

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 III

**PROCEDURES AND CONDITIONS FOR ISSUING VISAS**

*CHAPTER IV*

***Issuing of the visa***

*Article 24*

**Issuing of a uniform visa**

1 The period of validity of a visa and the length of the authorised stay shall be based on the examination conducted in accordance with Article 21.

A visa may be issued for one, two or multiple entries. The period of validity shall not exceed five years.

In the case of transit, the length of the authorised stay shall correspond to the time necessary for the purpose of the transit.

Without prejudice to Article 12(a), the period of validity of the visa shall include an additional 'period of grace' of 15 days.

Member States may decide not to grant such a period of grace for reasons of public policy or because of the international relations of any of the Member States.

2 Without prejudice to Article 12(a), multiple-entry visas shall be issued with a period of validity between six months and five years, where the following conditions are met:

- a the applicant proves the need or justifies the intention to travel frequently and/or regularly, in particular due to his occupational or family status, such as business persons, civil servants engaged in regular official contacts with Member States and EU institutions, representatives of civil society organisations travelling for the purpose of educational training, seminars and conferences, family members of citizens of the Union, family members of third-country nationals legally residing in Member States and seafarers; and
- b the applicant proves his integrity and reliability, in particular the lawful use of previous uniform visas or visas with limited territorial validity, his economic situation in the country of origin and his genuine intention to leave the territory of the Member States before the expiry of the visa applied for.

3 The data set out in Article 10(1) of the VIS Regulation shall be entered into the VIS when a decision on issuing such a visa has been taken.

## Article 25

### Issuing of a visa with limited territorial validity

1 A visa with limited territorial validity shall be issued exceptionally, in the following cases:

- a when the Member State concerned considers it necessary on humanitarian grounds, for reasons of national interest or because of international obligations,
  - (i) to derogate from the principle that the entry conditions laid down in Article 5(1)(a), (c), (d) and (e) of the Schengen Borders Code must be fulfilled;
  - (ii) to issue a visa despite an objection by the Member State consulted in accordance with Article 22 to the issuing of a uniform visa; or
  - (iii) to issue a visa for reasons of urgency, although the prior consultation in accordance with Article 22 has not been carried out;
- or
- b when for reasons deemed justified by the consulate, a new visa is issued for a stay during the same six-month period to an applicant who, over this six-month period, has already used a uniform visa or a visa with limited territorial validity allowing for a stay of three months.

2 A visa with limited territorial validity shall be valid for the territory of the issuing Member State. It may exceptionally be valid for the territory of more than one Member State, subject to the consent of each such Member State.

3 If the applicant holds a travel document that is not recognised by one or more, but not all Member States, a visa valid for the territory of the Member States recognising the travel document shall be issued. If the issuing Member State does not recognise the applicant's travel document, the visa issued shall only be valid for that Member State.

4 When a visa with limited territorial validity has been issued in the cases described in paragraph 1(a), the central authorities of the issuing Member State shall circulate the relevant information to the central authorities of the other Member States without delay, by means of the procedure referred to in Article 16(3) of the VIS Regulation.

5 The data set out in Article 10(1) of the VIS Regulation shall be entered into the VIS when a decision on issuing such a visa has been taken.

## Article 26

### Issuing of an airport transit visa

1 An airport transit visa shall be valid for transiting through the international transit areas of the airports situated on the territory of Member States.

2 Without prejudice to Article 12(a), the period of validity of the visa shall include an additional 'period of grace' of 15 days.

Member States may decide not to grant such a period of grace for reasons of public policy or because of the international relations of any of the Member States.

3 Without prejudice to Article 12(a), multiple airport transit visas may be issued with a period of validity of a maximum six months.

4 The following criteria in particular are relevant for taking the decision to issue multiple airport transit visas:

- a the applicant's need to transit frequently and/or regularly; and
- b the integrity and reliability of the applicant, in particular the lawful use of previous uniform visas, visas with limited territorial validity or airport transit visas, his economic situation in his country of origin and his genuine intention to pursue his onward journey.

5 If the applicant is required to hold an airport transit visa in accordance with the provisions of Article 3(2), the airport transit visa shall be valid only for transiting through the international transit areas of the airports situated on the territory of the Member State(s) concerned.

