application fulfil the entry conditions regarding the risk of irregular immigration and the need to possess sufficient means of subsistence. However, this presumption should be rebuttable where the competent authorities establish that one or more of these conditions are not fulfilled in individual cases.

Or. en

Amendment 102

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) It should be presumed that applicants who are registered in VIS and have obtained and lawfully used two visas within the **12** months prior to the application fulfil the entry conditions ***regarding the risk of irregular immigration and the need to possess sufficient means of subsistence***. However, this presumption should be rebuttable where the competent authorities establish that one or more of these conditions are not fulfilled in individual cases.

Amendment

(10) It should be presumed that applicants who are registered in VIS and have obtained and lawfully used two visas within the **18** months prior to the application fulfil the entry conditions. However, this presumption should be rebuttable where the competent authorities establish that one or more of these conditions are not fulfilled in individual cases.

Or. fr

Amendment 103
Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) It is necessary to set out rules on the transit through international areas of airports ***in order to combat irregular immigration***. To this end a common list of third countries the nationals of which should be required to hold airport transit visas should be established . Nevertheless, when a Member State experiences a sudden and substantial influx of ***irregular immigrants***, it should be able to introduce temporarily the airport transit visa requirement for nationals of a given third country . The conditions and procedures for doing so should be laid down, in order to ensure that the application of this measure is limited in time and that in accordance with the principle of proportionality, it does not go beyond what is necessary in order to

Amendment

(12) It is necessary to set out rules on the transit through international areas of airports. To this end a common list of third countries the nationals of which should be required to hold airport transit visas should be established. Nevertheless, when a Member State experiences a sudden and substantial influx of ***migrants***, it should be able to introduce temporarily the airport transit visa requirement for nationals of a given third country. The conditions and procedures for doing so should be laid down, in order to ensure that the application of this measure is limited in time and that in accordance with the principle of proportionality, it does not go beyond what is necessary in order to achieve the objective. The scope of the airport transit visa requirement should be

achieve the objective. The scope of the airport transit visa requirement should be limited to responding to the specific situation that prompted the introduction of the measure.

limited to responding to the specific situation that prompted the introduction of the measure.

Or. it

Amendment 104 **Brice Hortefeux**

Proposal for a regulation **Recital 12**

Text proposed by the Commission

(12) It is necessary to set out rules on the transit through international areas of airports in order to combat irregular immigration. To this end a common list of third countries the nationals of which should be required to hold airport transit visas should be established. Nevertheless, when a Member State experiences a sudden and substantial influx of irregular immigrants, it should be *be* able to introduce temporarily the airport transit visa requirement for nationals of a given third country. The conditions and procedures for doing so should be laid down, in order to ensure that the application of this measure is limited in time and that in accordance with the principle of proportionality, it does not go beyond what is necessary in order to achieve the objective. The scope of the airport transit visa requirement should be limited to responding to the specific situation that prompted the introduction of the measure.

Amendment

(12) It is necessary to set out rules on the transit through international areas of airports in order to combat irregular immigration *and address any serious threats to public policy or internal security*. To this end a common list of third countries the nationals of which should be required to hold airport transit visas should be established. Nevertheless, when a Member State experiences a sudden and substantial influx of irregular immigrants *or a serious threat to public policy or internal security*, it should be able to introduce temporarily the airport transit visa requirement for nationals of a given third country. The conditions and procedures for doing so should be laid down, in order to ensure that the application of this measure is limited in time and that in accordance with the principle of proportionality, it does not go beyond what is necessary in order to achieve the objective. The scope of the airport transit visa requirement should be limited to responding to the specific situation that prompted the introduction of the measure.

Or. fr

Amendment 105
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) It is necessary to set out rules on the transit through international areas of airports in order to combat irregular immigration. To this end a common list of third countries the nationals of which should be required to hold airport transit visas should be established . Nevertheless, when a Member State experiences a sudden and substantial influx of irregular immigrants, it should be able to introduce temporarily the airport transit visa requirement for nationals of a given third country . The conditions and procedures for doing so should be laid down, in order to ensure that the application of this measure is limited in time and that in accordance with the principle of proportionality, it does not go beyond what is necessary in order to achieve the objective. The scope of the airport transit visa requirement should be limited to responding to the specific situation that prompted the introduction of the measure.

Amendment

(12) It is necessary to set out rules on the transit through international areas of airports in order to combat irregular immigration. To this end a common list of third countries the nationals of which should be required to hold airport transit visas should be established. Nevertheless, when a Member State experiences a sudden and substantial influx of irregular immigrants ***or a threat to public policy or internal security***, it should be able to introduce temporarily the airport transit visa requirement for nationals of a given third country. The conditions and procedures for doing so should be laid down, in order to ensure that the application of this measure is limited in time and that in accordance with the principle of proportionality, it does not go beyond what is necessary in order to achieve the objective. The scope of the airport transit visa requirement should be limited to responding to the specific situation that prompted the introduction of the measure.

Or. de

Amendment 106
Emilian Pavel

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) It should be clear which is the Member State competent for examining an application for a visa, in particular

Amendment

(14) As uniform visas allow the holder to circulate within the Schengen area and as such visas are issued according to the

where the intended visit covers several Member States.

common rules laid down in this Regulation, applicants should be able to lodge their application at the consulate of any Member State in their country of residence.

Or. en

Amendment 107
Emilian Pavel

Proposal for a regulation
Recital 15

Text proposed by the Commission

Amendment

(15) Visa applicants should be able to lodge an application in their country of residence even where the Member State competent under the general rules is neither present nor represented in that country.

deleted

Or. en

Amendment 108
Bodil Valero

Proposal for a regulation
Recital 17

Text proposed by the Commission

Amendment

(17) Because of the registration of biometric identifiers in the Visa Information System (VIS) as established by Regulation (EC) No 767/2008 of the European Parliament and of the Council¹³, the appearance of the applicant in person - at least for the first application - should be one of the basic requirements for the *application for a* visa.

(17) Because of the registration of biometric identifiers in the Visa Information System (VIS) as established by Regulation (EC) No 767/2008 of the European Parliament and of the Council¹³, the appearance of the applicant in person - at least for the first application - should be one of the basic requirements for the *issuance of a* visa.

¹³ Regulation (EC) No 767/2008 of the

¹³ Regulation (EC) No 767/2008 of the

European Parliament and of the Council of 9 July 2008 concerning Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218, 13.8.2008, p. 60).

European Parliament and of the Council of 9 July 2008 concerning Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218, 13.8.2008, p. 60).

Or. en

Amendment 109
Brice Hortefeux

Proposal for a regulation
Recital 18

Text proposed by the Commission

(18) In order to facilitate the visa application procedure of any subsequent application, it should be possible to copy fingerprints from the first entry into the VIS within a period of 59 months. Once this period of time has elapsed, the fingerprints *should* be collected again.

Amendment

(18) In order to facilitate the visa application procedure of any subsequent application, it should be possible to copy fingerprints from the first entry into the VIS within a period of 59 months *and to carry out further checks or collect the fingerprints again if any doubts arise*. Once this period of time has elapsed, the fingerprints *must* be collected again.

Or. fr

Amendment 110
Brice Hortefeux

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) Applicants should not be required to present travel medical insurance when lodging an application for a short stay visa because it is an disproportionate burden for visa applicants and there is no evidence that holders of short stay visas present a bigger risk in terms of public

Amendment

deleted

medical expenditure in Member States than the visa exempted third country nationals.

Or. fr

Amendment 111
Helga Stevens

Proposal for a regulation
Recital 23

Text proposed by the Commission

Amendment

(23) Applicants should not be required to present travel medical insurance when lodging an application for a short stay visa because it is an 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 the visa exempted third country nationals.

deleted

Or. en

Amendment 112
Aldo Patriciello

Proposal for a regulation
Recital 23

Text proposed by the Commission

Amendment

(23) Applicants should not be required to present travel medical insurance when lodging an application for a short stay visa because it is *an 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 the visa exempted third country nationals.

(23) *(a)* Applicants should not be required to present travel medical insurance when lodging an application for a short stay visa because 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 the visa exempted third country nationals.

(b) Applicants should not be required to pay a fee of EUR 60, as laid down in Article 16 of Regulation (EC) No 810/2009. This provision discriminates against third-country nationals who come from difficult social and economic backgrounds, who are forced to spend most of their money simply to go to the consulate responsible for issuing the visa. The list of the categories of persons exempt from paying visa fees should be extended.

Or. it

Amendment 113
Bodil Valero

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) Applicants should not be required to present travel medical insurance when lodging an application for a short stay visa because it is an *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 the visa exempted third country nationals.

Amendment

(23) Applicants should not be required to present travel medical insurance when lodging an application for a short stay visa because 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 the visa exempted third country nationals.

Or. en

Amendment 114
Kinga Gál

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) Applicants should *not* be required to present travel medical insurance when

Amendment

(23) Applicants should be required to present travel medical insurance when

lodging an application for a short stay visa ***because it is an 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 the visa exempted third country nationals.***

lodging an application for a short stay visa.

Or. en

Amendment 115

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) Applicants ***should not be required to present*** travel medical insurance ***when lodging an application for a short stay visa because it is an 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 the visa exempted third country nationals.***

Amendment

(23) ***In order to avoid payments by applicants for*** travel medical insurance ***despite of a possible rejection of the visa application, Member States should also accept travel medical insurance contracts which include a clause under private law requiring the insured to pay the premium only when the condition that the visa is granted has been met.***

Or. de

Amendment 116

Brice Hortefeux

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) Professional, cultural and sports associations, as well as accredited commercial intermediaries should be allowed to lodge applications on behalf of visa applicants.

Amendment

(24) Professional, cultural and sports associations ***known to the consulate for their reliability and integrity***, as well as accredited commercial intermediaries should be allowed to lodge applications on

behalf of visa applicants.

Or. fr

Amendment 117

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) Professional, cultural and sports associations, as well as accredited commercial intermediaries should be allowed to lodge applications on behalf of visa applicants.

Amendment

(24) Professional, cultural and sports associations ***which are of recognised integrity and reliability***, as well as accredited commercial intermediaries should be allowed to lodge applications on behalf of visa applicants.

Or. de

Amendment 118

Brice Hortefeux

Proposal for a regulation

Recital 26

Text proposed by the Commission

(26) Multiple entry visas with a long validity should be issued according to objectively determined criteria. The validity of a multiple entry visa ***could*** go beyond the validity of the travel document in which it is affixed.

Amendment

(26) Multiple entry visas with a long validity should be issued according to objectively determined criteria. The validity of a multiple entry visa ***should not, in principle,*** go beyond the validity of the travel document in which it is affixed.

Or. fr

Amendment 119

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Recital 26

Text proposed by the Commission

(26) Multiple entry visas with a long validity should be issued according to objectively determined criteria. The validity of a multiple entry visa *could* go beyond the validity of the travel document in which it is affixed.

Amendment

(26) Multiple entry visas with a long validity should be issued according to objectively determined criteria. The validity of a multiple entry visa ***cannot under any circumstances*** go beyond the validity of the travel document in which it is affixed.

Or. de

Amendment 120

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Recital 27

Text proposed by the Commission

(27) The application form should take account of the roll out of the VIS. Member States should to the extent possible allow for visa application forms to be completed and submitted electronically and should accept facsimile or copies of supporting documents. Original documents ***should only be required in specific cases.***

Amendment

(27) The application form should take account of the roll out of the VIS. Member States should to the extent possible allow for visa application forms to be completed and submitted electronically and should accept facsimile or copies of supporting documents. ***However, it should always be possible for Member States to require original documents.***

Or. de

Amendment 121

Brice Hortefeux

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) ***The issuing of visas at the external border should, in principle, remain exceptional. However, to allow Member States to promote short term tourism, they***

Amendment

deleted

should be authorised to issue visas at the external border based on a temporary scheme and upon notification and publication of the organisational modalities of the scheme. Such schemes should be temporary in nature and the validity of the visa issued should be limited to the territory of the issuing Member State.

Or. fr

Amendment 122

Helga Stevens

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) The issuing of visas at the external border should, *in principle*, remain exceptional. However, to allow Member States to promote short term tourism, they should be authorised to issue visas at the external border based on a temporary scheme and upon notification and publication of the organisational modalities of the scheme. Such schemes should be temporary in nature and the validity of the visa issued should be limited to the territory of the issuing Member State.

Amendment

(30) The issuing of visas at the external border should remain exceptional. However, to allow Member States to promote short term tourism, they should be authorised to issue visas at the external border based on a temporary scheme and upon notification and publication of the organisational modalities of the scheme. Such schemes should be temporary in nature and the validity of the visa issued should be limited to the territory of the issuing Member State.

Or. en

Amendment 123

Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) The issuing of visas at the external border should, *in principle, remain*

Amendment

(30) The issuing of visas at the external border should allow Member States *inter*

exceptional. However, to allow Member States to promote short term tourism, ***they should be authorised*** to issue visas at the external border based on a temporary scheme and upon notification and publication of the organisational modalities of the scheme. Such schemes should be temporary in nature and the validity of the visa issued should be limited to the territory of the issuing Member State.

alia to promote short term tourism ***and*** to issue visas at the external border based on a temporary scheme and upon notification and publication of the organisational modalities of the scheme. Such schemes should be temporary in nature and the validity of the visa issued should be limited to the territory of the issuing Member State.

Or. fr

Amendment 124

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) ***The issuing of*** visas at the external border ***should, in principle, remain exceptional. However, to allow Member States to promote short term tourism, they should be authorised to issue visas at the external border based on a temporary scheme and upon notification and publication of the organisational modalities of the scheme. Such schemes should be temporary in nature and the validity of the visa issued should be limited to the territory of the issuing Member State.***

Amendment

(30) ***In exceptional cases – for example in connection with major sporting events or other events of international significance – it should be possible to issue*** visas at the external border ***for limited periods.***

In order to enable immigration and border controls to be carried out as smoothly as possible at the external borders during the aforementioned periods, Member States should provide for prior on-line registration for visas to be issued at the external border.

Or. de

Justification

The issuing of visas at the external borders should remain the exception; thus it should be possible to issue them only, for example, in connection with major sports events or other events of international significance (e.g. world exhibitions). In order to avoid long queues at the external borders, where of course border control officials have directly to monitor fulfilment of the preconditions for issuing a visa, prior online registration should be facilitated.

Amendment 125

Bodil Valero

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) Arrangements for the reception of applicants should be made with due respect for human dignity. Processing of visa applications should be conducted in a professional and respectful manner and should not go beyond what is necessary in order to achieve the objectives pursued.

Amendment

(31) Arrangements for the reception of applicants should be made with due respect for human dignity. Processing of visa applications should be conducted ***without discrimination***, in a professional and respectful manner and should not go beyond what is necessary in order to achieve the objectives pursued.

Or. en

Amendment 126

Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation

Recital 32 a (new)

Text proposed by the Commission

Amendment

(32a) Should a visa be refused, Member States should ensure that applicants receive a full and analytical explanation of the reasons why the consulate rejected the application.

Or. it

Amendment 127
Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation
Recital 32 b (new)

Text proposed by the Commission

Amendment

(32b) Should a visa be refused, Member States should ensure that applicants have the option of appealing against that decision. Appeal procedures should be effective, easily accessible, economical and, where the appeal is well-founded, liable to lead to the immediate issuing of the visa and compensation for any damages the applicant might have suffered.

