

ANNEX III

Definition of ‘applicant’ or ‘applicant for asylum’

When implementing the provisions of this Directive Spain may, insofar as the provisions of ‘*Ley 30/1992 de Régimen jurídico de las Administraciones Públicas y del Procedimiento Administrativo Común*’ of 26 November 1992 and ‘*Ley 29/1998 reguladora de la Jurisdicción Contencioso-Administrativa*’ of 13 July 1998 continue to apply, consider that, for the purposes of Chapter V, the definition of ‘applicant’ or ‘applicant for asylum’ in Article 2(c) of this Directive shall include ‘*recurrente*’ as established in the abovementioned Acts.

A ‘*recurrente*’ shall be entitled to the same guarantees as an ‘applicant’ or an ‘applicant for asylum’ as set out in this Directive for the purposes of exercising his/her right to an effective remedy in Chapter V.

Spain will notify the Commission of any relevant amendments to the abovementioned Act.