6 The data set out in Article 10(1) of the VIS Regulation shall be entered into the VIS when a decision on issuing such a visa has been taken.

#### *Article 27*

#### **Filling in the visa sticker**

1 When the visa sticker is filled in, the mandatory entries set out in Annex VII shall be inserted and the machine-readable zone filled in, as provided for in ICAO document 9303, Part 2.

2 Member States may add national entries in the 'comments' section of the visa sticker, which shall not duplicate the mandatory entries in Annex VII.

3 All entries on the visa sticker shall be printed, and no manual changes shall be made to a printed visa sticker.

4 Visa stickers may be filled in manually only in case of technical force majeure. No changes shall be made to a manually filled in visa sticker.

5 When a visa sticker is filled in manually in accordance with paragraph 4 of this Article, this information shall be entered into the VIS in accordance with Article 10(1)(k) of the VIS Regulation.

#### *Article 28*

#### **Invalidation of a completed visa sticker**

1 If an error is detected on a visa sticker which has not yet been affixed to the travel document, the visa sticker shall be invalidated.

2 If an error is detected after the visa sticker has been affixed to the travel document, the visa sticker shall be invalidated by drawing a cross with indelible ink on the visa sticker and a new visa sticker shall be affixed to a different page.

3 If an error is detected after the relevant data have been introduced into the VIS in accordance with Article 10(1) of the VIS Regulation, the error shall be corrected in accordance with Article 24(1) of that Regulation.

### *Article 29*

#### **Affixing a visa sticker**

1 The printed visa sticker containing the data provided for in Article 27 and Annex VII shall be affixed to the travel document in accordance with the provisions set out in Annex VIII.

2 Where the issuing Member State does not recognise the applicant's travel document, the separate sheet for affixing a visa shall be used.

3 When a visa sticker has been affixed to the separate sheet for affixing a visa, this information shall be entered into the VIS in accordance with Article 10(1)(j) of the VIS Regulation.

4 Individual visas issued to persons who are included in the travel document of the applicant shall be affixed to that travel document.

5 Where the travel document in which such persons are included is not recognised by the issuing Member State, the individual stickers shall be affixed to the separate sheets for affixing a visa.

### *Article 30*

#### **Rights derived from an issued visa**

Mere possession of a uniform visa or a visa with limited territorial validity shall not confer an automatic right of entry.

### *Article 31*

#### **Information of central authorities of other Member States**

1 A Member State may require that its central authorities be informed of visas issued by consulates of other Member States to nationals of specific third countries or to specific categories of such nationals, except in the case of airport transit visas.

2 Member States shall notify the Commission of the introduction or withdrawal of the requirement for such information before it becomes applicable. This information shall also be given within local Schengen cooperation in the jurisdiction concerned.

3 The Commission shall inform Member States of such notifications.

4 From the date referred to in Article 46 of the VIS Regulation, information shall be transmitted in accordance with Article 16(3) of that Regulation.

### *Article 32*

#### **Refusal of a visa**

1 Without prejudice to Article 25(1), a visa shall be refused:

- a if the applicant:

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*Status: This is the original version (as it was originally adopted).*

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- (i) presents a travel document which is false, counterfeit or forged;
  - (ii) does not provide justification for the purpose and conditions of the intended stay;
  - (iii) does not provide proof of sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is not in a position to acquire such means lawfully;
  - (iv) has already stayed for three months during the current six-month period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial validity;
  - (v) is a person for whom an alert has been issued in the SIS for the purpose of refusing entry;
  - (vi) is considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where an alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds; or
  - (vii) does not provide proof of holding adequate and valid travel medical insurance, where applicable;
- or
- b if there are reasonable doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for.
- 2 A decision on refusal and the reasons on which it is based shall be notified to the applicant by means of the standard form set out in Annex VI.
- 3 Applicants who have been refused a visa shall have the right to appeal. Appeals shall be conducted against the Member State that has taken the final decision on the application and in accordance with the national law of that Member State. Member States shall provide applicants with information regarding the procedure to be followed in the event of an appeal, as specified in Annex VI.
- 4 In the cases referred to in Article 8(2), the consulate of the representing Member State shall inform the applicant of the decision taken by the represented Member State.
- 5 Information on a refused visa shall be entered into the VIS in accordance with Article 12 of the VIS Regulation.