



EUROPEAN COMMISSION

Brussels, 3.9.2014
C(2014) 6146 final

COMMISSION IMPLEMENTING DECISION of 3.9.2014

establishing the list of supporting documents to be presented by visa applicants in Cape Verde, Kenya and the Philippines

(Only the Bulgarian, Croatian, Czech, Dutch, 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 48(1) thereof,

Whereas:

- (1) Regulation (EC) No 810/2009 lays down the Union rules for the issuing of visas for transit through or intended stays in the territory of Member States not exceeding 90 days in any 180 days period.
- (2) According to Regulation (EC) No 810/2009, visa applicants are required to present documents indicating among other things the purpose of their journey and the fact that they fulfil the entry conditions as set out in Article 5 of Regulation (EC) No 562/2006 of the European Parliament and of the Council². In order to ensure harmonised application of the common visa policy, Regulation (EC) No 810/2009 established that within local Schengen cooperation the need to complete and harmonise the lists of supporting documents should be assessed in each jurisdiction in order to take account of local circumstances.
- (3) The local Schengen cooperation in Cape Verde, Kenya and the Philippines have confirmed the need to harmonise the list of supporting documents and have accordingly drawn up lists.
- (4) In individual cases it should still be possible for consulates to waive the requirement to submit one or more of the listed supporting documents in the case of applicants known to them for their integrity and reliability in accordance with Article 14(6) of Regulation (EC) No 810/2009 or, in justified cases, during the examination of an application, to request additional documents, in accordance with Article 21(8) of Regulation (EC) No 810/2009.
- (5) Given that Regulation (EC) No 810/2009 builds upon the Schengen *acquis*, Denmark, in accordance with Article 5 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community

¹ OJ L 243, 15.9.2009 p. 1.

² Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing the Community Code on the rules governing the movement of persons across borders (Schengen Borders Code). OJ L 105, 13.4.2006, p. 1.

and Article 4 of Protocol (No 22) on the position of Denmark, annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union, decided to implement Regulation (EC) No 810/2009 in its national law. Denmark is therefore bound under international law to implement this Decision.

- (6) This Decision constitutes a development of provisions of the Schengen acquis in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC³. The United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application. This Decision should therefore not be addressed to the United Kingdom.
- (7) This Decision constitutes a development of provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC⁴. Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application. This Decision should therefore not be addressed to Ireland.
- (8) As regards Iceland and Norway, this Decision constitutes a development of 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 association of those two States with the implementation, application and development of the Schengen acquis, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC of 17 May 1999⁵.
- (9) As regards Switzerland, this Decision constitutes a development of 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, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC⁶.
- (10) As regards Liechtenstein, this Decision constitutes a development of 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, which fall within the area referred to in Article

³ Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis (OJ L 131, 1.6.2000, p. 43).

⁴ 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).

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).

⁶ 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).

1, point B of Council Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU⁷.

- (11) As regards Cyprus, this Decision constitutes an act building upon, or otherwise related to, the Schengen acquis within the meaning of Article 3(2) of the 2003 Act of Accession.
- (12) As regards Bulgaria and Romania, this Decision constitutes an act building upon, or otherwise related to, the Schengen acquis within the meaning of Article 4(2) of the 2005 Act of Accession.
- (13) As regards Croatia, this Decision constitutes an act building upon, or otherwise related to, the Schengen acquis within the meaning of Article 4(2) of the 2012 Act of Accession.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Visa Committee.

HAS ADOPTED THIS DECISION:

Article 1

- (a) The list of supporting documents to be submitted by applicants for short stay visas in Cape Verde shall be as set out in the Annex I.
- (b) The list of supporting documents to be submitted by applicants for short stay visas in Kenya shall be as set out in the Annex II.
- (c) The list of supporting documents to be submitted by applicants for short stay visas in the Philippines shall be as set out in the Annex III.

⁷

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).