Or. it

Amendment 128
Helga Stevens

Proposal for a regulation
Recital 34

Text proposed by the Commission

Amendment

(34) Member States should be present or represented for visa purposes in all third countries whose nationals are subject to visa requirements. ***Member States should aim at enlarging the consular coverage. Member States lacking their own consulate in a given third country or in a certain part of a given third country should therefore endeavour to conclude representation arrangements in order to avoid a disproportionate effort on the part of visa applicants to have access to consulates.***

(34) Member States should be present or represented for visa purposes in all third countries whose nationals are subject to visa requirements.

Or. en

Amendment 129
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Recital 36

Text proposed by the Commission

(36) It is necessary to make provision for situations in which a Member State decides to cooperate with an external service provider for the collection of applications. Such arrangements should be established in compliance with the general principles for issuing visas and with the data protection requirements set out in Directive 95/46/EC.

Amendment

(36) It is necessary to make provision for situations in which a Member State decides to cooperate with an external service provider for the collection of applications. ***Such cooperation should at the minimum be possible if, because of the circumstances or situation on the ground, other solutions would offer applicants a less well developed range of services.*** Such arrangements should be established in compliance with the general principles for issuing visas and with the data protection requirements set out in Directive 95/46/EC. ***Where a Member State has decided to cooperate with an external service provider, it should maintain the possibility for all applicants to lodge applications directly at its diplomatic missions or consular posts except where security considerations do not allow for such a possibility.***

Or. de

Amendment 130
Bodil Valero

Proposal for a regulation
Recital 39

Text proposed by the Commission

(39) The general public should be given all relevant information in relation to the application for a visa and the visibility and uniform image of the common visa policy should be improved. To this end a common Schengen visa Internet site should be established and a common template for

Amendment

(39) The general public should be given all relevant information in relation to the application for ***and the use of*** a visa and the visibility and uniform image of the common visa policy should be improved. To this end a common Schengen visa Internet site should be established and a

Member States' information to the public should be drawn up.

common template for Member States' information to the public should be drawn up.

Or. en

Amendment 131

Tanja Fajon, Birgit Sippel

Proposal for a regulation

Recital 41

Text proposed by the Commission

(41) ***If there is no*** harmonised list of supporting documents ***in a given*** location, ***Member States are free to define the exact supporting documents to be submitted by visa applicants in order to prove the fulfilment of the entry conditions required by*** this Regulation. Where such a harmonised list of supporting documents exists, in order to provide facilitations for visa applicants, Member States should be allowed to provide certain exemptions from that list when major international events are organised in their territory. These events should be large scale and of particular importance due to their tourism and/or cultural impact, such as international or universal exhibitions and sports championships.

Amendment

(41) ***A*** harmonised list of supporting documents ***should be prepared in each location as such harmonised lists underline the common nature of the EU visa policy as set out in*** this Regulation. Where such a harmonised list of supporting documents exists, in order to provide facilitations for visa applicants, Member States should be allowed to provide certain exemptions from that list when major international events are organised in their territory. These events should be large scale and of particular importance due to their tourism and/or cultural impact, such as international or universal exhibitions and sports championships. ***If there is no such list, Member States are free to define the exact supporting documents to be submitted by visa applicants in order to prove the fulfilment of the entry conditions required by this Regulation.***

Or. en

Justification

The recital should refer to the main rule which the Commission proposes to be that there is a harmonised list in each location (see Art. 46(1)). The sentences are reorganised to make it more logic.

Amendment 132
Helga Stevens

Proposal for a regulation
Recital 44

Text proposed by the Commission

Amendment

(44) In order to ensure uniform conditions for the implementation of this Regulation, as regards the establishment of operational instructions on the practices and procedures to be followed by Member States when processing visa applications, lists of supporting documents to be applied in each jurisdiction, mandatory entries on the visa sticker, rules on affixing the visa sticker, and rules for issuing visas at the border to seafarers, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹⁵. The examination procedure should be used for the adoption of such implementing acts.

deleted

¹⁵ *Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).*

Or. en

Amendment 133
Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation
Recital 48

Text proposed by the Commission

(48) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular this Regulation seeks to ensure full respect for private and family life referred to in Article 7, protection of personal data referred to in Article 8 and the rights of the child referred to in Article 24 of the Charter of Fundamental Rights of the European Union .

Amendment

(48) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular this Regulation seeks to ensure full respect for private and family life referred to in Article 7, ***compliance with the principle of non-discrimination referred to in Article 21, the*** protection of personal data referred to in Article 8 and the rights of the child referred to in Article 24 of the Charter of Fundamental Rights of the European Union.

Or. it

Amendment 134

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Recital 48

Text proposed by the Commission

(48) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular this Regulation seeks to ensure full respect for private and family life referred to in Article 7, protection of personal data referred to in Article 8 and the rights of the child referred to in Article 24 of the Charter of Fundamental Rights of the European Union.

Amendment

(48) This Regulation respects fundamental rights and observes the ***rights and*** principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular this Regulation seeks to ensure full respect for ***the right to protection of personal data referred to in Article 16 TFEU, as well as the right to*** private and family life referred to in Article 7, ***the right to*** protection of personal data referred to in Article 8, ***the right of asylum referred to in Article 18*** and the rights of the child referred to in Article 24 of the Charter of Fundamental Rights of the European Union.

Or. fr

Amendment 135
Andrejs Mamikins

Proposal for a regulation
Article 1 – paragraph 2 – point a

Text proposed by the Commission

(a) the rights of free movement enjoyed by third-country nationals who are family members of citizens of the Union;

Amendment

(a) the rights of free movement enjoyed by third-country nationals who are family members of citizens of the Union, *as well as non-citizens (aliens) of Latvia and Estonia*;

Or. en

Amendment 136
Andrejs Mamikins

Proposal for a regulation
Article 1 – paragraph 2 – point b

Text proposed by the Commission

(b) the equivalent rights enjoyed by third-country nationals and their family members, who, under agreements between the Union and its Member States, on the one hand, and these third countries, on the other, enjoy rights of free movement equivalent to those of Union citizens and members of their families.

Amendment

(b) the equivalent rights enjoyed by third-country nationals and their family members, who, under agreements between the Union and its Member States, on the one hand, and these third countries, on the other, enjoy rights of free movement equivalent to those of Union citizens and *non-citizens (aliens) of Latvia and Estonia and* members of their families.

Or. en

Amendment 137
Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation
Article 2 – paragraph 1 – point 4 a (new)

Text proposed by the Commission

Amendment

4a. 'humanitarian grounds' means all the

conditions which give rise to international protection within the meaning of Directive 2011/95/EU.

Or. it

Amendment 138

Brice Hortefeux

Proposal for a regulation

Article 2 – paragraph 1 – point 6

Text proposed by the Commission

6. 'touring visa' means *a visa as defined in Article 3(2) of [Regulation No.../...]*;

Amendment

6. 'touring visa' means *an authorisation issued by a Member State with a view to an intended stay in the territory of two or more Member States for a duration of more than 90 days in any 180-day period, provided that the applicant does not stay for more than 90 days in any 180-day period in the territory of the same Member State;*

Or. fr

Amendment 139

Brice Hortefeux

Proposal for a regulation

Article 2 – paragraph 1 – point 7

Text proposed by the Commission

7. 'close relatives' means *the spouse, children, parents, persons exercising parental authority, grandparents and grandchildren;*

Amendment

deleted

Or. fr

Amendment 140

Andrejs Mamikins

Proposal for a regulation
Article 2 – paragraph 1 – point 7

Text proposed by the Commission

7. 'close relatives' means the spouse, children, parents, persons exercising parental authority, grandparents and grandchildren;

Amendment

7. 'close relatives' means the spouse, children, parents, **siblings**, persons exercising parental authority, grandparents and grandchildren;

Or. en

Amendment 141
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 2 – paragraph 1 – point 7

Text proposed by the Commission

7. 'close relatives' means the spouse, children, parents, persons exercising parental authority, **grandparents and grandchildren**;

Amendment

7. 'close relatives' means the spouse, children, parents **or** persons exercising parental authority;

Or. de

Amendment 142
Gérard Deprez

Proposal for a regulation
Article 2 – paragraph 1 – point 8

Text proposed by the Commission

8. 'VIS registered applicant' means an applicant whose data are registered in the Visa Information System;

Amendment

8. 'VIS registered **visa** applicant' means an applicant whose data are registered in the Visa Information System;

Or. fr

Amendment 143
Bodil Valero

Proposal for a regulation
Article 2 – paragraph 1 – point 9

Text proposed by the Commission

9. 'VIS registered regular traveller' means a visa applicant who is registered in the Visa Information System and who has obtained two visas within the **12** months prior to the application;

Amendment

9. 'VIS registered regular traveller' means a visa applicant who is registered in the Visa Information System and who has obtained two visas within the **24** months prior to the application;

Or. en

Amendment 144
Gérard Deprez

Proposal for a regulation
Article 2 – paragraph 1 – point 9

Text proposed by the Commission

9. 'VIS registered regular traveller' means a visa applicant **who is** registered in the Visa Information System and who has obtained **two** visas within the **12** months prior to the application;

Amendment

9. 'VIS registered regular traveller' means a visa applicant **whose particulars are** registered in the Visa Information System and who has obtained **at least three** visas within the **36** months prior to the application **or a multiple-entry visa**.

Or. fr

Amendment 145
Brice Hortefeux

Proposal for a regulation
Article 2 – paragraph 1 – point 9

Text proposed by the Commission

9. 'VIS registered regular traveller' means a visa applicant who is registered in the Visa Information System and who has obtained **two** visas within the **12** months prior to the

Amendment

9. 'VIS registered regular traveller' means a visa applicant who is registered in the Visa Information System and who has obtained **and made lawful use of three** visas within

application;

the *18* months prior to the application *and has shown that he fulfilled the entry conditions, and the risk assessment concerning whom has proved satisfactory;*

Or. fr

Amendment 146

Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation

Article 2 – paragraph 1 – point 9

Text proposed by the Commission

9. 'VIS registered regular traveller' means a visa applicant who is registered in the Visa Information System and who has obtained *two visas* within the *12* months prior to the application;

Amendment

9. 'VIS registered regular traveller' means a visa applicant who:

- is registered in the Visa Information System and has obtained *a visa* within the *18* months prior to the application;
- *has already obtained a multiple-entry visa, a national visa (type 'D') or a residence permit from a Member State in the Schengen area valid for 6 months, on condition that the application is submitted at the latest 18 months after the expiry of the uniform visa, the national visa or the residence permit in question issued by a Member State in the Schengen area; or*
- *has undertaken two regular journeys to Member States of the Schengen area in the 18 months before the application;*

Or. fr

Amendment 147

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 2 – paragraph 1 – point 9

Text proposed by the Commission

9. 'VIS registered regular traveller' means a visa applicant who is registered in the Visa Information System and who has obtained **two** visas within the **12** months prior to the application;

Amendment

9. 'VIS registered regular traveller' means a visa applicant **who is a national of a third country listed in Annex XY**, who is registered in the Visa Information System and who has obtained **and lawfully used three** visas within the **18** months prior to the application.

The Commission shall be empowered to adopt delegated acts in accordance with Article 48 establishing or amending the list in Annex XY;

Or. de

Amendment 148
Brice Hortefeux

Proposal for a regulation
Article 2 – paragraph 1 – point 12

Text proposed by the Commission

12. 'valid travel document' means a travel document that is not false, counterfeit or forged and the period of validity of which as defined by the issuing authority has not expired;

Amendment

12. 'valid travel document' means a travel document that is not false, counterfeit or forged, **which has not been either stolen or improperly obtained**, and the period of validity of which as defined by the issuing authority has not expired;

Or. fr

Amendment 149
Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation
Title 2

Text proposed by the Commission

TITLE II
AIRPORT TRANSIT VISA

Amendment

deleted

Article 3

Third-country nationals required to hold an airport transit visa

1. Nationals of the third countries listed in Annex III shall be required to hold an airport transit visa when passing through the international transit areas of airports situated on the territory of the Member States.

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 48 concerning amendments to the list of the third countries set out in Annex III.

Where in the case of emerging risks, imperative grounds of urgency so require, the procedure provided for in Article 49 shall apply to delegated acts adopted pursuant to this paragraph.

3. Where there is a sudden and substantial influx of irregular immigrants, a Member State may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on its territory. The duration of such a measure shall not exceed 12 months. The scope and duration of the airport transit visa requirement shall not exceed what is strictly necessary to respond to the sudden and substantial influx of irregular immigrants.

4. Where a Member State plans to introduce the airport transit visa requirement in accordance with paragraph 3, it shall as soon as possible notify the Commission, and shall provide the following information:

(a) the reason for the planned airport transit visa requirement, substantiating the sudden and substantial influx of irregular immigrants;

(b) the scope and duration of the planned

introduction of the airport transit visa requirement.

5. Following the notification by the Member State concerned in accordance with paragraph 4, the Commission may issue an opinion.

6. The Member State may prolong the application of the airport transit visa requirement only once where the lifting of the requirement would lead to a substantial influx of irregular migrants. Paragraph 3 shall apply to such prolongation.

7. The Commission shall, on an annual basis, inform the European Parliament and the Council about the implementation of this Article.

8. The following categories of persons shall be exempt from the requirement to hold an airport transit visa provided for in paragraphs 1 and 3:

a) holders of a valid uniform visa, touring visa, national long-stay visa or residence permit issued by a Member State;

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 IV issued by Andorra, Canada, Japan, San Marino 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) ;

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;

d) family members of citizens of the Union as referred to in Article 3 of Directive 2004/38/EC ;

e) holders of diplomatic , service, official or special passports;

f) flight crew members who are nationals of a contracting Party to the Chicago Convention on International Civil Aviation.

9. The Commission shall be empowered to adopt delegated acts in accordance with Article 48 concerning the amendments to the list of valid residence permits entitling the holder to transit through the airports of Member States without being required to hold an airport transit visa, set out in Annex IV.

Or. fr

Amendment 150
Helga Stevens

Proposal for a regulation
Article 3 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

The Commission shall be empowered to adopt delegated acts in accordance with Article 48 concerning amendments to the list of the third countries set out in Annex III.

deleted

Or. en

Amendment 151

Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation

Article 3 – paragraph 3

Text proposed by the Commission

3. Where there is a sudden and substantial influx of *irregular immigrants*, a Member State may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on its territory. The duration of such a measure shall not exceed 12 months. The scope and duration of the airport transit visa requirement shall not exceed what is strictly necessary to respond to the sudden and substantial influx of *irregular immigrants*.

Amendment

3. Where there is a sudden and substantial influx of *migrants and without prejudice to international protection obligations and to the principle of non-refoulement*, a Member State may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on its territory. The duration of such a measure shall not exceed 12 months. The scope and duration of the airport transit visa requirement shall not exceed what is strictly necessary to respond to the sudden and substantial influx of *migrants*.

