

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)

TITLE I

GENERAL PROVISIONS

Article 1

Objective and scope

[^{F1} This Regulation establishes the procedures and conditions for issuing visas for intended stays on the territory of the Member States not exceeding 90 days in any 180-day period.]

2 The provisions of this Regulation shall apply to any third-country national who must be in possession of a visa when crossing the external borders of the Member States pursuant to Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement⁽¹⁾, without prejudice to:

- a the rights of free movement enjoyed by third-country nationals who are family members of citizens of the Union;
- b the equivalent rights enjoyed by third-country nationals and their family members, who, under agreements between the Community and its Member States, on the one hand, and these third countries, on the other, enjoy rights of free movement equivalent to those of Union citizens and members of their families.

3 This Regulation also lists the third countries whose nationals are required to hold an airport transit visa by way of exception from the principle of free transit laid down in Annex 9 to the Chicago Convention on International Civil Aviation, and establishes the procedures and conditions for issuing visas for the purpose of transit through the international transit areas of Member States' airports.

[^{F24} When applying this Regulation, Member States shall act in full compliance with Union law, including the Charter of Fundamental Rights of the European Union. In accordance with the general principles of Union law, decisions on applications under this Regulation shall be taken on an individual basis.]

Textual Amendments

- F1** Substituted by [Regulation \(EU\) 2019/1155 of the European Parliament and of the Council of 20 June 2019 amending Regulation \(EC\) No 810/2009 establishing a Community Code on Visas \(Visa Code\)](#).
- F2** Inserted by [Regulation \(EU\) 2019/1155 of the European Parliament and of the Council of 20 June 2019 amending Regulation \(EC\) No 810/2009 establishing a Community Code on Visas \(Visa Code\)](#).

Changes to legislation: This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on legislation.gov.uk. (See end of Document for details)

Article 2

Definitions

For the purpose of this Regulation the following definitions shall apply:

1. ‘third-country national’ means any person who is not a citizen of the Union within the meaning of Article 17(1) of the Treaty;
2. ‘visa’ means an authorisation issued by a Member State with a view to:
 - (a) [^{F1}an intended stay on the territory of the Member States not exceeding 90 days in any 180-day period; or]
 - (b) transit through the international transit areas of airports of the Member States;
3. ‘uniform visa’ means a visa valid for the entire territory of the Member States;
4. ‘visa with limited territorial validity’ means a visa valid for the territory of one or more Member States but not all Member States;
5. ‘airport transit visa’ means a visa valid for transit through the international transit areas of one or more airports of the Member States;
6. ‘visa sticker’ means the uniform format for visas as defined by Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas⁽²⁾;
7. [^{F1}‘recognised travel document’ means a travel document recognised by one or more Member States for the purpose of crossing the external borders and affixing a visa pursuant to Decision No 1105/2011/EU of the European Parliament and of the Council⁽³⁾;
8. ‘separate sheet for affixing a visa’ means the uniform format for forms for affixing the visa issued by Member States to persons holding travel documents not recognised by the Member State drawing up the form as defined by Council Regulation (EC) No 333/2002 of 18 February 2002 on a uniform format for forms for affixing the visa issued by Member States to persons holding travel documents not recognised by the Member State drawing up the form⁽⁴⁾;
9. ‘consulate’ means a Member State’s diplomatic mission or a Member State’s consular post authorised to issue visas and headed by a career consular officer as defined by the Vienna Convention on Consular Relations of 24 April 1963;
10. ‘application’ means an application for a visa;
11. ‘commercial intermediary’ means a private administrative agency, transport company or travel agency (tour operator or retailer)^[F1];
12. [^{F2}‘seafarer’ means any person who is employed, engaged or works in any capacity on board a ship in maritime navigation or a ship navigating in international inland waters;
13. ‘electronic signature’ means an electronic signature as defined in point (10) of Article 3 of Regulation (EU) No 910/2014 of the European Parliament and of the Council⁽⁵⁾.]

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Document Generated: 2024-08-08

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- (1) [OJ L 81, 21.3.2001, p. 1.](#)
- (2) [OJ L 164, 14.7.1995, p. 1.](#)
- (3) [^{F1}Decision No 1105/2011/EU of the European Parliament and of the Council of 25 October 2011 on the list of travel documents which entitle the holder to cross the external borders and which may be endorsed with a visa and on setting up a mechanism for establishing this list ([OJ L 287, 4.11.2011, p. 9.](#))]
- (4) [OJ L 53, 23.2.2002, p. 4.](#)
- (5) [^{F2}Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC ([OJ L 257, 28.8.2014, p. 73.](#))]

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