



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 9 April 2002 (15.04)
(OR. es)**

7760/02

LIMITE

**VISA 51
COMIX 259**

NOTE

from : Spanish delegation
to : Visa Working Party

Subject : Draft Council Decision on the adaptation of Part VI of the Common Consular
Instructions to the new uniform format for visa-stickers

Delegations will find attached the text of the above draft Decision.

Draft
COUNCIL DECISION
of

**on the adaptation of Part VI of the Common Consular Instructions
to the new uniform format for visa-stickers**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(iii) thereof,

Having regard to Council Regulation (EC) No 789/2001 of 24 April 2001 ¹ reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for examining visa applications,

Having regard to Council Regulation (EC) No 334/2002 of 18 February 2002 ² amending Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas and technical and security features,

Having regard to the initiative of the Kingdom of Spain,

Whereas:

The establishment of a uniform visa format and, in particular, common rules on the technical methods and standards to be used for filling in the form are essential elements in the harmonisation of visa policy.

¹ OJ L 116, 26.4.2001, p. 1.

² OJ L 53, 23.2.2002, p. 7.

Council Regulation (EC) No 334/2002 of 18 February 2002 establishes further technical security specifications against forgery and falsification, including in particular the integration of a photograph produced according to high security standards, making it necessary to adapt Part VI of the Common Consular Instructions to incorporate these new measures when filling in the new uniform visa-sticker.

In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark is not participating in the adoption of this Decision and is therefore not bound by it or subject to its application. Since this instrument aims to build upon the Schengen acquis under the provisions of the third part of Title IV of the Treaty establishing the European Community, in accordance with Article 5 of the said Protocol, Denmark shall decide within a period of six months after the Council has adopted this Decision whether it will transpose it into its national law.

As regards the Republic of Iceland and the Kingdom of Norway, this Decision constitutes a development of the provisions of the Schengen acquis falling within the area referred to in Article 1, point B, of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis.

Pursuant to Article 1 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and to the Treaty establishing the European Community, Ireland and the United Kingdom are not participating in the adoption of this Decision. Consequently, and without prejudice to Article 4 of the aforementioned Protocol, the provisions of this Decision apply neither to Ireland nor to the United Kingdom,

HAS ADOPTED THIS DECISION:

Article 1

1. The following text is hereby added to Part VI of the Common Consular Instructions.

"1.8. "Name and forename" heading:

The first word in the "name" box followed by the first word in the "first name" box of the visa holder's passport or travel document shall be written in that order. The diplomatic mission or consular post shall verify that the name and first name which appear in the passport or travel document and which are to be entered under this heading and in the section to be electronically scanned are the same as those appearing in the visa application."

2. Point 3 of Section VI of the Common Consular Instructions is hereby worded as follows:

"3. Section for the photograph

The visa-holder's photograph shall be integrated in the rectangle between the left-hand side of the sticker, the common and COMMENTS sections, the optically variable mark and the section to be electronically scanned.

The visa-holder's photograph shall be in colour and its size in millimetres shall be 32 x 26.

The minimum resolution requirements shall be:

- 300 dots per inch, uncompressed, for scanning,
- 720 dots per inch for colour printing of photos.

In the absence of a photograph, it shall be obligatory to enter the words "valid without photograph" in this section in two or three languages (the language of the State issuing the visa, English and French). These words shall in principle be entered using a printer and, exceptionally, a specific stamp, in which case the stamp shall also cover part of the rotogravure section whose left or right-hand side delimits the space for integrating the photograph."

3. The following text shall be included in Section VI of the Common Consular Instructions:

"5.5. Stamp of the issuing mission or post

The stamp of the mission or post issuing the visa, should such a stamp be required under the laws or internal practices of a State, shall be affixed in the "COMMENTS" section, with special care to ensure that it does not prevent data from being read, and may extend beyond the sticker on to the page of the passport or travel document. Only in cases where it is necessary to dispense with the completion of the section to be electronically scanned may the stamp be placed on this section to render it unusable. The size and content of the stamp and the ink to be used shall be determined by the national provisions of the Contracting Parties.

In the case of visa-stickers in the previous uniform format, which has no rectangle for integrating a photograph, the stamp of the mission or post issuing the visa shall continue to be affixed in the same section as at present."

Article 2

This Decision shall apply from the time the uniform format for visa-stickers comes into use.

Article 3

This Decision is addressed to the Member States in accordance with the Treaty establishing the European Community.

Done at Brussels,

For the Council
The President
