



COUNCIL OF  
THE EUROPEAN UNION



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PRESSE 278

## Council adopts technical amendments to the Schengen Borders Code

Today the Council adopted<sup>1</sup> a number of amendments to Regulation (EC) No 562/2006 establishing a Community Code on the rules governing the movement of persons across borders (**Schengen Borders Code**), and a number of consequential amendments to related provisions in other instruments such as the Schengen Convention ([PE-CONS 3/13](#)). These amendments are the result of the experience gained during the first years of application of the Regulation and are aimed at improving its clarity and narrowing the scope for divergent interpretations of the existing text. They also aim to respond to practical problems that have arisen during the first years of the Schengen Borders Code.

### What's new?

- **More legal certainty.** The amended Regulation introduces clearer rules in order to facilitate the calculation of short-stay periods in the Schengen area for border guards as well as for travellers. On the basis of this Regulation, a short stay in the Schengen area will be of a duration of no more than 90 days in any 180-day period. For the purposes of implementing the new rules, the date of entry shall be considered as the first day of stay on the territory of the member states and the date of exit shall be considered as the last day of stay on the territory of the member states. Periods of stay authorised under a residence permit or a long-stay visa will not be taken into account in this calculation. Consequential amendments have been introduced in related provisions in a number of instruments, including the Schengen Convention, the Visa Code, the Regulation on visa requirements for third-country nationals, the VIS Regulation and the Regulation on a uniform format for visas.

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<sup>1</sup> The decision was taken without discussion at a meeting of the Employment, Social Policy, Health and Consumer Affairs Council.

# P R E S S

These new rules will apply after a transitional period of 90 days from the date of entry into force of the Regulation.

- **Economies of scale.** Member states may conclude or maintain bilateral agreements with neighbouring third countries concerning the establishment of shared border crossing points, at which member state border guards and third-country border guards carry out exit and entry checks one after another in accordance with their national law on the territory of the other party. Shared border crossing points may be located either on the territory of a member state or on the territory of a third country. These rules may help both member states and neighbouring third countries to save resources.
- **Improved training of border guards.** Member states shall ensure that the border guards are specialised and properly trained professionals for detecting and dealing with situations involving vulnerable persons, such as unaccompanied minors and victims of trafficking.
- **Speeding up border control.** The amended Regulation introduces the possibility of separate lanes for visa-free travellers in order to provide additional flexibility and speed up border control in accordance with practical needs.
- **Reduction of unnecessary red tape.** The amendments introduce more facilitations for intra-EU cargo ships, train crews and offshore workers.

The amended Regulation will be directly applicable and will enter into force twenty days after publication in the Official Journal. However, as mentioned above, the new rules for calculating short-stay periods will apply as from 90 days after publication. The United Kingdom, Ireland and Denmark are not taking part in the adoption of the Regulation.

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