Third-country nationals: uniform format for residence permits

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PURPOSE: to present a Commission proposal for a Council Regulation laying down a uniform format for residence permits for third-country nationals. CONTENT: Following on from the Vienna Action Plan for the implementation of the Amsterdam Treaty and the Tampere guidelines, the Commission now proposes measures within the new institutional framework aiming to render travel and residence documents more secure. With the entry into force of the Amsterdam Treaty and the integration of the Schengen Acquis into the framework of the Treaty, the Commission considers it necessary to adopt additional measures for security reasons such as common rules related to the filling in of the uniform format for visas in order to ensure that the visa sticker is completed in the same way in all the Member States. Regarding a unform format for residence permits for third-country nationals, the Commission's purpose in presenting this proposal is to "communautarise" the Joint Action of 16 December 1996 adopted by the Council on the basis of Article K.3 of the TEU concerning a uniform format for residence permits and the relevant technical specifications adopted by the Council. As some Member States are currently using the residence permit based on the Joint Action, the changes introduced are limited to a minimum. The possibility of choice between a sticker and a stand-alone document is maintained. In the framework of the Schengen Convention (now integrated into the EC Treaty) the residence permit together with a travel document can substitute for a visa; in this framework a third country national presenting his passport and his residence permit is allowed to enter another Schengen State for a short stay without a visa. It should therefore include safeguard security features. The scope of this regulation covers all third-country nationals, except those who are members of the family of an EU citizen having exercised his/her right to free movement. For those who are family members of EU citizens, who have not exercised their right of free movement, the Member State concerned shall issue a residence permit mentioning "family member" as set out in the Council Directive in relation to the status of long term resident third country nationals. Finally, the legal bases for the proposals concerning documents issued by Member States to third-country nationals, Residence Permit for third-country nationals, uniform format for affixing visas and an amendment to Regulation 1683/95/EC laying down the uniform format for visas, fall within Title IV of the Treaty and thus imply the variable situation as laid down by the protocols on the position of the UK, IRL and DK.