COMMISSION IMPLEMENTING DECISION

of 30.11.2018

laying down the technical specifications for the uniform format for residence permits for third country nationals and repealing Decision C(2002)3069¹

¹ SECRET UE/EU SECRET Sans l'(les) annexe(s) jointe(s) – non classifié / When detached from annex(es) – non-classified.
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laying down the technical specifications for the uniform format for residence permits for third country nationals and repealing Decision C(2002)3069¹

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals², and in particular Article 2(1)(d) and (e) thereof,

Whereas:

(1) Regulation (EC) No 1030/2002 lays down a uniform format for residence permits for third-country nationals. The Commission should adopt further technical specifications for such residence permits in order to prevent counterfeiting and falsification.

(2) Due to the current residence permit for third country nationals being compromised through repeated falsifications, a new common design for such residence permits was established to render it more secure and to prevent forgery with modern security features.


(4) At the same time, due to the continuous development of the reference documents, referred to in the specifications for the digital part of the residence permit, those references need to be updated.

(5) In view of the particular nature of the common security measures set out in Annex I to this Decision, they are to be kept secret and are therefore not to be published.

(6) Member States should be allowed to add some optional security features to the uniform format. In order to achieve sufficient harmonisation, these should be limited to the security features set out in Annex II to this Decision.

(7) The technical specifications laid down by Decision C (2002) 3069 relating to the digital part of the residence permit need to be updated and replaced by the new specifications as set out in Annex III to this Decision. As they are based on publicly available documents they are not classified.

(8) In order to allow for the necessary testing of the Single Point of Contact (SPOC) it is necessary to defer its application.

(9) Given that Regulation (EC) No 1030/2002 builds upon the Schengen acquis, in accordance with Article 5 of the Protocol on the Position of Denmark annexed to the

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Treaty on European Union and to the Treaty establishing the European Community. Denmark notified by letter of 24 April 2018 the transposition of this *acquis* into its national law. It is therefore bound under international law to implement this Decision.

(10) In accordance with Articles 1 and 2 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, those Member States are not taking part in the adoption of this Decision and are not bound by it or subject to its application.

(11) This Decision constitutes an act building upon, or otherwise related to, the Schengen acquis within, respectively, the meaning of Article 3(2) of the 2003 Act of Accession, of Article 4(2) of the 2005 Act of Accession and of Article 4(2) of the 2011 Act of Accession.

(12) As regards Iceland and Norway, this Decision constitutes a development of the 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 latter’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.

(13) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded 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/EC.

(14) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen acquis within the meaning 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 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/EU.

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3 OJ L 176, 10.7.1999, p. 36.
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).
8 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.
The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 6 of Council Regulation 1683/95, HAS ADOPTED THIS DECISION:

Article 1
The technical specifications for the uniform format for residence permits, which are additional to those laid down by Regulation (EC) No 1030/02, are set out in the Annexes I, II and III to this Decision.

Article 2
The Member States shall cooperate in the implementation of this Decision in particular by exchanging information on all the technical specifications. Each Member State shall send the Commission and the other Member States a reference specimen of the residence permit which it issues. Each Member State shall also keep specimens of subsequent print runs and shall hold them at the disposal of the Commission and the other Member States.

Article 3
The norm ČSN 36 9791 version 2.0, as referred to in the Common Certificate policy, reference number [13] in Annex III, shall be applied from at the latest six months after the notification of the present decision.

Article 4
Decision C (2002) 3069 is repealed.
Article 5

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Republic of Croatia, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, 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, 30.11.2018

For the Commission
Dimitris AVRAMOPOULOS
Member of the Commission

CERTIFIED COPY
For the Secretary-General,

Jordi AYET PUIGARNAU
Director of the Registry
EUROPEAN COMMISSION