Or. it

Amendment 152

Brice Hortefeux

Proposal for a regulation

Article 3 – paragraph 3

Text proposed by the Commission

3. Where there is a sudden and substantial influx of irregular immigrants, a Member State may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on its territory. The duration of such a measure shall not exceed 12 months. The scope and duration of the airport transit visa requirement shall not exceed what is

Amendment

3. Where there is a sudden and substantial influx of irregular immigrants *or a serious threat to public policy or internal security*, a Member State may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on its territory. The duration of such a measure shall not exceed 12 months. The scope and duration of the

strictly necessary to respond to the sudden and substantial influx of irregular immigrants.

airport transit visa requirement shall not exceed what is strictly necessary to respond to the sudden and substantial influx of irregular immigrants *or the serious threat to public policy or internal security*.

Or. fr

Amendment 153

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 3 – paragraph 3

Text proposed by the Commission

3. Where there is a sudden and substantial influx of irregular immigrants, a Member State may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on its territory. The duration of such a measure shall not exceed 12 months. The scope and duration of the airport transit visa requirement shall not exceed what is strictly necessary to respond to the sudden and substantial influx of irregular immigrants.

Amendment

3. Where there is a sudden and substantial influx of irregular immigrants *or where it is appropriate to do so on grounds of public policy or internal security*, a Member State may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on its territory. The duration of such a measure shall not exceed 12 months. The scope and duration of the airport transit visa requirement shall not exceed what is strictly necessary to respond to the sudden and substantial influx of irregular immigrants.

Or. de

Justification

It must also be possible for a Member State to respond to developments in the field of security, not only migration.

Amendment 154

Brice Hortefeux

Proposal for a regulation
Article 3 – paragraph 4 – point a

Text proposed by the Commission

(a) the reason for the planned airport transit visa requirement, substantiating the sudden and substantial influx of irregular immigrants;

Amendment

(a) the reason for the planned airport transit visa requirement, substantiating the sudden and substantial influx of irregular immigrants ***or the serious threat to public policy or internal security;***

Or. fr

Amendment 155
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 3 – paragraph 4 – point a

Text proposed by the Commission

(a) the reason for the planned airport transit visa requirement, ***substantiating*** the sudden and substantial influx of irregular immigrants;

Amendment

(a) the reason for the planned airport transit visa requirement, ***with explanations regarding*** the sudden and substantial influx of irregular immigrants ***or the situation as regards public policy or internal security;***

Or. de

Amendment 156
Brice Hortefeux

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission

5. Following the notification by the Member State concerned in accordance with paragraph 4, the Commission may issue an opinion.

Amendment

deleted

Or. fr

Amendment 157

Bodil Valero

Proposal for a regulation

Article 3 – paragraph 6

Text proposed by the Commission

6. The Member State may prolong the application of the airport transit visa requirement only once where the lifting of the requirement would lead to a substantial influx of irregular *migrants*. Paragraph 3 shall apply to such prolongation.

Amendment

6. The Member State may prolong the application of the airport transit visa requirement only once where the lifting of the requirement would lead to a substantial influx of irregular *immigrants*. Paragraph 3 shall apply to such prolongation.

Or. en

Amendment 158

Brice Hortefeux

Proposal for a regulation

Article 3 – paragraph 6

Text proposed by the Commission

6. The Member State may prolong the application of the airport transit visa requirement *only once where the lifting of the requirement would lead to* a substantial influx of irregular migrants. *Paragraph 3 shall apply to such prolongation.*

Amendment

6. The Member State may prolong the application of the airport transit visa requirement *for as long as necessary, on condition that the duration of this prolongation is proportionate and does not exceed what is strictly necessary in order to cope with* a substantial influx of irregular migrants *or a serious threat to public policy or internal security.*

Or. fr

Amendment 159

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 3 – paragraph 6

Text proposed by the Commission

6. The Member State may prolong the application of the airport transit visa requirement ***only once*** where the lifting of the requirement would lead to a substantial influx of irregular migrants. Paragraph 3 shall apply to such prolongation.

Amendment

6. The Member State may prolong the application of the airport transit visa requirement ***twice, for 12 months on each occasion***, where the lifting of the requirement would lead to a substantial influx of irregular migrants ***or would have an impact on public policy or internal security***. Paragraph 3 shall apply to such prolongation.

Or. de

Amendment 160
Brice Hortefeux

Proposal for a regulation
Article 3 – paragraph 6 a (new)

Text proposed by the Commission

6. The Member State may prolong the application of the airport transit visa requirement ***only once*** where the lifting of the requirement would lead to a substantial influx of irregular migrants. Paragraph 3 shall apply to such prolongation.

Amendment

6a. Where the Member State plans to prolong the application of the airport transit visa requirement, it shall notify the European Commission accordingly as soon as possible, supplying the following information:

(a) the reason for the planned prolongation of the airport transit visa requirement, showing that a suspension of the obligation would lead to a sudden and substantial influx of irregular immigrants or a serious threat to public policy or internal security;

(b) the scope and duration of the planned prolongation of the airport transit visa requirement.

Or. fr

Amendment 161
Brice Hortefeux

Proposal for a regulation
Article 3 – paragraph 6 b (new)

Text proposed by the Commission

Amendment

6b. Following the notification by the Member State concerned in accordance with paragraphs 4 and 5, the Commission may issue an opinion.

Or. fr

Amendment 162
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 3 – paragraph 8 – point d

Text proposed by the Commission

Amendment

(d) family members of citizens of the Union as referred to in Article 3 of Directive 2004/38/EC ;

deleted

Or. de

Amendment 163
Bodil Valero

Proposal for a regulation
Article 3 – paragraph 8 – point f a (new)

Text proposed by the Commission

Amendment

(fa) persons in need of international protection;

Or. en

Amendment 164
Brice Hortefeux

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. By way of derogation from paragraph 1, applications may be examined and decided on at the external borders of the Member States by the authorities responsible for checks on persons, in accordance with Articles 32, 33 and 34.

Amendment

2. By way of derogation from paragraph 1, applications may be examined and decided on at the external borders of the Member States by the authorities responsible for checks on persons, in accordance with Articles 32 and 34.

Or. fr

Amendment 165
Emilian Pavel

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. *The* Member State competent for examining and deciding on an application for a uniform visa *shall be*:

(a) the Member State whose territory constitutes the sole destination of the visit(s);

(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

(c) if no main destination can be determined, the Member State whose external border the applicant intends to cross in order to enter the territory of the Member States.

Amendment

1. *Any* Member State *present in the third country where the applicant lodges the application shall be* competent for examining and deciding on an application for a uniform visa *or an airport transit visa.*

Or. en

Justification

As a visa allows a third-country national to circulate within the Schengen area and as the rules laid down in the Visa Code are common rules the concept of "responsible Member State" should be abolished. Instead of using resources to determine the Member State responsible these resources should be better used for the examination of visa applications. Given the possibility to require a prior consultation in accordance with Article 19, Member States would still be able to control who enters their territory.

Amendment 166 **Helga Stevens**

Proposal for a regulation **Article 5 – paragraph 1 – point b**

Text proposed by the Commission

(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

Amendment

(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 *or purpose* of the visit(s) in terms of the length of stay, counted in days; or

Or. en

Amendment 167 **Helga Stevens**

Proposal for a regulation **Article 5 – paragraph 1 – point c**

Text proposed by the Commission

(c) if no main destination can be determined, the Member State whose external border the applicant intends to cross in order to enter the territory of the Member States.

Amendment

deleted

Or. en

Amendment 168

Helga Stevens

Proposal for a regulation

Article 5 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) if a responsible Member State cannot be identified, the Member States where the applicant first resides during their stay should be responsible for the processing of the visa application.

Or. en

Amendment 169

Gérard Deprez

Proposal for a regulation

Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. If the Member State concerned pursuant to paragraph 1 has, in accordance with Article 39, concluded a representation agreement with another Member State for the purpose of considering applications and issuing visas on its behalf, the applicant must submit his application to the consulate of the Member State acting as a representative;

Or. fr

Amendment 170

Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation

Article 6 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. When the conditions referred to in

paragraphs 1 and 2 are not fulfilled, a consulate shall decide to consider an application or to take a decision on it where it considers it necessary to do so for humanitarian reasons or on grounds of the national interest; the consulate shall consider an application or decide on it in order to comply with the international obligations incumbent on it, particularly under the 1951 Convention relating to the Status of Refugees (1951 Geneva Convention) or other relevant European or international instruments;

Or. fr

Amendment 171
Brice Hortefeux

Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. Third-country nationals who have lost their travel document, or from whom this document has been stolen, while staying in the territory of a Member State, may leave that territory on the basis of a valid travel document entitling them to cross the border issued by a consulate of their country of nationality without any visa or other authorisation.

Amendment

2. Third-country nationals who have lost their travel document, or from whom this document has been stolen, while staying in the territory of a Member State, may, ***on the strength of a declaration of theft or loss issued by the competent authority of that Member State***, leave that territory on the basis of a valid travel document entitling them to cross the border issued by a consulate of their country of nationality without any visa or other authorisation.

Or. fr

Amendment 172
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. Third-country nationals who have lost their travel document, or from whom this document has been stolen, while staying in the territory of a Member State, may leave that territory on the basis of a valid travel document entitling them to cross the border issued by a consulate of their country of nationality without any visa or other authorisation.

Amendment

2. Third-country nationals who have lost their travel document, or from whom this document has been stolen, while staying in the territory of a Member State, may leave that territory on the basis of a valid travel document entitling them to cross the border issued by a consulate of their country of nationality ***and on production of the notification of theft or loss*** without any visa or other authorisation.

Or. de

Amendment 173

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 7 – paragraph 3

Text proposed by the Commission

3. Where the third-country national, referred to in paragraph 2, intends to continue travelling in the Schengen area, the authorities in the Member State where he declares the loss or theft of his travel document, shall issue a visa with a duration of validity and period of allowed stay identical to the original visa on the basis of the data registered in the VIS.

Amendment

3. Where the third-country national, referred to in paragraph 2, intends to continue travelling in the Schengen area, the authorities in the Member State where he declares the loss or theft of his travel document, shall issue a visa with a duration of validity and period of allowed stay identical to the original visa on the basis of the data registered in the VIS ***and on production of the notification of theft or loss.***

Or. de

Amendment 174

Bodil Valero

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. Applications may be lodged **six** months before and no later than 15 calendar days before the start of the intended visit.

Amendment

1. Applications may be lodged **12** months before and no later than 15 calendar days before the start of the intended visit. ***Where this condition is not met, a consulate shall decide on an application when it is necessary on humanitarian grounds, for reasons of national interest or because of international obligations, as well as in justified cases of emergency.***

Or. en

Amendment 175

Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. Applications may be lodged **six** months before and no later than 15 calendar days before the start of the intended visit.

Amendment

1. Applications may be lodged **twelve** months before and no later than 15 calendar days before the start of the intended visit.

Or. fr

Amendment 176

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. Applications may be lodged six months before and no later than 15 calendar days before the start of the intended visit.

Amendment

1. Applications may be lodged six months before and no later than 15 calendar days before the start of the intended visit, ***with the proviso that, in justified individual cases, the consulate may waive the latter time limit.***

Justification

The proposed time limit requiring visa applications to be lodged 15 calendar days before the start of the visit would make it impossible to travel on justified ad hoc visits (e.g. on account of the death of a relative or travel on business which has become urgent). In justified individual cases, therefore, the consulate should be permitted to waive this time limit.

Amendment 177
Brice Hortefeux

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. The consulate shall allow to lodge the application either without prior appointment or with an immediate appointment to close relatives of Union citizens who: *deleted*

a) intend to visit their Union citizen close relatives residing in the Member State of their nationality;

b) intend to travel, together with their Union citizen close relatives residing in a third country, to the Member State of which the Union citizen has the nationality.

Or. fr

Amendment 178
Andrejs Mamikins

Proposal for a regulation
Article 8 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. The consulate shall allow to lodge the application either without prior appointment or with an immediate

3. The consulate shall allow to lodge the application either without prior appointment or with an immediate

appointment to close relatives of Union citizens who:

appointment to close relatives of Union citizens **and non-citizens (aliens) of Latvia and Estonia** who:

Or. en

Amendment 179

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 8 – paragraph 3 – introductory part

Text proposed by the Commission

3. The consulate shall allow to lodge the application either without prior appointment or with an **immediate** appointment to close relatives of Union citizens who:

Amendment

3. The consulate shall allow to lodge the application either without prior appointment or with an appointment **as soon as possible** to close relatives of Union citizens who:

Or. de

Amendment 180

Andrejs Mamikins

Proposal for a regulation

Article 8 – paragraph 3 – point a

Text proposed by the Commission

(a) intend to visit their Union citizen close relatives residing in the Member State of their nationality;

Amendment

(a) intend to visit their Union citizen **or non-citizen (alien) of Latvia and Estonia** close relatives residing in the Member State of their nationality;

Or. en

Amendment 181

Andrejs Mamikins

Proposal for a regulation

Article 8 – paragraph 3 – point b

Text proposed by the Commission

(b) intend to travel, together with their Union citizen close relatives residing in a third country, to the Member State of which the Union citizen has the nationality.

Amendment

(b) intend to travel, together with their Union citizen *or non-citizen (alien) of Latvia and Estonia* close relatives residing in a third country, to the Member State of which the Union citizen *or non-citizen (alien) of Latvia and Estonia* has the nationality.

Or. en

Amendment 182

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 8 – paragraph 4

Text proposed by the Commission

4. The consulate shall allow to lodge the application either without prior appointment or with an immediate appointment to family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC.

Amendment

deleted

Or. de

Amendment 183

Brice Hortefeux

Proposal for a regulation

Article 8 – paragraph 4

Text proposed by the Commission

4. The consulate shall allow to lodge the application either without prior appointment or with an *immediate* appointment to family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC.

Amendment

4. The consulate shall, *in so far as possible*, allow to lodge the application either without prior appointment or with an appointment *at short notice* to family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC.

Amendment 184

Brice Hortefeux

Proposal for a regulation

Article 8 – paragraph 5

Text proposed by the Commission

5. In *justified* cases of urgency, the consulate shall allow applicants to lodge their applications either without appointment, or an *immediate* appointment shall be given.

Amendment

5. In cases of urgency *which the consulate considers to be justified*, the consulate shall allow applicants to lodge their applications either without appointment, or an appointment shall be given *at short notice*.

Or. fr

Amendment 185

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 8 – paragraph 5

Text proposed by the Commission

5. In justified cases of urgency, the consulate *shall* allow applicants to lodge their applications either without appointment, or an *immediate* appointment shall be given.

Amendment

5. In justified cases of urgency, the consulate *may* allow applicants to lodge their applications either without appointment, or an appointment shall be given *as soon as possible*.

Or. de

Amendment 186

Brice Hortefeux

Proposal for a regulation

Article 8 – paragraph 6 – point c

Text proposed by the Commission

(c) a professional, cultural, sports or educational association or institution.

Amendment

(c) a professional, cultural, sports or educational association or institution
known to the consulate for its reliability and integrity.

Or. fr

Amendment 187

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 8 – paragraph 6 – point c

Text proposed by the Commission

(c) *a* professional, cultural, sports *or educational* association *or institution*.

Amendment

(c) ***an educational institution which is of recognised integrity and reliability or a similarly recognised*** professional, cultural *or* sports association.

