

Reference amounts for the crossing of the external borders, as referred to in Article 5(3) of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)

(2006/C 247/03)

BELGIUM

It is stipulated in Belgian law that the availability of adequate means of subsistence should be demonstrated.

The administrative practice is as follows:

a) *Aliens staying with a private individual*

Proof of means of subsistence may be furnished by means of a letter of guarantee signed by the person accommodating the alien in Belgium and authenticated by the municipal administration of his place of residence.

The declaration of liability covers the costs of the alien's stay, health care, accommodation and repatriation in the event that the alien is unable to pay, so as to ensure that the public authorities do not have to bear them. The declaration must be signed by a person who is solvent and, if this person is an alien, is in possession of a residence permit or establishment permit.

If necessary, the alien may also be required to furnish proof of personal resources.

If he is without any financial credit at all, he must have access to approximately EUR 38 for each day of the planned stay.

b) *Aliens staying at a hotel*

If the alien is unable to furnish proof of any credit at all, he must have access to approximately EUR 50 for each day of the planned stay.

In most cases, the person concerned must in addition produce a travel ticket (airline ticket) enabling him to return to his country of origin or residence.

CZECH REPUBLIC

Reference amounts are fixed by Act No 326/1999 Sb. on Residence of Aliens in the Territory of the Czech Republic and Amendments of Some Acts.

According to Section 5 of the Act on Residence of Aliens in the Territory of the Czech Republic on the request of the Police, an alien shall be obliged to submit a document confirming that funds are available for his/her stay in the Terri-

tory (Section 13) or a certified invitation not older than 90 days from the date of its certification by the Police (Sections 15 and 180),

Section 13 provides the following:

Funds to Cover the Stay in the Territory

(1) Unless provided otherwise below, the following shall be submitted to prove the availability of funds for the stay in the Territory:

(a) funds amounting at least to the following:

— 0,5 times the subsistence minimum set out under a special legal regulation as required to cover maintenance and other basic personal needs (hereinafter the "Subsistence Minimum for Personal Needs") per day of stay if the total period of stay is not to exceed 30 days,

— 15 times the Subsistence Minimum for Personal Needs if the period of stay in the Territory is to exceed 30 days while this sum shall be increased to double the subsistence minimum for each whole month of expected stay in the Territory,

— 50 times the Subsistence Minimum for Personal Needs in case of stay for the purposes of business activity the total period of which is to exceed 90 days, or

— a document confirming the payment of services connected with the stay of the alien in the Territory or a document confirming that services will be provided free of charge.

(2) Instead of funds as referred to in sub-section 1, the following may be used to prove the availability of funds for the stay in the Territory:

(a) a bank account statement in the name of the alien confirming that the alien is free to use funds in the amount as referred to in sub-section 1 during his stay in the Czech Republic; or

(b) another document to certify that funds are available, such as a valid internationally recognised credit card.

(3) An alien who will study in the Territory may submit, as proof of availability of funds for his stay, a commitment by a state authority or a legal entity to cover the stay of the alien by providing funds equivalent to the Subsistence Minimum for Personal Needs for 1 month of expected stay, or a document confirming that all costs related to his studies and stay shall be covered by the receiving organisation (school). If the sum referred to in the undertaking does not reach this amount, the alien shall be obliged to submit a document proving the ownership of funds equivalent to the difference between the Subsistence Minimum for Personal Needs and the amount of the commitment for the period of his expected stay, however, not more than 6 times the Subsistence Minimum for Personal Needs. Document on the provision of means for one's residence may be replaced by a decision or an agreement on the allocation of a grant acquired pursuant to an international treaty by which the Czech Republic is bound.

(4) An alien who has not attained 18 years shall be obliged to prove the availability of funds for his stay pursuant to sub-section 1 equivalent to a half of the amount.'

and Section 15 provides the following:

'Invitation

In an invitation, the person inviting an alien shall undertake to cover the costs:

- (a) related to the maintenance of the alien throughout his stay in the Territory until he leaves the Territory;
- (b) related to the accommodation of the alien throughout his stay in the Territory until he leaves the Territory;
- (c) related to the provision of healthcare to the alien throughout his stay in the Territory until he leaves the Territory, and the transfer of the alien when ill or of the remains of the deceased;
- (d) arising to the Police in connection with the alien staying in the Territory and leaving the Territory in case of administrative expulsion.'

DENMARK

Under the Danish Aliens Law, an alien entering Danish territory must have means adequate for his subsistence and for the return journey.

