



Brussels, 22.10.2014  
C(2014) 7594 final

**COMMISSION IMPLEMENTING DECISION**

**of 22.10.2014**

**amending Implementing Decision C(2011)5500 final, as regards the title and the list of supporting documents to be presented by visa applicants in China**

**(Only the Bulgarian, Croatian, Czech, Dutch, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish text are authentic)**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), and in particular Article 48(1)<sup>1</sup>,

Whereas:

- (1) Regulation (EC) No 810/2009 lays down the Union rules for the issuing of visas for transit through or intended stays in the territory of Member States not exceeding 90 days in any 180 days period.
- (2) In order to ensure harmonised application of the common visa policy, Regulation (EC) No 810/2009 established that within local Schengen cooperation the need to complete and harmonise the lists of supporting documents should be assessed in each jurisdiction in order to take account of local circumstances.
- (3) The local Schengen cooperation in China has confirmed the need to harmonise the list of supporting documents and have accordingly drawn up a list which is set out in Commission Implementing Decision C(2011)5500 final<sup>2</sup>.
- (4) Further to a renewed assessment taking into account local circumstances, the local Schengen cooperation has confirmed the need for revising the list of supporting documents to be submitted by visa applicants in China to take account of the experience gained and recognizing the relative value as supporting documents of online bookings of flight and hotel accommodation for certain categories of applicants and with a view to facilitating the procedure for both applicants and consulates.
- (5) The title of the Implementing Decision C(2011)5500 final refers to the cities where the consulates are located in the third countries concerned. As new consulates were opened in other cities in China, the title is no more accurate. As also in the future new

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<sup>1</sup> OJ L 243, 15.9.2009, p. 1.

<sup>2</sup> Commission Implementing Decision C(2011)5500 final of 4.8.2011 establishing the list of supporting documents to be presented by visa applicants in China (in Beijing, Guangzhou, Chengdu, Shanghai and Wuhan), Saudi Arabia, Indonesia and Vietnam (in Hanoi and Ho-Chi Minh City) [http://ec.europa.eu/dgs/home-affairs/e-library/docs/pdf/1\\_en\\_act\\_part1\\_v4\\_en.pdf#zoom=100](http://ec.europa.eu/dgs/home-affairs/e-library/docs/pdf/1_en_act_part1_v4_en.pdf#zoom=100)

consulates may be opened in yet other locations, it is appropriate to delete the references to the cities from the title of that Decision.

- (6) In individual cases it should still be possible for consulates to waive the requirement to submit one or more of the listed supporting documents in the case of applicants known to them for their integrity and reliability in accordance with Article 14(6) of Regulation (EC) No 810/2009 or, in justified cases, during the examination of an application, to request additional documents, in accordance with Article 21(8) of Regulation (EC) No 810/2009.
- (7) Given that the waiving of the requirement for visa applicants in China wishing to travel for specific purposes to present reservation of return or round ticket and proof of accommodation is a deviation from usual practice, the impact and implementation of that aspect of this Decision, in particular as regards abuse or refusal of entry, should be monitored in order to establish whether the waiving of these requirements should be terminated or should also be applied in other locations and for all or only some purposes of travel.
- (8) Given that Regulation (EC) No 810/2009 builds upon the Schengen acquis, Denmark, in accordance with Article 5 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community and Article 4 of Protocol (No 22) on the position of Denmark, annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union, decided to implement Regulation (EC) No 810/2009 in its national law. Denmark is therefore bound under international law to implement this Decision.
- (9) This Decision constitutes a development of provisions of the Schengen acquis in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC<sup>3</sup>. The United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application. This Decision should therefore not be addressed to the United Kingdom.
- (10) This Decision constitutes a development of provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC<sup>4</sup>. Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application. This Decision should therefore not be addressed to Ireland.
- (11) As regards Iceland and Norway, this Decision constitutes a development of provisions of the Schengen acquis within the meaning 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, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC<sup>5</sup>.
- (12) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement between the European

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<sup>3</sup> Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis (OJ L 131, 1.6.2000, p. 43).

<sup>4</sup> Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis (OJ L 64, 7.3.2002, p. 20).

<sup>5</sup> 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 (OJ L 176, 10.7.1999, p. 31).

Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis , which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC<sup>6</sup> read in conjunction with Article 3 of Council Decision 2008/146/EC .

