



Council of the  
European Union

Brussels, 8 April 2016  
(OR. en)

---

**Interinstitutional File:**  
2016/0105 (COD)

---

7676/16  
ADD 1

FRONT 166  
VISA 92  
CODEC 392  
COMIX 269

## PROPOSAL

---

From: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 7 April 2016

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of  
the European Union

---

No. Cion doc.: COM(2016) 196 final

---

Subject: ANNEX to the Proposal for a REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL amending Regulation (EU)  
2016/399 as regards the use of the Entry/Exit System

---

Delegations will find attached document COM(2016) 196 final.

---

Encl.: COM(2016) 196 final



Brussels, 6.4.2016  
COM(2016) 196 final

ANNEX 1

**ANNEX**

**to the**

**Proposal for a**

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
amending Regulation (EU) 2016/399 as regards the use of the Entry/Exit System**

{SWD(2016) 115 final}

{SWD(2016) 116 final}

**ANNEX**

**to the**

**Proposal for a**

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**  
**amending Regulation (EU) 2016/399 as regards the use of the Entry/Exit System**

*ANNEX*

Annexes to Regulation (EU) 2016/399 are amended as follows:

1. Part D is added to Annex III:

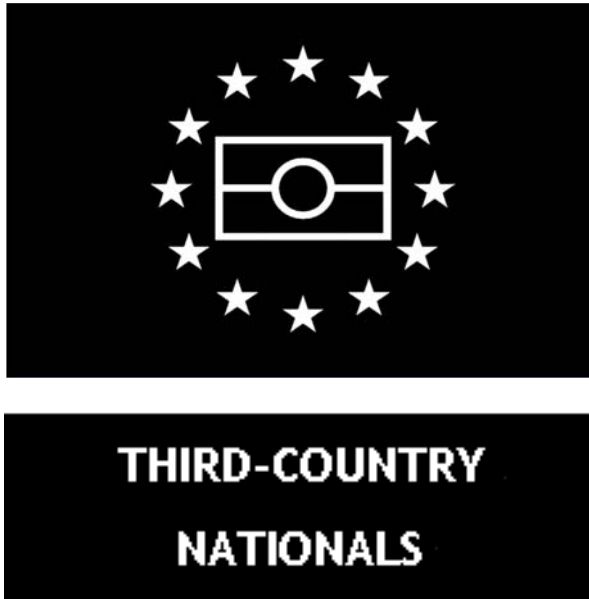
**"PART D**

Part D1: ABC lanes for EU/EEA/CH citizens



Stars are not required for Switzerland, Liechtenstein, Norway and Iceland

Part D2: ABC lanes for third country nationals



Stars are not required for Switzerland, Liechtenstein, Norway and Iceland

Part D3: ABC lanes for all passports



Stars are not required for Switzerland, Liechtenstein, Norway and Iceland"

2. Annex IV is amended as follows:
  - (a) point 1 is replaced by the following:

"1. Where provided expressly by its national legislation, a Member State may stamp on entry and exit the travel document of those third country nationals holding a residence permit issued by that same Member State in accordance with Article 11. In addition, in accordance with Annex V part A, where third country nationals are refused entry pursuant to Article 14, the border guard shall affix an entry stamp on the passport, cancelled by a cross in indelible black ink, and write opposite it on the right-hand side, also in indelible ink, the letter(s) corresponding to the reason(s) for refusing entry, the list of which is given on the standard form for refusing entry shown in Part B of Annex V."

(b) point 1a is added:

"The specifications of those stamps are laid down in the Schengen Executive Committee Decision SCH/COM-EX (94) 16 rev and SCH/Gem-Handb (93) 15 (CONFIDENTIAL)."

(c) point 3 is replaced by the following:

"3. In case of refusal of entry of a third country national subject to the visa obligation, the stamp shall, as a general rule, be affixed on the page facing the one on which the visa is affixed.

If that page cannot be used, the stamp shall be entered on the following page. The machine readable zone shall not be stamped."

3. Annex V part A is amended as follows:

(a) point 1(b) is replaced by the following:

"(b) for third country nationals whose entry for a short stay [or on the basis of a touring visa] has been refused, the data on refusal of entry shall be registered into the EES in accordance with Article 6a(2) of this Regulation and Article 16 of [Regulation establishing the Entry/Exit System (EES)]. In addition, the border guard shall affix an entry stamp on the passport, cancelled by a cross in indelible black ink, and write opposite it on the right-hand side, also in indelible ink, the letter(s) corresponding to the reason(s) for refusing entry, the list of which is given on the standard form for refusing entry shown in Part B of this Annex;"

(b) point 1(d) is replaced by the following:

"(d) for third country nationals whose refusals of entry shall not be registered into the EES, the border guard shall affix an entry stamp on the passport, cancelled by a cross in indelible black ink, and write opposite it on the right-hand side, also in indelible ink, the letter(s) corresponding to the reason(s) for refusing entry, the list of which is given on the standard form for refusing entry shown in Part B of this Annex. In addition, for these categories of persons, the border guard shall record every refusal of entry in a register or on a list stating the identity and nationality of the third country national concerned, the references of the document authorising the third country national to cross the border and the reason for, and date of, refusal of entry;"

(c) point 1(e) is added:

"(e) The practical arrangements for stamping are set out in Annex IV."