Or. de

Amendment 188

Brice Hortefeux

Proposal for a regulation

Article 8 – paragraph 7

Text proposed by the Commission

7. An applicant shall not be required to appear in person at more than one location in order to lodge an application.

Amendment

7. An applicant shall not be required to appear in person at more than one location in order to lodge a *visa* application.

Or. fr

Amendment 189

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 8 – paragraph 7

Text proposed by the Commission

7. An applicant shall not be required to appear in person at more than one location in order to lodge an application.

Amendment

7. ***If possible***, an applicant shall not be required to appear in person at more than one location in order to lodge an application.

Or. de

Amendment 190
Emilian Pavel

Proposal for a regulation
Article 8 – paragraph 7 – point a (new)

Text proposed by the Commission

Amendment

(a) without prejudice to Articles 18(3), 18 (10) and 43(3) applicants shall only be required to appear in person for the collection of finger prints, in accordance with Article 12 (2) and (3);

Or. en

Justification

This provision is moved from Article 9 as it fits better into Article 8.

Amendment 191
Emilian Pavel

Proposal for a regulation
Article 8 – paragraph 7 – point b (new)

Text proposed by the Commission

Amendment

(b) VIS registered applicants shall not be required to appear in person when lodging an application, where their finger prints have been entered into the VIS less

than 59 months before.

Or. en

Justification

This provision is moved from Article 9 as it fits better into Article 8.

Amendment 192

Emilian Pavel

Proposal for a regulation

Article 9 – title

Text proposed by the Commission

Amendment

General rules for lodging an application

Elements required for lodging an application

Or. en

Amendment 193

Emilian Pavel

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

Amendment

1. Applicants shall appear in person for the collection of fingerprints, in accordance with Article 12 (2) and (3).

deleted

Or. en

Justification

This provision is moved from Article 9 as it fits better into Article 8.

Amendment 194

Emilian Pavel

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

Amendment

2. VIS registered applicants shall not be required to appear in person when lodging an application, where their fingerprints have been entered into the VIS less than 59 months before.

deleted

Or. en

Justification

This provision is moved from Article 9 as it fits better into Article 8.

Amendment 195
Gérard Deprez

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

Amendment

2. VIS registered applicants shall not be required to appear in person when lodging an application, where their ***fingerprints have been entered into the VIS less than 59 months before.***

2. VIS registered applicants shall not be required to appear in person when lodging an application, where their ***biometric identifiers have been collected in accordance with Article 12.***

Or. fr

Amendment 196
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

Amendment

2. VIS registered applicants shall not be required to appear in person when lodging an application, where their fingerprints have been entered into the VIS less than 59

2. ***If possible,*** VIS registered applicants shall not be required to appear in person when lodging an application, where their fingerprints have been entered into the VIS

months before.

less than 59 months before. *In justified cases, the consulate may require a personal appearance by the applicant.*

Or. de

Amendment 197

Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Consulates may waive the requirement referred to in paragraph 1 when the applicant is known to their visa service.

Or. fr

Amendment 198

Brice Hortefeux

Proposal for a regulation

Article 9 – paragraph 3 – point f a (new)

Text proposed by the Commission

Amendment

(fa) where appropriate, evidence that the applicant has valid travel medical insurance as referred to in Article 15.

Or. fr

Amendment 199

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 9 – paragraph 3 – point f a (new)

Text proposed by the Commission

Amendment

(fa) demonstrate that he is in possession

of an appropriate and valid travel medical insurance policy pursuant to Article 13a.

Or. de

Amendment 200
Brice Hortefeux

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

1. Each applicant shall submit a ***manually or electronically completed and signed*** application form, as set out in Annex I. Persons included in the applicant's travel document shall submit a separate application form. Minors shall submit an application form signed by a person exercising permanent or temporary parental authority or legal guardianship.

Amendment

1. Each applicant shall submit an application form, as set out in Annex I, ***completed manually or electronically and signed manually or, where possible, electronically.*** Persons included in the applicant's travel document shall submit a separate application form. Minors shall submit an application form signed ***manually, or where possible electronically,*** by a person exercising permanent or temporary parental authority or legal guardianship.

Or. fr

Amendment 201
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 10 – paragraph 4 – point b

Text proposed by the Commission

(b) ***the*** official ***language(s)*** of the host country.

Amendment

(b) ***at least one*** official ***language*** of the host country.

Or. de

Amendment 202
Brice Hortefeux

Proposal for a regulation
Article 10 – paragraph 5

Text proposed by the Commission

Amendment

5. If the application form is not available in the official language(s) of the host country, a translation of it into that/those language(s) shall be made available separately to applicants.

deleted

Or. fr

Amendment 203

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall collect biometric identifiers of the applicant comprising a photograph of him **and his 10 fingerprints** in accordance with the safeguards laid down in the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms, in the Charter of Fundamental Rights of the European Union and in the United Nations Convention on the Rights of the Child.

1. Member States shall collect biometric identifiers of the applicant comprising a photograph of him in accordance with the safeguards laid down in the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms, **in the Council of Europe's Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data**, in the Charter of Fundamental Rights of the European Union, **in Article 16 TFEU and the relevant Community legislation on protection of personal data** and in the United Nations Convention on the Rights of the Child.

Or. fr

Justification

Because of the collection of fingerprints, more and more migrants are mutilating their fingertips, rendering this measure ineffective. In order to put a stop to this situation, the collection of fingerprints should be halted.

Amendment 204

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 12 – paragraph 2 – indent 2

Text proposed by the Commission

Amendment

– his 10 fingerprints taken flat and collected digitally.

deleted

Or. fr

Justification

Because of the collection of fingerprints, more and more migrants are mutilating their fingertips, rendering this measure ineffective. In order to put a stop to this situation, the collection of fingerprints should be halted.

Amendment 205

Emilian Pavel

Proposal for a regulation

Article 12 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

The technical requirements for the photograph shall be in accordance with the international standards as set out in the International Civil Aviation Organization (ICAO) document 9303 **Part 1, 6th** edition.

The technical requirements for the photograph shall be in accordance with the international standards as set out in the International Civil Aviation Organization (ICAO) document 9303, **7th** edition.

Or. en

Justification

*The reference should be updated as there is now a 7th edition. In addition the reference to "part 1" is deleted as this is the introduction to the document which does not contain technical requirements for photographs. See:
<http://www.icao.int/Security/mrtd/Pages/Document9303.aspx>*

Amendment 206
Tanja Fajon, Birgit Sippel

Proposal for a regulation
Article 12 – paragraph 7 – point d a (new)

Text proposed by the Commission

Amendment

(da) participants aged 30 years or less participating in seminars, conferences, sports, cultural or educational events organised by non-profit organisations.

Or. en

Amendment 207
Helga Stevens

Proposal for a regulation
Article 13 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) documents providing proof of medical insurance;

Or. en

Amendment 208
Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation
Article 13 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) information enabling an assessment of the applicant's intention to leave the territory of the Member States before the expiry of the visa applied for.

deleted

Or. it

Amendment 209

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 13 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) information enabling an assessment of the applicant's intention to leave the territory of the Member States before the expiry of the visa applied for.

deleted

Or. fr

Amendment 210

Brice Hortefeux

Proposal for a regulation

Article 13 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) information *enabling an assessment of the applicant's intention to* leave the territory of the Member States before the expiry of the visa applied for.

(d) information *proving that he will* leave the territory of the Member States before the expiry of the visa applied for.

Or. fr

Amendment 211

G rard Deprez

Proposal for a regulation

Article 13 – paragraph 2

Text proposed by the Commission

Amendment

2. Points (b), (c) and (d) of paragraph 1 do not apply to applicants who are VIS registered regular travellers and who have lawfully used *the two* previously obtained visas.

2. Points (b), (c) and (d) of paragraph 1 do not apply to applicants who are VIS registered regular travellers and who have lawfully used previously obtained visas, *in accordance with Article 2(9) and whose last visa was issued less than 12 months previously.*

Amendment 212
Brice Hortefeux

Proposal for a regulation
Article 13 – paragraph 2

Text proposed by the Commission

2. Points (b), (c) and (d) of paragraph 1 do not apply to applicants who are VIS registered regular travellers **and who have lawfully used the two previously obtained visas.**

Amendment

2. Points (b), (c) and (d) of paragraph 1 do not, **in principle,** apply to applicants who are VIS registered regular travellers.

Or. fr

Amendment 213
Helga Stevens

Proposal for a regulation
Article 13 – paragraph 2

Text proposed by the Commission

2. **Points (b), (c) and (d)** of paragraph 1 **do** not apply to applicants who are VIS registered regular travellers and who have lawfully used the two previously obtained visas.

Amendment

2. **Point (b)** of paragraph 1 **does** not apply to applicants who are VIS registered regular travellers and who have lawfully used the two previously obtained visas.

Or. en

Amendment 214
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 13 – paragraph 2

Text proposed by the Commission

2. Points (b), (c) and (d) of paragraph 1 do

Amendment

2. Points (b), (c) and (d) of paragraph 1 do

not apply to applicants who are VIS registered regular travellers and who have lawfully used the two previously obtained visas.

not apply to applicants who are VIS registered regular travellers and who have lawfully used the two previously obtained visas. ***In justified cases the consulate may nonetheless require the submission of the documents and information referred to in points (b), (c) and (d) of paragraph 1.***

Or. de

Justification

In case of doubt it must be possible for the representing authority of the Member State in the third country, stating reasons, to require even VIS registered regular travellers to submit documents on accommodation, proof of sufficient means of subsistence and the intention to return to the third country in question, for example for reasons of security or migration policy or to take into account changes in personal circumstances.

Amendment 215

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation Article 13 – paragraph 3

Text proposed by the Commission

Amendment

3. Close relatives of Union citizens referred to in Article 8(3) shall provide only documentary evidence proving the family relationship with the Union citizen, and that they visit or travel together with the Union citizen.

deleted

Family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC shall provide only documentary evidence proving that they travel to accompany or join the Union citizen and the family relationship with the Union citizen as referred to in Article 2(2) or the other circumstances referred to in Article 3(2) of that Directive.

Or. de

Amendment 216
Brice Hortefeux

Proposal for a regulation
Article 13 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Close relatives of Union citizens referred to in Article 8(3) shall provide only documentary evidence proving the family relationship with the Union citizen, and that they visit or travel together with the Union citizen.

Amendment

deleted

Or. fr

Amendment 217
Andrejs Mamikins

Proposal for a regulation
Article 13 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Close relatives of Union citizens referred to in Article 8(3) shall provide only documentary evidence proving the family relationship with the Union citizen, and that they visit or travel together with the Union citizen.

Amendment

Close relatives of Union citizens ***and non-citizens (aliens) of Latvia and Estonia*** referred to in Article 8(3) shall provide only documentary evidence proving the family relationship with the Union citizen ***or non-citizen (alien) of Latvia and Estonia***, and that they visit or travel together with the Union citizen ***or non-citizen (alien) of Latvia and Estonia***.

Or. en

Amendment 218
Helga Stevens

Proposal for a regulation
Article 13 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Close relatives of Union citizens referred to in Article 8(3) shall provide **only** documentary evidence proving the family relationship with the Union citizen, and that they visit or travel together with the Union citizen.

Amendment

Close relatives of Union citizens referred to in Article 8(3) shall provide documentary evidence proving the family relationship with the Union citizen, and that they visit or travel together with the Union citizen; ***and on a case by case basis based on sufficient grounds, further documents may be requested as referred to in Article 13 (1).***

Or. en

Amendment 219
Brice Hortefeux

Proposal for a regulation
Article 13 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC shall provide **only** documentary evidence proving that they travel to accompany or join the Union citizen **and** the family relationship with the Union citizen as referred to in Article 2(2) or the other circumstances referred to in Article 3(2) of that Directive.

Amendment

Family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC shall provide documentary evidence proving that they travel to accompany or join the Union citizen, the family relationship with the Union citizen as referred to in Article 2(2) or the other circumstances referred to in Article 3(2) of that Directive, ***and information proving that they will leave the territory of the Member States before the expiry of the visa applied for.***

Or. fr

Amendment 220
Helga Stevens

Proposal for a regulation
Article 13 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC shall provide **only** documentary evidence proving that they travel to accompany or join the Union citizen and the family relationship with the Union citizen as referred to in Article 2(2) or the other circumstances referred to in Article 3(2) of that Directive.

Amendment

Family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC shall provide documentary evidence proving that they travel to accompany or join the Union citizen and the family relationship with the Union citizen as referred to in Article 2(2) or the other circumstances referred to in Article 3(2) of that Directive, **and on a case by case basis based on sufficient grounds, further documents may be requested as referred to in Article 13 (1).**

Or. en

Amendment 221
Brice Hortefeux

Proposal for a regulation
Article 13 – paragraph 4

Text proposed by the Commission

4. The list of supporting documents which may be requested from the applicant in order to verify the fulfilment of the conditions listed in paragraph 1 is set out in Annex II.

Amendment

4. The list of supporting documents which may be requested from the applicant in order to verify the fulfilment of the conditions listed in paragraph 1 is set out in Annex II. ***In accordance with Article 18(10), that list does not preclude the possibility of requiring further documents to be supplied in order to check that the entry conditions laid down in Article 5(1)(a), (c), (d) and (e) of Regulation (EC) No 562/2006 are fulfilled and that the risk assessment referred to in Article 18(1) is satisfactory.***

Or. fr

Amendment 222
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 13 – paragraph 4

Text proposed by the Commission

4. **The** list of supporting documents which may be requested from the applicant in order to verify the fulfilment of the conditions listed in paragraph 1 is set out in Annex II.

Amendment

4. **A non-exhaustive** list of supporting documents which may be requested from the applicant in order to verify the fulfilment of the conditions listed in paragraph 1 is set out in Annex II.

Or. de

Justification

Account should be taken of the differences and the geographical or other characteristics in the various third countries.

Amendment 223
Helga Stevens

Proposal for a regulation
Article 13 – paragraph 5

Text proposed by the Commission

5. Consulates may waive one or more of the requirement to provide one or more of the documents referred to in paragraph 1(a) to (d) 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 Regulation (EC) No 562/2006 at the time of the crossing of the external borders of the Member States.

Amendment

deleted

Or. en

Amendment 224
Gérard Deprez

Proposal for a regulation
Article 13 – paragraph 6

Text proposed by the Commission

6. The consulate shall start processing the visa application on the basis of facsimile *or* copies of the supporting documents. Applicants *who* are not yet registered in the VIS shall provide the original. The consulate may ask for original documents from applicants who are VIS registered applicants *or VIS registered regular travellers*, only where there is doubt about the authenticity of a specific document.

Amendment

6. The consulate shall start processing the visa application on the basis of facsimile, copies *or scans* of the supporting documents. Applicants *whose data* are not yet registered in the VIS *or applicants who are registered in the VIS and have never obtained a visa* shall provide the original. The consulate may ask for original documents from applicants who are VIS registered applicants *and who have obtained at least one visa*, only where there is doubt about the authenticity of a specific document.