- (13) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen acquis within the meaning of the Protocol signed between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU<sup>7</sup>.
- (14) As regards Cyprus, this Decision constitutes an act building upon, or otherwise related to, the Schengen acquis within the meaning of Article 3(2) of the 2003 Act of Accession.
- (15) As regards Bulgaria and Romania, this Decision constitutes an act building upon, or otherwise related to, the Schengen acquis within the meaning of Article 4(2) of the 2005 Act of Accession.
- (16) As regards Croatia, this Decision constitutes an act building upon, or otherwise related to, the Schengen acquis within the meaning of Article 4(2) of the 2012 Act of Accession.
- (17) The measures provided for in this Decision are in accordance with the opinion of the Visa Committee,

HAS ADOPTED THIS DECISION:

#### *Article 1*

1. Implementing Decision C(2011)5500 final is amended as follows:
  - (a) in the title the phrases "(in Beijing, Guangzhou, Chengdu, Shanghai and Wuhan)" and "(in Hanoi and Ho-Chi Minh City)" are deleted;
  - (b) the Annex I to Implementing Decision C(2011)5500 final is replaced by the text in the Annex to this Decision.

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<sup>6</sup> Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 53, 27.2.2008, p. 1).

<sup>7</sup> Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

*Article 2*

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, Republic of Croatia, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland and the Kingdom of Sweden.

Done at Brussels, 22.10.2014

*For the Commission*  
*Cecilia MALMSTRÖM*  
*Member of the Commission*





Brussels, 22.10.2014  
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ANNEX 1

**ANNEX**

**to the Commission Implementing Decision**

**amending Implementing Decision C(2011)5500 final, as regards the title and the list of supporting documents to be presented by visa applicants in China**

## ANNEX I

### List of supporting documents to be submitted by applicants for short stay visas in China

1. List of supporting documents to be submitted by applicants travelling for the purpose of individual tourism
  - Flight reservation: round-trip reservation
  - Minors (under 18 years of age): student card and original letter of the school, mentioning:
    - full address, telephone number of the school
    - permission for absence
    - name and function of the person giving the permission.
    - notary certificate of family relation or proof of guardianship, legalised by the Ministry for Foreign Affairs.
    - when the minor is travelling alone or only with one parent: notary certificate of permission to travel from both parents or legal guardians, legalised by the Ministry of Foreign Affairs, and when not in China, attested by the relevant authorities in the parents'/legal guardians' country of residence.
  - Chinese nationals: copy of all pages of "Hukou" (no translation).
  - Proof of accommodation: For the whole duration of the intended stay. Travel programme: documents providing clear evidences about the applicant's travel programme (transportation booking, itinerary, etc.)
  - Proof of solvency of the applicant: bank statements from the last 3 months, no deposits account:
    - For employees:
      - a sealed copy of the business licence of the employing company
      - a letter from the employer (in English, or in Chinese with an English translation) on official company paper with stamp, signature, date and clearly mentioning:
        - address, telephone and fax numbers of the employing company
        - the name and position in the employing company of the countersigning officer
        - the name of the applicant, position, salary and years of service
        - approval for leave or absence
    - For retired persons: proof of pension or other regular income
    - For unemployed persons:
      - If married: letter of employment and income of the spouse and notary certificate of marriage, legalised by the Ministry for Foreign Affairs.

- If single/divorced/widow/widower: Any other proof of regular income.
- 2. List of supporting documents to be submitted by applicants travelling for the purpose of business visit or short professional training
  - Proof of solvency:
    - Bank statements from the last 3 months, not deposits account
    - Proof of the solvency of the employing company, if the company pays the costs of travel and living; or
    - Proof of the applicant's personal solvency, in case personally covering the costs of travel and living
    - Proof of solvency for employees:
      - a sealed copy of the business licence of employing company
      - a letter from the employer (in English, or in Chinese with an English translation) on official company paper with stamp, signature, date and clearly mentioning:
        - address, telephone and fax numbers of the company
        - the name and position in the company of the countersigning officer
        - the name of the applicant, position, salary and years of service
        - approval for leave or absence
  - Business license of the employing company and original letter from the applicant's employer:
    - A sealed copy of the business license
    - On official company paper with stamp and signature, mentioning:
      - full address and contact persons of the company
      - the name and position of the countersigning officer
      - name, position, salary and years of employment
      - the purpose of the visit
      - confirmation of position after the return
      - the person or the entity who will bear the applicant's travel and living costs
  - Original invitation letter from the organiser of the event or the training
  - On official company paper with stamp and signature, mentioning:
    - the full address and contacts of the company
    - the name and position of the countersigning officer
    - purpose and duration of the visit



