Third-country nationals: uniform format for residence permits

2001/0082(CNS) - 13/06/2002 - Final act

PURPOSE : to lay down a uniform format for residence permits for third-country nationals. COMMUNITY MEASURE : Council Regulation 1030/2002/EC laying down a uniform format for residence permits for third-country nationals. CONTENT : the Council adopted a Regulation laying down a uniform format for residence permits for third-country nationals. The format will meet very high technical standards, in particular as regards safeguards against counterfeiting and falsification. The United Kingdom is taking part in the adoption and application of this Regulation. Ireland is not taking part in its adoption. Denmark is not taking part in its adoption, but will decide in six months' time whether or not to transpose it into its national law. Council Joint Action 97/11/JHA concerning a uniform format for residence permits confirms the need to harmonise the format of residence permits issued by Member States to third-country nationals. Consequently, it is appropriate that Joint Action 97/11/JHA should henceforth be replaced by a Community act. The Regulation stipulates that residence permits issued by Member States to third-country nationals shall be drawn up in a uniform format and provide sufficient space for the information set out in the Annex hereto. The uniform format may be used as a sticker or a stand-alone document. Each Member State may add in the relevant space of the uniform format information of importance regarding the nature of the permit and the legal status of the person concerned, in particular information as to whether or not the person is permitted to work. Additional technical specifications for the uniform format for residence permits relating to the following shall be established, such as: a) additional security features and requirements including enhanced anti-forgery, counterfeiting and falsification standards; b) technical processes and rules for the filling in of the uniform residence permit; c) other rules to be observed for the filling in of the uniform residence permit. The colours of the uniform residence permit may be changed. These specifications shall be secret and not be published. They shall be made available only to the bodies designated by the Member States as responsible for the printing and to persons duly authorised by a Member State or the Commission. Each Member State shall designate one body having responsibility for printing the uniform residence permit. It shall communicate the name of that body to the Commission and the other Member States. The same body may be designated by two or more Member States. Each Member State shall be entitled to change its designated body. It shall inform the Commission and the other Member States accordingly. Without prejudice to data protection rules, persons to whom the residence permit is issued shall have the right to verify the personal particulars contained in the residence permit and, where appropriate, to have them corrected or deleted. No information in machine-readable form shall be included in the residence permit, unless provided for in the Annex hereto or unless it is mentioned in the relevant travel document. This Regulation shall not apply to third-country nationals who are: - members of the families of citizens of the Union exercising their right to free movement, - nationals of Member States of the European Free Trade Association party to the Agreement on the European Economic Area and members of their families exercising their right to free movement in accordance with that Agreement, - nationals of third countries who are exempt from the requirement to hold a visa and who are authorised to stay in a Member State for a period of less than three months. It should be added that this Regulation shall not affect the powers of the Member States regarding recognition of States and territorial entities and passports, identity documents and travel documents issued by their authorities. Lastly, Member States shall issue the uniform format for residence permits no later than one year after the adoption of the additional security features and requirements. From that date, this Regulation shall, in the Member States concerned, replace Joint Action 97/11/JHA. The integration of the photograph on a third-country nationals' residence permit in the form of a sticker shall be implemented at the latest five years after the adoption of the technical specifications provided for the adoption of this measure. However, the validity of authorisations already granted in another format of residence permit shall not be affected by the introduction of the uniform format for residence permits, unless the Member State concerned decides otherwise. ENTRY INTO FORCE : 15 June 2002.