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, Republic of Croatia, the French Republic, 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, 3.9.2014

*For the Commission
Cecilia MALMSTRÖM
Member of the Commission*

CERTIFIED COPY
For the Secretary-General,

Jordi AYET PUIGARNAU
Director of the Registry
EUROPEAN COMMISSION



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ANNEXES 1 to 3

ANNEXES

to the

COMMISSION Implementing Decision

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ANNEX III

List of supporting documents to be presented by visa applicants in the Philippines

- I. General requirements for all visa applicants
1. Proof of financial means of the applicant
 - Bank certification, bank books
 - Personal bank statements, credit card statements or balance covering the last six months
 - For minors: Proof of economic means of parents or legal guardian (cf. the above)
 - For seafarers: see part III
2. Proof of travel
 - Copy of the roundtrip airline reservation with Passenger Registration Number (or reservation number) and travel itinerary.
3. Proof of will to return
 - Copy of employment contract or social security contributions (if relevant)
 - Copy of real estate property – title-deed (if relevant)
 - Proof of family ties in the Philippines (e.g. marriage certificate)
4. Proof of occupation
 - If employed:
 - Certificate of employment
 - Certificate of leave absence
 - If self-employed:
 - Department of Trade Industry (DTI)/Securities Exchange Commission SEC registration of business
 - Income Tax Return
 - Business Financial Statement
 - If student:
 - Proof of enrolment
 - Certificate of leave absence if travelling during school year
5. If travelling with spouse and/or children
 - Marriage contract certified by the National Statistics Office (NSO)
 - Birth certificates of children certified by the National Statistics Office (NSO)
6. For non-Filipino applicants who have valid residence status in the Philippines
 - Copy of Alien Certificate Registration (ACR)

- Re-entry permit
7. Minors
- Affidavit of support & consent of parents (specially of the non-travelling parent) or legal guardian

Copy of passport of parents or legal guardian

- Birth certificate of the minor certified by the National Statistics Office (NSO)
- Department of Social Welfare and Development (DSWD) clearance

II. Documents to be submitted depending on the purpose of travel

1. Tourism

- Proof of accommodation: Hotel confirmation or hotel voucher
- Detailed day-to-day itinerary of the planned trip

2. Family or friends visit

- Proof of sponsorship¹:
 - Letter of guarantee, invitation letter or hotel reservation
 - Proof of relationship (birth certificate, marriage certificate)
 - A photocopy of the bio data page of the passport and/or travel history of the sponsor in case of non-formalised relationship (boyfriend/girlfriend)

3. Travelling for the purpose of business trip, cultural or sports event, official visit

- Certificate from the employer:
 - letter of the Philippine company introducing the businessperson, purpose and duration of the visit(s), financial cover of the visit, short company profile, etc.
- Invitation from the visited company or organisation:
 - the letter should incorporate relevant personal data of the invited, length of the invitation, reason and activity to develop in the Member State during the visit
- Proof of recent business contacts:
 - In case of doubt repeated invitations from the same company in favour of the same applicant, documents in order to proof that the continuation of the commercial relationship with the company that invites (contracts, bills, etc.)
- Participants in commercial fairs or congress /cultural or sports event:

¹ Austria, Belgium, Czech Republic, Denmark (may be requested if Denmark is represented by another Member State), Finland, France, Germany, Greece, Hungary, Italy, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Slovakia, Slovenia, Spain, Sweden, Switzerland.

- Letter of invitation from the organisation of this events or invitations to attend them
- Proof of accommodation: Hotel confirmation or hotel voucher

III. Seafarers

- Employment contract
- Photocopy of the working contracts of the seafarer in order to board the ship (P.O.E.A. contract)
- Seaman's book
- Invitation letter from the maritime agency of the Member State where the sailor will join the boat. The invitation should be signed and with the seal of the agency and include the following data:
 - Name and family name of the seafarer
 - Place and date of birth, passport number, seaman's book number
 - Date of issue, period of validity
 - The sailor's position on the vessel (in case of a group of sailors this information can be included in a list signed, sealed and attached to the invitation letter)
 - Date and airport of entry into the Schengen area
 - Name of the vessel
 - Port of boarding
 - Duration of the contract
 - Itinerary that the seafarer will follow to arrive in the Schengen State of destination.
 - The name and address of the collaborating Philippine agency or which will present the visa application, be in charge of the seafarer once he arrives in the Member State in order to transport him to the sea port to board.
 - If the application is presented by a Filipino maritime agency, a letter of invitation of the Philippine agency that includes a list of the seafarer(s), in which is stated their employment on the ship.