



Brussels, 23.9.2016
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COMMISSION IMPLEMENTING DECISION

of 23.9.2016

establishing the list of supporting documents to be submitted by applicants for short stay visas in Argentina, Brazil, Hong Kong and Macao and Tanzania

(Only the Bulgarian, Spanish, Czech, German, Estonian, Greek, French, Croatian, Italian, Latvian, Lithuanian, Hungarian, Maltese, Dutch, Polish, Portuguese, Romanian, Slovak, Slovenian, Finnish and Swedish texts 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)¹, and in particular Article 48(1) thereof,

Whereas:

- (1) Regulation (EC) No 810/2009 lays down procedures and conditions for the issuing of visas for transit through or intended stays not exceeding 90 days in any 180-day period on the territory of Member States.
- (2) In order to ensure a harmonised application of the common visa policy, Regulation (EC) No 810/2009 provided 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) Local Schengen cooperation in Argentina, Brazil, Hong Kong and Macao and Tanzania has confirmed the need to harmonise the list of supporting documents and has accordingly drawn up a list.
- (4) In the case of applicants known to the consulates for their integrity and reliability, it should be possible for those consulates to waive the requirement to submit one or more of the listed supporting documents, in accordance with Article 14(6) of Regulation (EC) No 810/2009. Moreover, in justified cases, during the examination of an application, it should be possible for consulates to request additional documents, in accordance with Article 21(8) of Regulation (EC) No 810/2009.
- (5) 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 European Union and to the Treaty on the Functioning of the European Union, notified the implementation of Regulation (EC) No 810/2009 in its national law. Denmark is therefore bound under international law to implement this Decision.
- (6) 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

¹ OJ L 243, 15.9.2009, p. 1.

2000/365/EC². The United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application. This Decision should therefore not be addressed to the United Kingdom.

- (7) 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/EC³. Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application. This Decision should therefore not be addressed to Ireland.
- (8) 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/EC⁴.
- (9) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning 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*, which fall within the area referred to in Article 1, point B of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2008/146/EC⁵.
- (10) 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 Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU⁶.

² 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).

³ 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).

⁴ 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).

⁵ 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).

⁶ 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).

- (11) 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.
- (12) 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.
- (13) 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.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Visa Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. The list of supporting documents to be submitted by applicants for short stay visas in Argentina shall be as set out in Annex I.
2. The list of supporting documents to be submitted by applicants for short stay visas in Brazil shall be as set out in Annex II.
3. The list of supporting documents to be submitted by applicants for short stay visas in Hong Kong and Macao shall be as set out in Annex III.
4. The list of supporting documents to be submitted by applicants for short stay visas in Tanzania shall be as set out in Annex IV.

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, the French Republic, Republic of Croatia, 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, 23.9.2016

For the Commission
Dimitris AVRAMOPOULOS
Member of the Commission

