



**COUNCIL OF
THE EUROPEAN UNION**

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LIMITE

**VISA 51
COMIX 159**

NOTE

from: Presidency
to: Visa Working Party

No. Cion prop.: 7298/06 VISA 80 COMIX 267 (COM(2006) 110 final)

Subject: Modified draft Council Regulation amending Regulation (EC) 1030/2002 laying down a uniform format for residence permits for third-country nationals

In the light of the outcome of the discussion on age limits and exemptions from giving biometric data in the meeting of 8 and 9 January 2007, the Presidency suggests introducing additional provisions on the "one person/one document approach" and the collection of biometric data and exemptions.

The Presidency suggests the addition of the following provisions (changes are in bold):

1. In Article 1 (1), the second sentence is replaced by the following:

"Residence permits to third-country nationals shall be issued as individual documents, irrespective of the age of the person. The residence permit shall only be issued as a stand-alone document in ID 1 or ID 2 format".

2. The following Article 4b is inserted:

Article 4b

"Member States shall collect biometric identifiers comprising the facial image and two fingerprints from third-country nationals in accordance with the safeguards laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms and in the United Nations Convention on the Rights of the Child.

The following biometric identifiers shall be collected:

- **a photograph, scanned or taken at the time of application and**
- **two fingerprints taken flat and digitally captured.**

The technical specifications for the capture of biometric identifiers shall be set in accordance with the procedure described in Article 7(2) and with ICAO standards and the technical requirements for passports issued by Member States to their nationals pursuant to Regulation 2252/2004.

The following applicants shall be exempt from the requirement to give fingerprints:

- **Children under the age of 6;**
- **Persons for whom fingerprinting is physically impossible."**