- detailed program
  - the person or the entity who will bear applicant's travel and living costs;
  - whether the sponsor gives financial guaranty for the applicant's return to China
  - proof of registration from a Chamber of Commerce, if applicable
  - work permit (if applicable): a work permit may be needed in the following cases:
    - business training “on the job”
    - when working for company in the Member State of destination
3. List of supporting documents to be submitted by applicants travelling for the purpose of visit to family/friends
- For minors (under the age of 18 years): student card and original letter of the school, mentioning:
    - full address, telephone number of the school
    - permission for absence
    - name and function of the person giving the permission
    - notary certificate of family relation or proof of guardianship, legalised by the Ministry for Foreign Affairs
    - if the minor is travelling alone or with only one parent: notary certificate of permission to travel from both parents or legal guardians legalised by the Ministry for Foreign Affairs, and when not in China, attested by the relevant authorities in the country of residence
  - (Official) invitation letter (not older than 6 months):
    - An official invitation issued by the authorities of the country of destination. It is also accepted to submit an invitation signed by the sponsor.
  - Original financial guaranty by the sponsor:
    - If the sponsor lives in the country of destination:
      - proof of a regular income over the last 3 months, or
      - a declaration of guarantee as provided for by the country of destination's national legislation.
    - If the sponsor lives in China but invites the applicant to travel together to the country of destination:
      - signed guarantee letter
      - copy of the residence permit for China
      - proof of a regular income (letter employer)
      - proof of a residence in the country of destination or invitation to stay with close family

- Proof of relationship with sponsor:
  - For family visit: a notary certificate of family
- relationship with the sponsor, legalised by MFA:
  - For friends visit: the relationship can be substantiated with original documents, original pictures, letter of invitation etc.
- Chinese nationals: copy of all pages of "Hukou" (no translation)
- Proof of solvency of the applicant: Bank statements from the last 3 months, not deposits account
  - For employees:
    - a sealed copy of the business licence of the employing company
    - a letter from the employer (in English, or in Chinese with English translation) on official company paper with stamp, signature, date and clearly mentioning:
      - address, telephone and fax numbers of the employing company;
      - the name and position in the employing company of the countersigning officer
      - the name of the applicant, position, salary and years of service
      - approval for leave or absence.
  - For retired persons:
    - Proof of pension or other regular income
  - For unemployed persons:
    - If married: Letter of employment and income of the spouse + Notary certificate of marriage, legalised by the Ministry for Foreign Affairs
    - If single/divorced/widow/widower: any other proof of regular income
- 4. List of supporting documents to be submitted by applicants travelling for the purpose of cultural/sport events
  - Minors (under the age of 18):
    - Student card and original letter of the school, mentioning:
      - full address, telephone numbers of the school
      - permission for absence
      - name and function of the person giving the permission.
      - notary certificate of family relation or proof of guardianship, legalised by the Ministry for Foreign Affairs.
      - when the minor is travelling alone or with only one parent: notary certificate of permission to travel from both parents or legal guardians (legalised by the Ministry for Foreign Affairs, and when not in China,

attested by the relevant authorities in the parents'/legal guardians' country of residence.

- Original invitation letter from the organiser of the event of the country of destination:
    - On official paper, mentioning:
      - purpose and duration of the stay
      - detailed program and itinerary
      - an indication of the costs of the study/sport and entity that will pay for them
      - indication of lodging during the period of the intended stay.
  - Original letter from the Chinese cultural or sports organisation (the letter must be in English or in Chinese and an English translation)
    - On official paper with stamp, mentioning:
      - full address and contacts of the organisation
      - the name and position of the countersigning officer
      - name, position, salary and years of employment (only for professionals)
      - confirmation of participation
      - entity that will pay for costs of travel and living
      - copy of business licence (and an English translation)
5. List of supporting documents to be submitted by individual members of an ADS Group
- Minors (under the age of 18)
    - Student card and original letter of the school, mentioning:
      - full address, telephone number of the school
      - permission for absence
      - name and function of the person giving the permission
      - notary certificate of family relation or proof of guardianship, legalised by the Ministry for Foreign Affairs
      - if the minor is travelling alone or only with one parent: notary certificate of permission to travel from both parents or legal guardians), legalised by the Ministry for Foreign Affairs, and when not in China, attested by the relevant authorities in the country of residence
  - For Chinese nationals: copy of all pages of "Hukou" (no translation):
  - Proof of solvency of the applicant:
    - Bank statements from the last 3 months, no deposits
    - For employees:
      - a sealed copy of the business licence of the employing company

- a letter from the employer (in English, or in Chinese with English translation) on official company paper with stamp, signature, date and mentioning:
  - address, telephone and fax numbers of the employing company
  - the name and position in the employing company of the countersigning officer
  - the name of the applicant, position, salary and years of service
  - approval for leave or absence
- For retired persons:
  - Proof of pension or other regular income
- For unemployed persons:
  - If married: letter of employment and income of the spouse and notary certificate of marriage, legalised by the Ministry for Foreign Affairs
  - If single/divorced/widow/widower: any other proof of regular income."