Or. fr

Amendment 225
Brice Hortefeux

Proposal for a regulation
Article 13 – paragraph 6

Text proposed by the Commission

6. The consulate shall start processing the visa application on the basis of facsimile or copies of the supporting documents. Applicants who are not yet registered in the VIS shall provide the original. The consulate may ask for original documents from *applicants who are* VIS registered applicants *or* VIS registered regular travellers, *only* where there is doubt about the authenticity of a specific document.

Amendment

6. The consulate shall start processing the visa application on the basis of facsimile or copies of the supporting documents. Applicants who are not yet registered in the VIS shall provide the original. The consulate may ask for original documents from VIS registered applicants *and from* VIS registered regular travellers where there is doubt about the authenticity of a specific document.

Or. fr

Amendment 226
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 13 – paragraph 6

Text proposed by the Commission

6. The consulate shall start processing the visa application on the basis of facsimile or copies of the supporting documents. Applicants who are not yet registered in the VIS shall provide the original. The consulate may ask for original documents from applicants who are VIS registered applicants or VIS registered regular travellers, ***only where there is doubt about the authenticity of a specific document.***

Amendment

6. The consulate shall start processing the visa application on the basis of facsimile or copies of the supporting documents. Applicants who are not yet registered in the VIS shall provide the original. The consulate may ask for original documents from applicants who are VIS registered applicants or VIS registered regular travellers, ***stating reasons.***

Or. de

Amendment 227
Tanja Fajon

Proposal for a regulation
Article 13 – paragraph 7 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States may require applicants to present a proof of sponsorship and/or private accommodation by completing a form ***drawn up by each Member State.*** That form shall indicate ***in particular:***

Amendment

Where applicants receive financial support or intend to stay with a host, consulates may require ***those*** applicants to present a proof of sponsorship and/or private accommodation by completing a form. That form shall indicate:

Or. en

Amendment 228
Tanja Fajon

Proposal for a regulation
Article 13 – paragraph 7 – subparagraph 2

Text proposed by the Commission

In addition to the Member State's official language(s), the form shall be drawn up

Amendment

The Commission shall by means of implementing acts adopt that form. Those

in at least one other official language of the institutions of the Union. A specimen of the form shall be notified to the Commission.

implementing acts shall be adopted in accordance with the examination procedure referred to in Article 51(2).

Or. en

Amendment 229

Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation

Article 13 – paragraph 8 – point b

Text proposed by the Commission

Amendment

(b) information enabling an assessment of the applicant's intention not to enter the territory of the Member States. *deleted*

Or. it

Amendment 230

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 13 – paragraph 10

Text proposed by the Commission

Amendment

10. Without prejudice to paragraph 1, Member States may provide exemptions from the list of supporting documents referred to in paragraphs 4 and 9 in the case of applicants attending major international events organised in their territory that are considered particularly important due to their tourism and/or cultural impact *deleted*

Or. de

Justification

This deletion is linked to the proposed amendments to Article 33.

Amendment 231

Heinz K. Becker, Kinga Gál, Monika Hohlmeier, Brice Hortefeux

Proposal for a regulation

Article 13 a (new)

Text proposed by the Commission

Amendment

Article 13a

Travel medical insurance

1. Applicants for a uniform visa for one or more entries shall prove that they are in possession of adequate and valid travel medical insurance to cover any expenses which might arise in connection with repatriation for medical reasons or in the event of death, urgent medical attention and/or emergency hospital treatment, during their stay(s) on the territory of the Member States.

2. Applicants for a uniform visa for more than two entries ('multiple entries') shall prove that they are in possession of adequate and valid travel medical insurance covering the period of their first intended visit.

In addition, such applicants shall sign the statement, set out in the application form, declaring that they are aware of the need to be in possession of travel medical insurance for subsequent stays.

3. The insurance shall be valid throughout the territory of the Member States and cover the entire period of the person's intended stay or transit. The minimum coverage shall be EUR 30 000.

When a visa with limited territorial validity covering the territory of more than one Member State is issued, the insurance cover shall be valid at least in the Member States concerned.

4. Applicants shall, in principle, take out the insurance in their country of residence. Where this is not possible, they

shall seek to obtain insurance in any other country.

When another person takes out insurance in the name of the applicant, the conditions set out in paragraph 3 shall apply.

5. When assessing whether the insurance cover is adequate, consulates shall ascertain whether claims against the insurance company would be recoverable in a Member State.

6. The insurance requirement may be considered to have been met where it is established that an adequate level of insurance may be presumed in the light of the applicant's professional situation. The exemption from presenting proof of travel medical insurance may concern particular professional groups, such as seafarers, who are already covered by travel medical insurance as a result of their professional activities.

7. Holders of diplomatic passports shall be exempt from the requirement to hold travel medical insurance.

Or. de

Amendment 232
Bodil Valero

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

1. Applicants shall pay a visa fee of EUR 60.

Amendment

1. Applicants shall pay a visa fee of EUR 35.

Or. en

Amendment 233
Brice Hortefeux

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

1. *Applicants* shall pay a visa fee of EUR 60.

Amendment

1. *Each applicant* shall pay a visa fee of EUR 60 *for a single-entry visa, EUR 80 for a multiple-entry visa valid for one year, and EUR 100 for a multiple-entry visa valid for more than one year.*

Or. fr

Amendment 234
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

1. Applicants shall pay a visa fee of EUR *60*.

Amendment

1. Applicants shall pay a visa fee of EUR *90*.

Or. de

Amendment 235
Gérard Deprez, Cecilia Wikström

Proposal for a regulation
Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The following applicants shall pay a visa fee of EUR 30:

(a) minors aged over 12 years and less than 18 years;

(b) visa applicants whose data are registered in the VIS and whose biometric identifiers have been collected in accordance with Article 12;

(c) nationals of third countries with which the European Union has signed a readmission agreement.

Or. fr

Amendment 236
Helga Stevens

Proposal for a regulation
Article 14 – paragraph 3 – introductory part

Text proposed by the Commission

3. The following categories *shall pay no visa fee*:

Amendment

3. *Member States may exempt* the following categories *from visa fees*:

Or. en

Amendment 237
Gérard Deprez, Cecilia Wikström

Proposal for a regulation
Article 14 – paragraph 3 – point a

Text proposed by the Commission

(a) minors under the age of *eighteen* years;

Amendment

(a) minors under the age of *twelve* years;

Or. fr

Amendment 238
Brice Hortefeux

Proposal for a regulation
Article 14 – paragraph 3 – point d

Text proposed by the Commission

(d) holders of diplomatic and service passports;

Amendment

(d) *where appropriate*, holders of diplomatic and service passports;

Or. fr

Amendment 239

Brice Hortefeux

Proposal for a regulation

Article 14 – paragraph 3 – point e

Text proposed by the Commission

(e) *participants* aged 25 years or less in seminars, conferences, sports, cultural or educational events organised by non-profit organisations;

Amendment

(e) *representatives of non-profit organisations* aged 25 years or less *participating* in seminars, conferences, sports, cultural or educational events organised by non-profit organisations;

Or. fr

Amendment 240

Gérard Deprez, Cecilia Wikström

Proposal for a regulation

Article 14 – paragraph 3 – point e

Text proposed by the Commission

(e) participants aged 25 years or less in seminars, conferences, sports, cultural or educational events organised by non-profit organisations;

Amendment

(e) participants aged 30 years or less in seminars, conferences, sports, cultural or educational events organised by non-profit organisations;

Or. fr

Amendment 241

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 14 – paragraph 3 – point e

Text proposed by the Commission

(e) *participants* aged 25 years or less in seminars, conferences, sports, cultural or educational events organised by non-profit organisations;

Amendment

(e) *representatives of non-profit organisations* aged 25 years or less *participating* in seminars, conferences, sports, cultural or educational events

organised by non-profit organisations;

Or. de

Justification

The amendment brings the clause into line with the law currently applicable.

Amendment 242
Brice Hortefeux

Proposal for a regulation
Article 14 – paragraph 3 – point f

Text proposed by the Commission

Amendment

(f) close relatives of the Union citizens referred to in Article 8(3).

deleted

Or. fr

Amendment 243
Andrejs Mamikins

Proposal for a regulation
Article 14 – paragraph 3 – point f

Text proposed by the Commission

Amendment

(f) close relatives of the Union citizens referred to in Article 8(3);

(f) close relatives of the Union citizens *and non-citizens (aliens) of Latvia and Estonia* referred to in Article 8(3);

Or. en

Amendment 244
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 14 – paragraph 3 – point g

Text proposed by the Commission

Amendment

(g) family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC in accordance with Article 5(2) of that Directive.

deleted

Or. de

Amendment 245

Aldo Patriciello

Proposal for a regulation

Article 14 – paragraph 3 – point g a (new)

Text proposed by the Commission

Amendment

(ga) persons with an average income that is lower than the poverty threshold in their country of origin.

Or. it

Amendment 246

Gérard Deprez, Cecilia Wikström

Proposal for a regulation

Article 14 – paragraph 3 – point g a (new)

Text proposed by the Commission

Amendment

(ga) recipients of a visa with limited territorial validity issued on humanitarian grounds or under an EU resettlement and relocation programme pursuant to Article 22.

Or. fr

Amendment 247

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 14 – paragraph 3 – point g a (new)

Text proposed by the Commission

Amendment

(ga) persons seeking international protection.

Or. fr

Amendment 248
Bodil Valero

Proposal for a regulation
Article 14 – paragraph 4

Text proposed by the Commission

Amendment

4. Member States may, in individual cases, waive or reduce the amount of the visa fee to be charged when this serves to promote cultural or sporting interests as well as interests in the field of foreign policy, development policy and other areas of vital public interest *or* for humanitarian reasons.

4. Member States may, in individual cases, waive or reduce the amount of the visa fee to be charged when this serves to promote cultural or sporting interests as well as interests in the field of foreign policy, development policy and other areas of vital public interest. ***Member States shall waive the visa fee to be charged for humanitarian reasons or because of international obligations.***

Or. en

Amendment 249
Bodil Valero

Proposal for a regulation
Article 14 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Amendment

The visa fee shall be charged in euro, in the national currency of the third country or in the currency usually used in the third country where the application is lodged, and shall ***not*** be refundable ***except in the cases referred to in Articles 16(2) and***

The visa fee shall be charged in euro, in the national currency of the third country or in the currency usually used in the third country where the application is lodged, and shall be refundable, ***if the visa is not issued.***

17(3).

Or. en

Amendment 250

Bodil Valero

Proposal for a regulation

Article 15 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The applicant shall be given a receipt for the service fee paid.

Or. en

Amendment 251

Bodil Valero

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

Amendment

2. If the consulate is not competent, it shall, ***without delay***, return the application form and any documents submitted by the applicant, reimburse the visa fee, and indicate which consulate is competent.

2. If the consulate is not competent, it shall, ***within 3 calendar days***, return the application form and any documents submitted by the applicant, reimburse the visa fee, and indicate which consulate is competent.

Or. en

Amendment 252

Brice Hortefeux

Proposal for a regulation

Article 17 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the application contains the items

(b) the application contains the items

referred to in Article 9(3)(a) to (c),

referred to in Article 9(3)(a) to (c) **and (fa)**,

Or. fr

Amendment 253

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 17 – paragraph 1 – point b

Text proposed by the Commission

(b) the application contains the items referred to in Article 9(3)(a) to (c),

Amendment

(b) the application contains the items referred to in Article 9(3)(a) to (c) **and (fa)**,

Or. de

Amendment 254

Bodil Valero

Proposal for a regulation

Article 17 – paragraph 3 – introductory part

Text proposed by the Commission

3. Where the competent consulate finds that the conditions referred to in paragraph 1 have not been fulfilled, the application shall be inadmissible and the consulate without delay shall:

Amendment

3. Where the competent consulate finds that the conditions referred to in paragraph 1 have not been fulfilled, **it shall notify the applicant, indicate the deficiencies and allow the applicant to correct them. If the deficiencies are not corrected,** the application shall be inadmissible and the consulate without delay shall:

Or. en

Amendment 255

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 17 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) destroy the collected biometric data,

deleted

Or. de

Justification

In the event of any further applications by the applicant, including at consulates of other Member States, the biometric data could be useful for establishing the applicant's identity.

Amendment 256

Bodil Valero

Proposal for a regulation

Article 17 – paragraph 4

Text proposed by the Commission

Amendment

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 *or* for reasons of national interest.

4. By way of derogation, an application that does not meet the requirements set out in paragraph 1 *shall* be considered admissible on humanitarian grounds, for reasons of national interest *or because of international obligations*.

Or. en

Amendment 257

Gérard Deprez, Cecilia Wikström

Proposal for a regulation

Article 17 – paragraph 4

Text proposed by the Commission

Amendment

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 *or* for reasons of national interest.

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, *because of international obligations or under EU resettlement and relocation programmes and mechanisms as provided for in Article*

8 of Directive 2001/55/EC and in the Regulation of the European Parliament and of the Council establishing a crisis relocation mechanism and amending Regulation (EU) No 604/2013.

Or. fr

Amendment 258

Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation

Article 17 – paragraph 4

Text proposed by the Commission

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 *or* for reasons of national interest.

Amendment

4. By way of derogation, an application that does not meet the requirements set out in paragraph 1 *shall* be considered admissible *where the Member State concerned judges this to be necessary* on humanitarian grounds, for reasons of national interest *or in order to meet its international obligations, and in particular the 1951 Convention on the Status of Refugees (1951 Geneva Convention) and other relevant European or international instruments.*

Or. fr

Amendment 259

Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation

Article 18 – paragraph 1

Text proposed by the Commission

1. In the examination of an application for a uniform visa, it shall be ascertained whether the applicant fulfils the entry conditions set out in Article 5(1)(a), (c), (d) and (e) of Regulation (EC) No 562/2006, *and particular consideration shall be*

Amendment

1. In the examination of an application for a uniform visa, it shall be ascertained whether the applicant fulfils the entry conditions set out in Article 5(1)(a), (c), (d) and (e) of Regulation (EC) No 562/2006.

given to assessing whether the applicant presents a risk of irregular immigration or a risk to the security of the Member States and whether the applicant intends to leave the territory of the Member States before the expiry of the visa applied for.

Or. it

Amendment 260

Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation

Article 18 – paragraph 1

Text proposed by the Commission

1. In the examination of an application for a uniform visa, it shall be ascertained whether the applicant fulfils the entry conditions set out in Article 5(1)(a), (c), (d) and (e) of Regulation (EC) No 562/2006 , *and particular consideration shall be given to assessing whether the applicant presents a risk of irregular immigration or a risk to the security of the Member States and whether the applicant intends to leave the territory of the Member States before the expiry of the visa applied for.*

Amendment

1. In the examination of an application for a uniform visa, it shall be ascertained whether the applicant fulfils the entry conditions set out in Article 5(1)(a), (c), (d) and (e) of Regulation (EC) No 562/2006.

Or. fr

Amendment 261

Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation

Article 18 – paragraph 2

Text proposed by the Commission

2. In the examination of an application for a uniform visa lodged by a VIS registered regular traveller who has lawfully used the two previously obtained visas, it shall be presumed that the applicant fulfils the entry

Amendment

2. In the examination of an application for a uniform visa lodged by a VIS registered regular traveller who has lawfully used the two previously obtained visas, it shall be presumed that the applicant fulfils the entry

conditions *regarding the risk of irregular immigration, a risk to the security of the Member States, and the possession of sufficient means of subsistence.*

conditions.

