



Brussels, 25.4.2024
C(2024) 2602 final

COMMISSION IMPLEMENTING DECISION

of 25.4.2024

amending Implementing Decision C(2017) 5853 as regards the list of supporting documents to be submitted by applicants in Australia for short stay visas

(Only the Bulgarian, Croatian, Czech, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish texts are authentic)

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THE EUROPEAN COMMISSION,

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

Having regard to 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)¹, and in particular Article 14(5a) thereof,

Whereas:

- (1) Regulation (EC) No 810/2009 lays down the procedures and conditions for issuing visas for intended stays on the territory of the Member States that do not exceed 90 days in any 180-day period.
- (2) To ensure a harmonised application of the common visa policy taking into account local circumstances, Article 48(1a), point (a), of Regulation (EC) No 810/2009 provides that harmonised lists of supporting documents to be submitted by visa applicants should be drawn up through local Schengen cooperation in each jurisdiction.
- (3) Annex I to Implementing Decision C(2017) 5853² sets out the list of supporting documents to be submitted by applicants for short stay visas in Australia.
- (4) Following a renewed assessment taking local circumstances into account, the local Schengen cooperation has confirmed that the harmonised list of supporting documents to be submitted by visa applicants in Australia needs to be revised. The revision should be based on the experience gained in applying the previous list and should expand the documents required from minors travelling without both parents, to ensure that a minor cannot travel without the consent of their parental authority. The required proof of Australian visa status should be clarified. The submission of a marriage certificate has become obsolete and is no longer necessary, based on the local assessment of migration risks and the fact that the submission of a marriage certificate does not substantiate the applicant's will to return to Australia. The Commission agrees with this assessment.
- (5) For applicants that are known to consulates for their integrity and reliability, those consulates may waive the requirements of Article 14(1) of Regulation (EC) No

¹ OJ L 243, 15.9.2009, p. 1, ELI: <http://data.europa.eu/eli/reg/2009/810/oj>.

² Commission Implementing Decision C(2017) 5853 of 30 August 2017 establishing the list of supporting documents to be submitted by applicants for short stay visas in Australia, Bangladesh, Ethiopia, South Africa, Thailand and Zambia.

810/2009, in accordance with Article 14(6) of that Regulation. In justified cases, consulates may also request additional documents during the examination of an application, in accordance with Article 21(8) of Regulation (EC) No 810/2009.

- (6) Given that Denmark decided to implement Regulation (EC) No 810/2009 which builds on the Schengen *acquis* in its national law, 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 on the Functioning of the European Union, Denmark is bound under international law to implement this Decision.
- (7) This Decision constitutes a development in the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC³. Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (8) As regards Iceland and Norway, this Decision constitutes a development in 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*⁴, which fall under the area referred to in Article 1, point B of Council Decision 1999/437/EC⁵.
- (9) As regards Switzerland, this Decision constitutes a development in the provisions of the Schengen *acquis* within the meaning 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*⁶, which fall under 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/EC⁷.
- (10) As regards Liechtenstein, this Decision constitutes a development in the provisions of the Schengen *acquis* within the meaning of the Protocol signed 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*⁸, which fall under the area referred to in Article

³ Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20, ELI: <http://data.europa.eu/eli/dec/2002/192/oj>).

⁴ OJ L 176, 10.7.1999, p. 36, ELI: [http://data.europa.eu/eli/agree_internation/1999/439\(1\)/oj](http://data.europa.eu/eli/agree_internation/1999/439(1)/oj).

⁵ 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, ELI: <http://data.europa.eu/eli/dec/1999/437/oj>).

⁶ OJ L 53, 27.2.2008, p. 52.

⁷ 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, ELI: <http://data.europa.eu/eli/dec/2008/146/oj>).

⁸ OJ L 160, 18.6.2011, p. 21.

1, point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU⁹.

- (11) This Decision constitutes an act building on the Schengen *acquis* within the meaning of Article 3(2) of the 2003 Act of Accession.
- (12) Implementing Decision C(2017) 5853 should therefore be amended accordingly.
- (13) The measures provided for in this Decision are in accordance with the opinion of the Visa Committee established under Article 52(1) of Regulation (EC) No 810/2009,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Implementing Decision C(2017) 5853 is replaced by the text in the Annex to this Decision.

Article 2

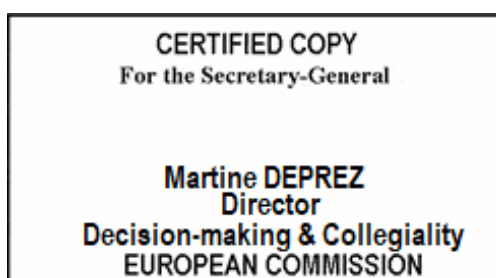
This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic 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, 25.4.2024

For the Commission

Ylva JOHANSSON

Member of the Commission



⁹ 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, ELI: <http://data.europa.eu/eli/dec/2011/350/oj>).