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**COMMISSION IMPLEMENTING DECISION**

**of 4.6.2021**

**amending Annex III to Implementing Decision C(2018) 7767 as regards the list of  
normative references**

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### amending Annex III to Implementing Decision C(2018) 7767 as regards the list of normative references

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 nationals<sup>1</sup>, and in particular Article 2(1), points (d) and (e) thereof,

Whereas:

- (1) Regulation (EC) No 1030/2002 lays down only such technical specifications for residence permits for third-country nationals that are not secret. The Commission should adopt additional technical specifications which are to remain secret in order to prevent the risk of counterfeiting and falsifications
- (2) Commission Implementing Decision C(2018) 7767<sup>2</sup> laid down a certificate policy.
- (3) Due to the continuous development of the reference documents, mainly emanating from the International Civil Aviation Organisation, to which the technical specifications for residence permits for third country nationals refer, those additional technical specifications need to be updated to correspond to the latest technical standards.
- (4) The audit requirements of the existing certificate policy were identified as an obstacle preventing the swift exchange of certificates necessary to access the fingerprint data contained in the storage medium of the residence permit for third country nationals. Those audit requirements should therefore be amended.
- (5) Given that Regulation (EC) No 1030/2002 builds upon the Schengen *acquis*, in accordance with Article 4 of Protocol No 22 on the Position of Denmark, annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark notified the implementation of Regulation (EC) No 1030/2002 in its national law. It is therefore bound under international law to implement this Decision.
- (6) In accordance with Article 3 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, Ireland has notified, by letter of 8 February 2020<sup>3</sup>, its wish to take part in the adoption and application of Regulation (EC) No 1030/2002.

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<sup>1</sup> OJ L 157, 15.6.2002, p.1.

<sup>2</sup> Commission Implementing Decision C(2018) 7767 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) 3069.

<sup>3</sup> Commission Decision (EU) 2020/1730 of 18 November 2020 confirming the participation of Ireland in Regulation (EU) 2017/1954 of the European Parliament and of the Council amending Council

- (7) 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.
- (8) 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*<sup>4</sup> which fall within the area referred to in Article 1, point B, of Council Decision 1999/437/EC<sup>5</sup>.
- (9) 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*<sup>6</sup> 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.<sup>7</sup>
- (10) 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*<sup>8</sup> 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<sup>9</sup>.
- (11) 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<sup>10</sup>,

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Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals (OJ L 387, 19.11.2002, p. 22).

<sup>4</sup> OJ L 176, 10.7.1999, p. 36.

<sup>5</sup> 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).

<sup>6</sup> OJ L 53, 27.02.2008, p. 52.

<sup>7</sup> Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of 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* (OJ L 53, 27.2.2008, p. 1).

<sup>8</sup> OJ L 160, 18.6.2011, p. 21.

<sup>9</sup> 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 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*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

<sup>10</sup> Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas (OJ L 164, 14.7.1995, p. 1).

HAS ADOPTED THIS DECISION:

*Article 1*

Point 7 of Annex III to Commission Implementing Decision C(2018) 7767 is amended as follows:

- (1) normative reference [2] is replaced by the following:  
‘ICAO Doc 9303 8th edition, Part 9’;
- (2) normative reference [4] is replaced by the following:  
‘International Civil Aviation Organization (ICAO), Machine Readable Travel Documents, Doc 9303, 8th edition, 2021’;
- (3) normative reference [10] is replaced by the following:  
‘ICAO Doc 9303, 8th edition, Part 11’;
- (4) normative reference [11] is replaced by the following:  
‘ICAO Doc 9303 8th edition, Parts 10 and 12’;
- (5) normative reference [13] is replaced by the following:  
‘BSI TR-03139 Common Certificate Policy for the Extended Access Control Infrastructure for Travel and Residence Documents issued by EU Member States, v2.4’.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 4.6.2021

*For the Commission*  
*Ylva JOHANSSON*  
*Member of the Commission*