Or. it

Amendment 262
Gérard Deprez

Proposal for a regulation
Article 18 – paragraph 2

Text proposed by the Commission

2. In the examination of an application for a uniform visa lodged by a VIS registered regular traveller who has lawfully used the **two** previously obtained visas, it shall be presumed that the applicant fulfils the entry conditions regarding the risk of irregular immigration, a risk to the security of the Member States, and the possession of sufficient means of subsistence.

Amendment

2. In the examination of an application for a uniform visa lodged by a VIS registered regular traveller who has lawfully used the previously obtained visas ***in accordance with Article 2(9) and whose most recent visa has been issued less than 12 months previously,*** it shall be presumed that the applicant fulfils the entry conditions regarding the risk of irregular immigration, a risk to the security of the Member States, and the possession of sufficient means of subsistence.

Or. fr

Amendment 263
Brice Hortefeux

Proposal for a regulation
Article 18 – paragraph 2

Text proposed by the Commission

2. In the examination of an application for a uniform visa lodged by a VIS registered regular traveller ***who has lawfully used the two previously obtained visas, it shall be presumed that the applicant fulfils*** the entry conditions regarding the risk of irregular immigration, a risk to the security

Amendment

2. In the examination of an application for a uniform visa lodged by a VIS registered regular traveller, ***the applicant must fulfil*** the entry conditions regarding the risk of irregular immigration, a risk to the security of the Member States, and the possession of sufficient means of subsistence.

of the Member States, and the possession of sufficient means of subsistence.

Or. fr

Amendment 264

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 18 – paragraph 2

Text proposed by the Commission

2. In the examination of an application for a uniform visa lodged by a VIS registered regular traveller who has lawfully used the *two* previously obtained visas, it shall be presumed that the applicant fulfils the entry conditions regarding the risk of irregular immigration, a risk to the security of the Member States, and the possession of sufficient means of subsistence.

Amendment

2. In the examination of an application for a uniform visa lodged by a VIS registered regular traveller who has lawfully used the previously obtained visas, it shall be presumed that the applicant fulfils the entry conditions regarding the risk of irregular immigration, a risk to the security of the Member States, and the possession of sufficient means of subsistence.

Or. de

Amendment 265

Brice Hortefeux

Proposal for a regulation

Article 18 – paragraph 3

Text proposed by the Commission

3. The presumption referred to in paragraph 2 shall not apply where the consulate has reasonable doubts about the fulfilment of these entry conditions based on information stored in the VIS, such as decisions annulling a previous visa, *or* in the passport, such as entry and exit stamps. In such cases, the consulates may carry out an interview and request additional documents.

Amendment

3. The presumption referred to in paragraph 2 shall not apply where the consulate has reasonable doubts about the fulfilment of these entry conditions based on information stored in the VIS, such as decisions annulling a previous visa, in the passport, such as entry and exit stamps, *in the SIS or in any other relevant item of information*. In such cases, the consulates may carry out an interview and request additional documents, *in accordance with paragraph 10 of this Article*.

Amendment 266

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 18 – paragraph 3

Text proposed by the Commission

3. The presumption referred to in paragraph 2 shall not apply where the consulate has *reasonable* doubts about the fulfilment of these entry conditions based on information stored in the VIS, such as decisions annulling a previous visa, *or* in the passport, such as entry and exit stamps. In such cases, the consulates may carry out an interview and request additional documents.

Amendment

3. The presumption referred to in paragraph 2 shall not apply where the consulate has doubts about the fulfilment of these entry conditions based on information stored in the VIS (such as decisions annulling a previous visa), in the passport (such as entry and exit stamps) *or in the SIS or on the basis of other evidence*. In such cases, the consulates may carry out an interview and request additional documents.

Or. de

Justification

Doubts may exist concerning the risk of illegal immigration or security not only on the basis of information from the VIS or the passport but also on account of other evidence (e.g. from security authorities or secret services).

Amendment 267

Brice Hortefeux

Proposal for a regulation

Article 18 – paragraph 5 – point a

Text proposed by the Commission

(a) that the travel document presented is not false, counterfeit or forged;

Amendment

(a) that the travel document presented is not false, counterfeit or forged *and that it is valid*;

Or. fr

Amendment 268
Brice Hortefeux

Proposal for a regulation
Article 18 – paragraph 8 – point a

Text proposed by the Commission

(a) that the travel document presented is not false, counterfeit or forged;

Amendment

(a) that the travel document presented is not false, counterfeit or forged ***and that it is valid***;

Or. fr

Amendment 269
Brice Hortefeux

Proposal for a regulation
Article 18 – paragraph 10

Text proposed by the Commission

10. During the examination of an application, consulates may ***in justified cases*** carry out an interview and request additional documents.

Amendment

10. During the examination of an application, consulates may carry out an interview and request additional documents ***in accordance with Article 13(4)***.

Or. fr

Amendment 270
Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation
Article 18 – paragraph 11 a (new)

Text proposed by the Commission

Amendment

11a. Where a Member States issues a uniform visa on humanitarian grounds, for reasons of national interest or because of international obligations, the criterion of whether the applicant has sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or

residence, shall not be taken into account.

Or. fr

Amendment 271

Gérard Deprez, Cecilia Wikström

Proposal for a regulation

Article 19 – paragraph 1

Text proposed by the Commission

1. A Member State may require 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.

Amendment

1. A Member State may require 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 *or to visas with limited territorial validity issued under EU resettlement and relocation programmes and mechanisms, pursuant to Article 22.*

Or. fr

Amendment 272

Kinga Gál

Proposal for a regulation

Article 19 – paragraph 2

Text proposed by the Commission

2. The central authorities consulted shall reply definitively within *five* 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.

Amendment

2. The central authorities consulted shall reply definitively within *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.

Or. en

Amendment 273
Brice Hortefeux

Proposal for a regulation
Article 19 – paragraph 2

Text proposed by the Commission

2. The central authorities consulted shall reply definitively within five **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.

Amendment

2. The central authorities consulted shall reply definitively within five **working** 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.

Or. fr

Amendment 274
Brice Hortefeux

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

1. Applications shall be decided on within **10** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17.

Amendment

1. Applications shall be decided on within **15** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17.

Or. fr

Amendment 275
Kinga Gál

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

1. Applications shall be decided on within **10** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17.

Amendment

1. Applications shall be decided on within **15** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17.

Amendment 276

Gérard Deprez

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

1. Applications shall be decided on within **10** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17.

Amendment

1. Applications shall be decided on within **15** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17.

Or. fr

Amendment 277

Bodil Valero

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

1. Applications shall be decided on within **10** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17.

Amendment

1. Applications shall be decided on within **7** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17. ***Applications shall be decided on without delay on humanitarian grounds, for reasons of national interest or because of international obligations.***

Or. en

Amendment 278

Helga Stevens

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

1. Applications shall be decided on within **10** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17.

Amendment

1. Applications shall be decided on within **14** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17.

Or. en

Amendment 279

Heinz K. Becker, Monika Hohlmeier

**Proposal for a regulation
Article 20 – paragraph 1**

Text proposed by the Commission

1. Applications shall be decided on within **10** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17.

Amendment

1. Applications shall be decided on within **15** calendar days of the date of the lodging of an application which is admissible in accordance with Article 17.

Or. de

Amendment 280

Gérard Deprez

**Proposal for a regulation
Article 20 – paragraph 1 a (new)**

Text proposed by the Commission

Amendment

1a. Applications made by VIS registered travellers shall be decided upon within 10 calendar days of the date of the lodging of the application.

Or. fr

Amendment 281

Gérard Deprez

Proposal for a regulation
Article 20 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. Applications made by VIS registered regular travellers who have lawfully used the previously obtained visas in accordance with Article 2(9) and whose most recent visas have been issued less than 12 months previously shall be decided upon within 5 calendar days of the date of the lodging of the application.

Or. fr

Amendment 282
Brice Hortefeux

Proposal for a regulation
Article 20 – paragraph 2

Text proposed by the Commission

Amendment

2. That period may be extended up to a maximum of **20** calendar days in individual cases, notably when further scrutiny of the application is needed.

2. That period may be extended up to a maximum of **25** calendar days in individual cases, notably when further scrutiny of the application is needed.

Or. fr

Amendment 283
Gérard Deprez

Proposal for a regulation
Article 20 – paragraph 2

Text proposed by the Commission

Amendment

2. ***That period*** may be extended up to a maximum of 20 calendar days in individual cases, notably when further scrutiny of the application is needed.

2. ***The deadlines laid down in paragraph 1*** may be extended up to a maximum of 20 calendar days in individual cases, notably when further scrutiny of the application is needed.

Amendment 284
Andrejs Mamikins

Proposal for a regulation
Article 20 – paragraph 3

Text proposed by the Commission

3. Applications of close relatives of the Union citizens referred to in Article 8(3) and of family members of Union citizens as referred to in Article 3(1) of Directive 2004/38/EC shall be decided on within 5 calendar days of the date of the lodging of an application. That period may be extended up to a maximum of 10 calendar days in individual cases, notably when further scrutiny of the application is needed.

Amendment

3. Applications of close relatives of the Union citizens **and non-citizens (aliens) of Latvia and Estonia** referred to in Article 8(3) and of family members of Union citizens as referred to in Article 3(1) of Directive 2004/38/EC shall be decided on within 5 calendar days of the date of the lodging of an application. That period may be extended up to a maximum of 10 calendar days in individual cases, notably when further scrutiny of the application is needed.

Or. en

Amendment 285
Helga Stevens

Proposal for a regulation
Article 20 – paragraph 3

Text proposed by the Commission

3. Applications of close relatives of the Union citizens referred to in Article 8(3) and of family members of Union citizens as referred to in Article 3(1) of Directive 2004/38/EC shall be decided on within **5** calendar days of the date of the lodging of an application. That period may be extended up to a maximum of 10 calendar days in individual cases, notably when further scrutiny of the application is needed.

Amendment

3. Applications of close relatives of the Union citizens referred to in Article 8(3) and of family members of Union citizens as referred to in Article 3(1) of Directive 2004/38/EC shall be decided on within **10** calendar days of the date of the lodging of an application. That period may be extended up to a maximum of 10 calendar days in individual cases, notably when further scrutiny of the application is needed.

Amendment 286
Brice Hortefeux

Proposal for a regulation
Article 20 – paragraph 3

Text proposed by the Commission

3. Applications of *close relatives of the Union citizens referred to in Article 8(3) and of family members of Union citizens* as referred to in Article 3(1) of Directive 2004/38/EC shall be decided on within 5 *calendar* days of the date of the lodging of an application. That period may be extended up to a maximum of 10 *calendar* days in individual cases, notably when further scrutiny of the application is needed.

Amendment

3. Applications of close relatives of the Union citizens referred to in Article 8(3) and of family members of Union citizens as referred to in Article 3(1) of Directive 2004/38/EC shall be decided on within 5 *working* days of the date of the lodging of an application. That period may be extended up to a maximum of 10 *working* days in individual cases, notably when further scrutiny of the application is needed.

Or. fr

Amendment 287
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 20 – paragraph 3

Text proposed by the Commission

3. Applications of close relatives of the Union citizens referred to in Article 8(3) *and of family members of Union citizens as referred to in Article 3(1) of Directive 2004/38/EC* shall be decided on within 5 calendar days of the date of the lodging of an application. That period may be extended up to *a maximum of* 10 calendar days in individual cases, notably when further scrutiny of the application is needed.

Amendment

3. Applications of close relatives of the Union citizens referred to in Article 8(3) shall be decided on within **10** calendar days of the date of the lodging of an application. That period may be extended **by** up to 10 calendar days in individual cases, notably when further scrutiny of the application is needed.

Or. de

Amendment 288
Brice Hortefeux

Proposal for a regulation
Article 20 – paragraph 4

Text proposed by the Commission

Amendment

4. The deadlines provided for in paragraph 3 shall apply as a maximum to family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC, in accordance with Article 5(2) of that Directive.

deleted

Or. fr

Amendment 289
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 20 – paragraph 4

Text proposed by the Commission

Amendment

4. The deadlines provided for in paragraph 3 shall apply as a maximum to family members of Union citizens as referred to in Article 3 of Directive 2004/38/EC, in accordance with Article 5(2) of that Directive.

deleted

Or. de

Amendment 290
Brice Hortefeux

Proposal for a regulation
Article 21 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

A visa may be issued for one or multiple

A visa may be issued for one or multiple

entries. The period of validity of a multiple entry visa shall not exceed five years. The period of validity of a multiple entry visa *may* extend beyond the period of validity of the passport to which the visa is affixed.

entries. The period of validity of a multiple entry visa shall not exceed five years. The period of validity of a multiple entry visa *shall not, in principle,* extend beyond the period of validity of the passport to which the visa is affixed.

Or. fr

Amendment 291

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 21 – paragraph 2 – subparagraph 1

Text proposed by the Commission

A visa may be issued for one or multiple entries. The period of validity of a multiple entry visa shall not exceed five years. The period of validity of a multiple entry visa may extend beyond the period of validity of the passport to which the visa is affixed.

Amendment

A visa may be issued for one or multiple entries. The period of validity of a multiple entry visa shall not exceed five years. The period of validity of a multiple entry visa may *not under any circumstances* extend beyond the period of validity of the passport to which the visa is affixed.

Or. de

Amendment 292

István Ujhelyi, Cláudia Monteiro de Aguiar, Péter Niedermüller

Proposal for a regulation

Article 21 – paragraph 2 – subparagraph 1

Text proposed by the Commission

A visa may be issued for one or multiple entries. The period of validity of a multiple entry visa shall not exceed *five* years. The period of validity of a multiple entry visa may extend beyond the period of validity of the passport to which the visa is affixed.

Amendment

A visa may be issued for one or multiple entries. The period of validity of a multiple entry visa shall not exceed *ten* years. The period of validity of a multiple entry visa may extend beyond the period of validity of the passport to which the visa is affixed.

Or. en

Justification

There are many examples of multiple entry visas for long periods of up to 10 years. For instance, USA and Canada give this facilitation to Chinese citizens. Providing multiple entry visas of 10 years to legitimate travellers will help Europe to continue being the world's number one tourist destination.

Amendment 293

Gérard Deprez

Proposal for a regulation

Article 21 – paragraph 3

Text proposed by the Commission

3. VIS registered regular travellers who have lawfully used the **two** previously obtained visas shall be issued a multiple entry visa valid for **at least** three years.

Amendment

3. VIS registered regular travellers who have lawfully used the previously obtained visas **in accordance with Article 2(9) and whose most recent visa has been issued within the 12 months prior to the application** shall be issued a multiple entry visa valid for three years.

Or. fr

Amendment 294

István Ujhelyi, Cláudia Monteiro de Aguiar, Péter Niedermüller

Proposal for a regulation

Article 21 – paragraph 3

Text proposed by the Commission

3. VIS registered regular travellers who have lawfully used the **two** previously obtained visas shall be issued a multiple entry visa valid for at least **three** years.

Amendment

3. VIS registered regular travellers who have lawfully used the previously obtained visas shall be issued a multiple entry visa valid for at least **five** years.

