

ITALIAN SENATE
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RESOLUTION OF THE 1st STANDING COMMITTEE
**(Constitutional affairs, affairs of the Prime Minister's Office and home affairs,
general legal system of the State and the public administration)**

(Rapporteur COCIANCICH)

approved at the session of 13 September 2016

ON THE
**PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL AMENDING COUNCIL REGULATION (EC) NO
1030/2002 LAYING DOWN A UNIFORM FORMAT FOR RESIDENCE
PERMITS FOR THIRD-COUNTRY NATIONALS (COM(2016) 434 FINAL)**

pursuant to Article 144(1) and (6) of the Rules of Procedure

Notified to the President's Office on 16 September 2016

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The Committee,

having examined, pursuant to Article 144(1) and (6) of the Rules of Procedure, the proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals,

issues a favourable opinion.

OPINION OF THE 14th STANDING COMMITTEE

(EUROPEAN UNION POLICIES)

(Rapporteur: GINETTI)

27 July 2016

The Committee, having examined the proposal,

whereas under the proposal only the Annex to Council Regulation (EC) No 1030/2002 of 13 June 2002, which contains the specifications of the uniform format for residence permits, will be amended because it has been in circulation in its current lay-out since 1997 and is now compromised by serious incidents of counterfeiting and fraud;

whereas, in particular:

a dedicated subgroup of the committee of Member State representatives referred to in Regulation (EC) No 1683/95 laying down a uniform format for visas was set up and started work on the new format in 2010;

in this context, the Member States agreed to contact their suppliers and to come forward with proposals; they then selected their preferred design and common security features, which were to be built into the new residence permit;

during the discussions, it became clear that Member States were not in favour of a completely harmonised document which would entail very high costs for some Member States. A compromise solution was reached, which was to maintain a list of state-of-the-art additional security features that could be added to the common uniform format. Under point 22 of the Annex to the proposal for a Regulation, the comprehensive list of these optional security features will be established by Commission Implementing Decision, and set out in the Annex containing the technical specifications adopted by the Commission in accordance with Article 2(1)(f), of Regulation (EC) No 1030/2002;

Protocol 21 annexed to the Treaties on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice applies to the proposal for a Regulation. On this basis, these countries do not have to take part in the adoption and application of the measure, unless they notify the Council that they wish to do so. They also have the option of deciding to accept the measure once it has been adopted by the Union,

hereby issues a favourable opinion, for matters within its remit, with the following comments:

the legal basis is correctly identified as Article 79(2)(a) of the Treaty on the Functioning of the European Union, which provides for the conditions of entry and residence, and standards on the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunification, on the basis of which Regulation (EC) No 1030/2002 was also

adopted, and which is the subject of the proposed amendments;

the principle of subsidiarity is met since the objective is to secure and further improve the uniform format for residence permits in the light of developments in fraudulent practices and this objective cannot be satisfactorily achieved by the Member States acting alone;

the principle of proportionality is also met because the extent of the proposed amendments and the resources needed to implement them do not exceed what is necessary to achieve this purpose.