Or. en

Justification

Increasing the minimum validity of the multiple entry visa would also increase the number of visits of third-country nationals to Europe and boost the economy.

Amendment 295

Heinz K. Becker, Monika Hohlmeier, Brice Hortefeux

Proposal for a regulation

Article 21 – paragraph 3

Text proposed by the Commission

3. VIS registered regular travellers who have lawfully used the **two** previously obtained visas **shall** be issued a multiple entry visa valid for at least three years.

Amendment

3. VIS registered regular travellers who have lawfully used the previously obtained visas **may** be issued a multiple entry visa valid for at least three years.

Or. de

Amendment 296

Gérard Deprez

Proposal for a regulation

Article 21 – paragraph 4

Text proposed by the Commission

4. Applicants **referred to in paragraph 3** who have **lawfully used the** multiple entry visa valid for three years shall be issued a multiple entry visa valid for five years provided that the application is lodged no later than one year **from** the expiry date of the multiple entry visa **valid for three years**.

Amendment

4. Applicants who have **previously obtained a** multiple entry visa valid for three years **or a multiple entry visa valid for five years and who have already lawfully used such visas on multiple occasions** shall be issued a multiple entry visa valid for five years provided that the application is lodged no later than one year **following** the expiry date of the multiple entry visa **most recently obtained**.

Or. fr

Amendment 297

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 21 – paragraph 4

Text proposed by the Commission

4. Applicants referred to in paragraph 3 who have lawfully used the multiple entry visa valid for three years shall be issued a multiple entry visa valid for five years provided that the application is lodged no later than **one year** from the expiry date of the multiple entry visa valid for three years.

Amendment

4. Applicants referred to in paragraph 3 who have lawfully used the multiple entry visa valid for three years shall be issued a multiple entry visa valid for five years provided that the application is lodged no later than **six months** from the expiry date of the multiple entry visa valid for three years.

Or. fr

Amendment 298

István Ujhelyi, Cláudia Monteiro de Aguiar, Péter Niedermüller

Proposal for a regulation

Article 21 – paragraph 4

Text proposed by the Commission

4. Applicants **referred to in paragraph 3** who have lawfully used the multiple entry visa **valid for three years** shall be issued a multiple entry visa valid for five years provided that the application is lodged no later than one year from the expiry date of the multiple entry visa **valid for three years**.

Amendment

4. Applicants who have lawfully used the multiple entry visa **referred to in paragraph 3** shall be issued a **new** multiple entry visa valid for **at least** five years provided that the application is lodged no later than one year from the expiry date of the multiple entry visa **referred to in paragraph 3**.

Or. en

Justification

Increasing the minimum validity of a new multiple entry visa would also increase the number of visits of third-country nationals to Europe and boost the economy.

Amendment 299

Heinz K. Becker, Monika Hohlmeier, Brice Hortefeux

Proposal for a regulation

Article 21 – paragraph 4

Text proposed by the Commission

4. Applicants referred to in paragraph 3 who have lawfully used the multiple entry visa valid for three years **shall** be issued a multiple entry visa valid for five years provided that the application is lodged no later than one year from the expiry date of the multiple entry visa valid for three years.

Amendment

4. Applicants referred to in paragraph 3 who have lawfully used the multiple entry visa valid for three years **may** be issued a multiple entry visa valid for five years provided that the application is lodged no later than one year from the expiry date of the multiple entry visa valid for three years.

Or. de

Amendment 300

Heinz K. Becker, Monika Hohlmeier, Brice Hortefeux

Proposal for a regulation

Article 21 – paragraph 5

Text proposed by the Commission

5. A multiple-entry visa valid for up to 5 years may be issued to an applicant who proves the need or justifies the intention to travel frequently and/or regularly provided that the applicant proves his integrity and reliability, in particular the lawful use of previous uniform visas or visas with limited territorial validity, his economic situation in the country of origin and his genuine intention to leave the territory of the Member States before the expiry of the visa for which he has applied.

Amendment

5. A multiple-entry visa valid for up to 5 years may be issued to an applicant who proves the need or justifies the intention to travel frequently and/or regularly provided that the applicant proves his integrity and reliability, in particular the lawful use of previous uniform visas or visas with limited territorial validity, his economic situation in the country of origin and his genuine intention to leave the territory of the Member States before the expiry of the visa for which he has applied ***and the applicant shows that he is compelled, particularly for professional reasons, to travel frequently and/or regularly or shows that he has such an intention, which is the case, for example, for businesspeople or state officials who regularly travel on official business in the European Union Member States or to the European Union Institutions.***

Or. de

Amendment 301

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 21 – paragraph 5

Text proposed by the Commission

5. A multiple-entry visa valid for up to 5 years may be issued to an applicant who proves the need or justifies the intention to travel frequently and/or regularly ***provided that the applicant proves his integrity and reliability, in particular the lawful use of previous uniform visas or visas with limited territorial validity, his economic situation in the country of origin and his genuine intention to leave the territory of the Member States before the expiry of the visa for which he has applied.***

Amendment

5. A multiple-entry visa valid for up to 5 years may be issued to an applicant who proves the need or justifies the intention to travel frequently and/or regularly.

Or. fr

Amendment 302

Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation

Article 21 – paragraph 5

Text proposed by the Commission

5. A multiple-entry visa valid for up to 5 years may be issued to an applicant who proves the need or justifies the intention to travel frequently and/or regularly provided that the applicant proves his integrity and reliability, in particular the lawful use of previous uniform visas or visas with limited territorial validity, ***his economic situation in the country of origin and his genuine intention to leave the territory of the Member States before the expiry of the visa for which he has applied.***

Amendment

5. A multiple-entry visa valid for up to 5 years may be issued to an applicant who proves the need or justifies the intention to travel frequently and/or regularly provided that the applicant proves his integrity and reliability, in particular the lawful use of previous uniform visas or visas with limited territorial validity.

Or. it

Amendment 303
Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation
Article 21 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. A uniform visa shall be issued where a Member State considers it necessary, on humanitarian grounds, for reasons of national interest or because of international obligations:

(a) to derogate from the principle that the entry conditions laid down in Article 5(1)(a), (c), (d) and (e) of Regulation (EC) No 562/2006 must be fulfilled;

(b) to issue a visa despite an objection by the Member State consulted in accordance with Article 19 to the issuing of a uniform visa; or

(c) to issue a visa for reasons of urgency, although the prior consultation in accordance with Article 19 has not been carried out.

Or. fr

Amendment 304
Gérard Deprez

Proposal for a regulation
Article 22 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. A visa with limited territorial validity shall be issued ***exceptionally***, in the following cases:

1. A visa with limited territorial validity shall be issued in the following cases:

Or. fr

Amendment 305
Bodil Valero, Ska Keller

Proposal for a regulation

Article 22 – paragraph 1 – point a – introductory part

Text proposed by the Commission

(a) when *the Member State concerned considers it* necessary on humanitarian grounds, for reasons of national interest or because of international obligations,

Amendment

(a) when *it is* necessary on humanitarian grounds, for reasons of national interest or because of international obligations, *in particular in order to ensure the international protection of the person concerned in accordance with the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereof, or another act of EU or international law,*

Or. en

Amendment 306

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 22 – paragraph 1 – point a – introductory part

Text proposed by the Commission

(a) when the Member State concerned considers it necessary on humanitarian grounds, for reasons of national interest or *because of* international obligations,

Amendment

(a) when the Member State concerned considers it necessary on humanitarian grounds, for reasons of national interest or *to fulfil* international obligations, *in particular when it is necessary in order to ensure the international protection of the person concerned in accordance with the United Nations Convention relating to the Status of Refugees of 1951 or other relevant Union and international instruments:*

Or. fr

Amendment 307

Gérard Deprez, Juan Fernando López Aguilar

Proposal for a regulation

Article 22 – paragraph 1 – point b a (new)

(ba) under EU resettlement and relocation programmes and mechanisms as provided for in Article 8 of Directive 2011/55/EC and in the Regulation of the European Parliament and of the Council establishing a crisis relocation mechanism and amending Regulation (EU) No 604/2013.

Or. fr

Justification

Pursuant to Article 5 of Regulation 562/2006 (Schengen Borders Code), third-country nationals who wish to enter the Schengen area must be in possession of a valid visa if so required pursuant to Regulation 539/2001, unless they hold a valid residence permit. Under relocation arrangements, and even where checks at the internal borders have been abolished, third-country nationals are required to notify their presence on the territory of a Member State pursuant to Article 22 of the Schengen Agreement and to have either a Schengen uniform visa, or a visa with limited territorial validity for the territory of the Member State which they wish to enter, if required to do so under Council Regulation (EC) No 539/2001 of 15 March 2001, unless they hold a valid residence permit.

Amendment 308

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation Article 22 – paragraph 2

Text proposed by the Commission

Amendment

2. A visa with limited territorial validity shall be valid for the territory of the issuing Member State. ***It may exceptionally be valid for the territory of more than one Member State, subject to the consent of each such Member State.***

2. A visa with limited territorial validity shall be valid for the territory of the issuing Member State. ***At times of international crisis, and particularly of influxes of applications for international protection from the regions involved, any visa issued by a Member State on humanitarian grounds must be recognised by all the other Member States in order to ensure the safe entry of applicants onto European territory. Member States must, as a matter of course, accord special***

attention to the circumstances of persons requesting international protection, not least as regards factors such as the presence of family members, social links and cultural links such as language skills, previous stays and previous studies and work experience in a Member State, and should make efforts to enable the free movement of applicants within the Schengen area.

Or. fr

Amendment 309
Tanja Fajon, Birgit Sippel

Proposal for a regulation
Article 22 a (new)

Text proposed by the Commission

Amendment

Article 22 a

European humanitarian visa

1. Persons seeking international protection may apply for a European humanitarian visa directly at any consulate or embassy of the Member States. Such a humanitarian visa shall allow the person to travel to the territory of Member State issuing the visa in order to lodge an application for international protection as defined in Article 2(a) of Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.

2. When lodging the application for a European humanitarian visa the applicant shall provide the items referred to in Article 9(3) (a) to (e) and a justification for the need for international

protection. This justification shall contain elements, including where possible documentary evidence, to justify the need for international protection under the terms of Directive 2011/95/EU. If any of the items referred to in Article 9(3) (a) to (e) cannot be provided the applicant shall provide reasons as to why this is not possible. Article 13 does not apply.

3. Consulates and embassies shall examine the application for a humanitarian visa and undertake an assessment of the justification provided by the applicant related to the need for international protection, if necessary in consultation with other national authorities.

4. When a consulate or an embassy considers that an applicant is in need for international protection it shall decide to issue a European humanitarian visa.

5. European humanitarian visas shall be issued as visas with limited territorial validity. Article 22 (2) - (5) shall apply.

6. The provisions of Articles 10, 11, 12, 14, 24, 25, 26, 27 and 31 shall apply.

7. Applicants who have been refused a humanitarian visa shall have the right to appeal in accordance with Article 29(3).

Or. en

Amendment 310
Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation
Article 22 a (new)

Text proposed by the Commission

Amendment

Article 22a

Exemption from standard period of visa validity

When issuing a visa on humanitarian or international protection grounds, Member States shall grant an exemption from the standard ‘90 days in any 180 days’ period of validity, for a period of 12 months, renewable, based on an assessment of the situation in the country of origin or of residence of the third-country national, awarding special attention to the circumstances of persons requesting international protection.

Or. fr

Amendment 311

Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation

Article 23 – paragraph 4 – point b

Text proposed by the Commission

(b) the integrity and reliability of the applicant, in particular the lawful use of previous uniform visas, visas with limited territorial validity or airport transit visas, *his economic situation in his country of origin and his genuine intention to pursue his onward journey.*

Amendment

(b) the integrity and reliability of the applicant, in particular the lawful use of previous uniform visas, visas with limited territorial validity or airport transit visas.

Or. it

Amendment 312

G rard Deprez, Juan Fernando L pez Aguilar

Proposal for a regulation

Article 23 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Member States shall issue the airport transit visas needed to implement EU resettlement mechanisms and programmes.

Amendment 313

Helga Stevens

Proposal for a regulation

Article 24 – paragraph 2

Text proposed by the Commission

2. 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 51(2).

Amendment

deleted

Or. en

Amendment 314

Brice Hortefeux

Proposal for a regulation

Article 24 – paragraph 3

Text proposed by the Commission

3. Member States may add national entries in the ‘comments’ section of the visa sticker, which shall neither duplicate the entries established in accordance with the procedure referred to in paragraph 2 *nor indicate a specific travel purpose.*

Amendment

3. Member States may add national entries in the ‘comments’ section of the visa sticker, which shall neither duplicate the entries established in accordance with the procedure referred to in paragraph 2.

Or. fr

Amendment 315

Helga Stevens

Proposal for a regulation

Article 26 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall by means of implementing acts adopt the details for affixing the visa sticker. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 51(2).

deleted

Or. en

Amendment 316

Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation

Article 27

Text proposed by the Commission

Amendment

Article 27

deleted

Rights derived from an issued visa

Mere possession of a uniform visa or a visa with limited territorial validity shall not confer an automatic right of entry.

Or. fr

Amendment 317

Brice Hortefeux

Proposal for a regulation

Article 29 – paragraph 1 – point a – point i

Text proposed by the Commission

Amendment

(i) presents a travel document which is false, counterfeit or forged;

(i) presents a travel document which is false, counterfeit or forged ***and/or invalid***;

Or. fr

Amendment 318
Brice Hortefeux

Proposal for a regulation
Article 29 – paragraph 1 – point a – point vi

Text proposed by the Commission

(vi) is considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of Regulation (EC) No 562/2006 or to the international relations of any of the Member States, in particular where an alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds;

Amendment

(vi) is considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of Regulation (EC) No 562/2006 or to the international relations of any of the Member States, in particular where an alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds; *or*

Or. fr

Amendment 319
Brice Hortefeux

Proposal for a regulation
Article 29 – paragraph 1 – point a – point vi a (new)

Text proposed by the Commission

Amendment

(vi a) does not provide proof of holding valid travel medical insurance;

Or. fr

Amendment 320
Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation
Article 29 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) if there are reasonable doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the

deleted

statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for.

Or. fr

Amendment 321
Bodil Valero

Proposal for a regulation
Article 29 – paragraph 1 – point b

Text proposed by the Commission

(b) if there are *reasonable* doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for.

Amendment

(b) if there are *strong* doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for.

Or. en

Amendment 322
Bodil Valero

Proposal for a regulation
Article 29 – paragraph 2

Text proposed by the Commission

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 V.

Amendment

2. A *motivated* decision on refusal and the *detailed* reasons on which it is based shall be notified to the applicant by means of the standard form set out in Annex V.

Or. en

Amendment 323
Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 29 – paragraph 2

Text proposed by the Commission

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 V.

Amendment

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 V, ***within three days at the latest of the decision being adopted.***

Or. fr

Amendment 324
Kashetu Kyenge

Proposal for a regulation
Article 29 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Refusals of visa applications shall be justified in a detailed way and in writing in addition to the use of the standard form set out in Annex V. The justification shall describe, analytically, the reasons for the refusal, especially where it is due to the failure of the applicant to prove the sincerity of his intention to leave the territory of the Member States before the expiry of the visa for which he has applied.

Or. it

Justification

In order to reduce the discretionary powers of consulates as regards their decisions to refuse a visa, provision needs to be made for an exhaustive and analytical statement of reasons for the refusal.

Amendment 325
Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation
Article 29 – paragraph 3

Text proposed by the Commission

3. Applicants who have been refused a visa shall have the right to 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 V.

Amendment

3. Applicants who have been refused a visa shall have the right to 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. ***National appeal procedures shall be effective, easily accessible, shall not have a disproportionate cost for the applicant and, where the appeal is well-founded, shall be liable to lead to the immediate issuing of the visa and compensation for any damages suffered by the applicant as a result of the refusal to grant a visa.*** Member States shall provide applicants with detailed information regarding the procedure to be followed in the event of an appeal, as specified in Annex V.

Or. it

Amendment 326
Bodil Valero

Proposal for a regulation
Article 29 – paragraph 3

Text proposed by the Commission

3. Applicants who have been refused a visa shall have the right to 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 V.

Amendment

3. Applicants who have been refused a visa shall have the right to 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. ***The deadline for appeal shall be at least 30 calendar days.*** Member States shall provide applicants with detailed information regarding the procedure to be followed in the event of an appeal, as specified in Annex V, ***in a language which***

he or she understands or is reasonably supposed to understand.

Or. en

Amendment 327

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 29 – paragraph 3

Text proposed by the Commission

3. Applicants who have been refused a visa shall have the right to 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 V.

Amendment

3. Applicants who have been refused a visa, ***including a visa on humanitarian grounds***, shall have the right to appeal, ***including before the courts. Member States shall ensure that their national appeal procedures in visa cases are swift and easily accessible.*** 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. ***Where a Member State is represented by another Member State in accordance with Article 5 or 39, the represented state is considered as the Member State taking the final decision. In case of a decision overturned after the appeal, the applicant shall be reimbursed any costs incurred as a result of the wrongful decision.*** Member States shall provide applicants with detailed information regarding the procedure to be followed in the event of an appeal, as specified in Annex V.

Or. fr

Justification

Reference should also be made to applicants' rights of appeal against refusals to grant visas on humanitarian grounds.

Amendment 328

Kinga Gál

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

1. The period of validity and/or the duration of stay of an issued visa shall be extended where the competent authority of a Member State considers that a visa holder has provided proof of force majeure **or humanitarian reasons** preventing him from leaving the territory of the Member States before the expiry of the period of validity of or the duration of stay authorised by the visa. Such an extension shall be granted free of charge.

Amendment

1. The period of validity and/or the duration of stay of an issued visa shall be extended where the competent authority of a Member State considers that a visa holder has provided proof of force majeure preventing him from leaving the territory of the Member States before the expiry of the period of validity of or the duration of stay authorised by the visa. Such an extension shall be granted free of charge.

Or. en

Amendment 329

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

1. The period of validity and/or the duration of stay of an issued visa shall be extended where the competent authority of a Member State considers that a visa holder has provided proof of force majeure or humanitarian reasons preventing him from leaving the territory of the Member States before the expiry of the period of validity of or the duration of stay authorised by the visa. Such an extension shall be granted free of charge.

Amendment

1. The period of validity and/or the duration of stay of an issued visa shall be extended where the competent authority of a Member State considers that a visa holder has provided proof of force majeure or humanitarian **or international protection** reasons preventing him from leaving the territory of the Member States before the expiry of the period of validity of or the duration of stay authorised by the visa. Such an extension shall be granted free of charge.

Or. fr

Amendment 330
Bodil Valero

Proposal for a regulation
Article 30 – paragraph 2

Text proposed by the Commission

2. The period of validity and/or the duration of stay of an issued visa **may** be extended if the visa holder provides proof of serious personal reasons justifying the extension of the period of validity or the duration of stay. A fee of EUR 30 shall be charged for such an extension.

Amendment

2. The period of validity and/or the duration of stay of an issued visa **shall** be extended if the visa holder provides proof of serious personal reasons justifying the extension of the period of validity or the duration of stay. A fee of EUR 30 shall be charged for such an extension.

Or. en

Amendment 331
Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 30 – paragraph 2

Text proposed by the Commission

2. The period of validity and/or the duration of stay of an issued visa may be extended if the visa holder provides proof of serious personal reasons justifying the extension of the period of validity or the duration of stay. A fee of EUR 30 shall be charged for such an extension.

Amendment

2. The period of validity and/or the duration of stay of an issued visa may be extended if the visa holder provides proof of serious personal reasons justifying the extension of the period of validity or the duration of stay. A fee of EUR 30 shall be charged for such an extension. ***Recipients of visas issued on humanitarian or international protection grounds shall be exempt from payment of this fee.***

Or. fr

Amendment 332
Bodil Valero

Proposal for a regulation
Article 31 – paragraph 6

Text proposed by the Commission

6. A decision on annulment or revocation of a visa and the reasons on which it is based shall be notified to the applicant by means of the standard form set out in Annex V.

Amendment

6. A ***motivated*** decision on annulment or revocation of a visa and the ***detailed*** reasons on which it is based shall be notified to the applicant by means of the standard form set out in Annex V.

Or. en

Amendment 333

Bodil Valero

Proposal for a regulation

Article 31 – paragraph 7

Text proposed by the Commission

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 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 V.

Amendment

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 the Member State that has taken the decision on the annulment or revocation and in accordance with the national law of that Member State. ***The deadline for appeal shall be at least 30 calendar days.*** Member States shall provide applicants with ***detailed*** information regarding the procedure to be followed in the event of an appeal, as specified in Annex V, ***in a language which he or she understands or is reasonably supposed to understand.***

Or. en

Amendment 334

Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation

Article 32 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) on humanitarian grounds;

Or. it

Amendment 335
Brice Hortefeux

Proposal for a regulation
Article 33

Text proposed by the Commission

Amendment

Article 33

deleted

***Visas applied for at the external border
under a temporary scheme***

***1. In view of promoting short term
tourism, a Member State may decide to
temporarily issue visas at the external
border to persons fulfilling the conditions
set out in Article 32 (1) (a) and (c).***

***2. The duration of such a scheme shall be
limited to 5 months in any calendar year
and the categories of beneficiaries shall
be clearly defined.***

***3. By way of derogation from Article
22(1), a visa issued under such a scheme
shall be valid only for the territory of the
issuing Member State and shall entitle the
holder to stay for a maximum duration of
15 calendar days, depending on the
purpose and conditions of the intended
stay.***

***4. Where the visa is refused at the
external border, the Member State cannot
impose the obligations set out in Article
26 of the Convention Implementing the
Schengen Agreement on the carrier
concerned.***

***5. Member States shall notify the
envisaged schemes to the European
Parliament, the Council and the***

Commission at the latest three months before the start of their implementation. The notification shall define the categories of beneficiaries, the geographical scope, the organisational modalities of the scheme and the measures envisaged to ensure the verification of the visa issuing conditions.

The Commission shall publish this notification in the Official Journal of the European Union.

6. 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 issued and refused (including citizenship of the persons concerned); duration of stay, return rate (including citizenship of persons not returning).

Or. fr

Amendment 336
Kinga Gál, Michał Boni

Proposal for a regulation
Article 33

Text proposed by the Commission

Amendment

Article 33

deleted

Visas applied for at the external border under a temporary scheme

1. In view of promoting short term tourism, a Member State may decide to temporarily issue visas at the external border to persons fulfilling the conditions set out in Article 32 (1) (a) and (c).

2. The duration of such a scheme shall be limited to 5 months in any calendar year and the categories of beneficiaries shall be clearly defined.

3. By way of derogation from Article

22(1), a visa issued under such a scheme shall be valid only for the territory of the issuing Member State and shall entitle the holder to stay for a maximum duration of 15 calendar days, depending on the purpose and conditions of the intended stay.

4. Where the visa is refused at the external border, the Member State cannot impose the obligations set out in Article 26 of the Convention Implementing the Schengen Agreement on the carrier concerned.

5. Member States shall notify the envisaged schemes to the European Parliament, the Council and the Commission at the latest three months before the start of their implementation. The notification shall define the categories of beneficiaries, the geographical scope, the organisational modalities of the scheme and the measures envisaged to ensure the verification of the visa issuing conditions.

The Commission shall publish this notification in the Official Journal of the European Union.

6. 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 issued and refused (including citizenship of the persons concerned); duration of stay, return rate (including citizenship of persons not returning).

Or. en

Amendment 337

Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation

Article 33 – paragraph 1

Text proposed by the Commission

1. In ***view of promoting short term tourism***, a Member State may decide to temporarily issue visas at the external border to persons fulfilling the conditions set out in Article 32 (1) (a) and (c).

Amendment

1. In ***exceptional cases***, a Member State may decide to temporarily issue visas at the external border to persons fulfilling the conditions set out in Article 32 (1) (a) and (c).

Or. de

Amendment 338

Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

**Proposal for a regulation
Article 33 – paragraph 2**

Text proposed by the Commission

2. The duration of such a scheme shall be limited to 5 months in any calendar year and ***the categories of beneficiaries shall be clearly defined.***

Amendment

2. The duration of such a scheme shall be limited to 5 months in any calendar year and ***shall be open to any third-country national meeting the conditions set out in Articles 11 to 13 of this Regulation.***

Or. fr

Amendment 339

Heinz K. Becker, Monika Hohlmeier

**Proposal for a regulation
Article 33 – paragraph 2**

Text proposed by the Commission

2. The duration of such a scheme shall be limited to 5 months in any calendar year and the categories of beneficiaries shall be clearly defined.

Amendment

2. The duration of such a scheme shall be limited to 2 months in any calendar year and the categories of beneficiaries shall be clearly defined.

Or. de

Amendment 340
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 33 – paragraph 4

Text proposed by the Commission

Amendment

4. Where the visa is refused at the external border, the Member State cannot impose the obligations set out in Article 26 of the Convention Implementing the Schengen Agreement on the carrier concerned.

deleted

Or. de

Amendment 341
Heinz K. Becker, Monika Hohlmeier

Proposal for a regulation
Article 33 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States shall make it possible for visa applicants to register on line in advance in accordance with this article.

Or. de

Amendment 342
Marie-Christine Vergiat, Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 33 – paragraph 6

Text proposed by the Commission

Amendment

6. 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 issued and refused (including citizenship of the persons concerned); duration of stay, return

6. Three months after the end of the scheme, **each** Member State concerned shall submit a detailed implementation report to the Commission. The report shall contain information on the number of visas issued and refused (including citizenship of the persons concerned); duration of stay,

rate (including citizenship of persons not returning).

return rate (including citizenship of persons not returning). ***The Commission shall draw up an annual report which it shall forward to the European Parliament, the Council and the Agency for Fundamental Rights.***

Or. fr

Amendment 343

Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation

Article 34 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) he fulfils the conditions set out in Article 32(1); and

deleted

Or. fr

Amendment 344

Helga Stevens

Proposal for a regulation

Article 34 – paragraph 3

Text proposed by the Commission

Amendment

3. 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 51(2).

deleted

Or. en

Amendment 345

Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation
Article 37 – paragraph 2

Text proposed by the Commission

2. Consular 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.

Amendment

2. Consular staff shall, in the performance of their duties, fully respect ***the rights enshrined in the Charter of Fundamental Rights***. Any measures taken shall be proportionate to the objectives pursued by such measures.

Or. it

Amendment 346
Bodil Valero

Proposal for a regulation
Article 37 – paragraph 3

Text proposed by the Commission

3. While performing their tasks, consular staff shall not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Amendment

3. While performing their tasks, consular staff shall not discriminate against persons on grounds of ***nationality***, sex, ***family status***, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Or. en

Amendment 347
Tanja Fajon

Proposal for a regulation
Article 39 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The consulate of the representing Member State shall, when contemplating refusing a visa, submit the application to the relevant authorities of the represented Member State in order for them to take the final decision on the application within the time limits set out in Article 20

(1), (2) or (3).

Or. en

Amendment 348

Bodil Valero

Proposal for a regulation

Article 39 – paragraph 3 – introductory part

Text proposed by the Commission

3. A bilateral arrangement shall be established between the representing Member State and the represented Member State. That arrangement:

Amendment

3. A bilateral arrangement, ***the text of which shall be made publicly available,*** shall be established between the representing Member State and the represented Member State. That arrangement:

Or. en

Amendment 349

Bodil Valero

Proposal for a regulation

Article 45 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) the amount of the visa fee, applicable waivers and reductions;

Or. en

Amendment 350

Bodil Valero

Proposal for a regulation

Article 45 – paragraph 1 – point a b (new)

Text proposed by the Commission

Amendment

(ab) the use of a visa, expiry, termination

and revocation of a visa;

Or. en

Amendment 351

Bodil Valero

Proposal for a regulation

Article 45 – paragraph 1 – point d

Text proposed by the Commission

(d) accredited commercial intermediaries;

Amendment

(d) *details of cooperation with external service providers and* accredited commercial intermediaries;

Or. en

Amendment 352

Bodil Valero

Proposal for a regulation

Article 45 – paragraph 4

Text proposed by the Commission

4. The Commission shall establish a Schengen visa Internet website containing all relevant information relating to the application for a visa.

Amendment

4. The Commission shall establish a Schengen visa Internet website containing all relevant information relating to the application for a visa. *The website shall be multilingual and be available at least in English, French, Spanish, Arabic, Russian and Chinese with a gradual expansion of other language versions. The website shall provide for a possibility to monitor the progress of the visa application.*

Or. en

Amendment 353

Andrejs Mamikins

Proposal for a regulation
Article 46 – paragraph 3 – point b – point iv

Text proposed by the Commission

(iv) irregular immigration routes;

Amendment

(iv) irregular immigration routes, ***including the corresponding statistics on cases of irregular border crossing and respective countermeasures applied;***

Or. en

Amendment 354
Brice Hortefeux

Proposal for a regulation
Article 46 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) information on insurance companies providing adequate travel medical insurance, including verification of the type of coverage and the possible excess amount.

Or. fr

Amendment 355
Marie-Christine Vergiat, Barbara Spinelli

Proposal for a regulation
Article 49 – paragraph 1

Text proposed by the Commission

Amendment

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 Council shall state the reasons for the use of the urgency procedure.

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 Council ***shall be forwarded without delay and*** shall state ***precisely*** the reasons for the use of the emergency procedure.

Amendment 356
Andrejs Mamikins

Proposal for a regulation
Annex I – paragraph 4

Text proposed by the Commission

4. Family members of EU citizens shall not fill in fields no.19, 20, 31, 32.

Amendment

4. Family members of EU citizens ***and non-citizens (aliens) of Latvia and Estonia*** shall not fill in fields no.19, 20, 31, 32.

Or. en

Amendment 357
Ignazio Corrao, Laura Ferrara, Barbara Spinelli

Proposal for a regulation
Annex II – part B

Text proposed by the Commission

B. DOCUMENTATION ALLOWING FOR THE ASSESSMENT OF THE APPLICANT'S INTENTION TO LEAVE THE TERRITORY OF THE MEMBER STATES

1. proof of financial means in the country of residence; bank statements; proof of real estate property;

2. proof of employment;

3. proof of integration into the country of residence: family ties; professional status.

Amendment

deleted

Or. it