In each case it is for the border control services at the point of entry to determine whether this is the case by conducting a specific appraisal of the economic situation of the alien, taking

account of information on his or her possibilities with regard to accommodation and the return journey.

For the purpose of determining whether an alien has adequate means, the administration has set a figure for adequate means of subsistence of, in principle, of DKK 350 per 24 hours. This is the sum which the alien must have at his disposal

In addition, the alien must be able to prove that he or she has adequate means for the return journey, for example in the form of a return ticket.

GERMANY

Pursuant to Article 15(2) of the Residence Act of 30 July 2004, an alien may be refused entry at the border if he does not fulfil the conditions for entry into the territory of the Member States in accordance with Article 5 of the Schengen Convention. This is the case if an alien does not have the necessary financial means, or cannot lawfully acquire the necessary means, to pay for his stay, including the return journey to his country of origin or a third country, for which he holds a residence permit entitling him to return to that country.

Mandatory reference amounts per day have not been set. Instead, border control officials need to examine each situation individually. Account should be taken of the alien's personal circumstances, such as the nature and purpose of the journey, length of the stay, whether he is staying with relatives or friends, and subsistence costs.

If the third-country national is unable to produce evidence of such circumstances or at least make credible statements, he should have EUR 45 per day at his disposal. It is also necessary to ensure that the third-country national's return or onward journey is possible. Proof may, for example, take the form of an onward or return travel ticket.

Proof of financial means may take the form of cash, credit cards and checks but may also include:

- a legal guarantee from a credit institution authorised to operate in the Federal Republic of Germany,
- a letter of guarantee from the host,
- a telegraphic money order,
- a guarantee deposited by the host or a third party with the immigration authorities responsible for the stay,
- sponsorship declaration

If there is reason to doubt the alien's non-cash liquidity, the case should be examined prior to entry.

ESTONIA

Under Estonian law, aliens arriving into Estonia without a letter of invitation, shall upon request by a border guard official upon entry into the country provide proof of sufficient monetary means to cover the costs of his/her stay in and departure from Estonia. Sufficient monetary means for each allowed day is considered to be 0,2 times the monthly minimum salary implemented by the Government of the Republic, i.e. 600 EEK.

Otherwise the person inviting shall assume responsibility for the costs of the alien's stay in and departure from Estonia.

GREECE

Ministerial decree No 3011/2/1f of 11 January 1992 fixes the amount for the means of subsistence which foreign nationals — with the exception of nationals of the Member States of the European Community — must have at their disposal if they wish to enter Greek territory.

Pursuant to the abovementioned ministerial decree, the amount of foreign currency enabling foreign nationals of non-member states of the European Community to enter Greece is fixed at the equivalent of EUR 20 in foreign currency per person per day, and a minimum total amount of EUR 100.

The amount of foreign currency required per day is reduced by 50 % for minors who are members of the alien's family.

Nationals of non-Community countries which oblige Greek nationals to change currency at the borders are also subject to this obligation in accordance with the principle of reciprocity.

SPAIN

Aliens must prove that they have the necessary means of subsistence. The minimum amount is given below:

- (a) for the costs of their stay in Spain: EUR 30, or the equivalent in foreign currency, multiplied by the planned number of days of the stay in Spain and by the number of family members travelling with the person concerned. Regardless of the planned duration of the stay, the minimum amount for which he must provide proof must always be EUR 300 per person.
- (b) for their return to the state of origin or for transit via third states: the non-transferable and fixed-date ticket or tickets, bearing the name, for the intended mode of transport.

Aliens must prove that they have the above means of subsistence either by producing them if they are in cash, or by producing certified cheques, traveller's cheques, receipts, letters of credit or a bank certificate confirming the existence of these means. In the absence of these documents, any other supporting documents recognised by the Spanish border police authorities may be produced.

FRANCE

The reference amount for adequate means of subsistence for the planned duration of an alien's stay or for his transit via France to a destination in a third state is equal to the amount of the guaranteed minimum wage in France (SMIC) calculated daily on the basis of the rate fixed on 1 January of the current year.

This amount is regularly reassessed on the basis of the French cost of living index:

- automatically whenever the retail price index rises more than 2 %,
- by a government decision — after consultation with the national commission for collective bargaining — to grant a rise higher than the rise in the retail price index.

As of 1 July 2003, the daily amount of the SMIC (minimum wage) is EUR 50,40.

Persons holding proof of accommodation ('attestation d'accueil') must possess a minimum amount of money, equivalent to half the SMIC, in order to stay in France. This amount is therefore EUR 25,20 per day.

ITALY

Article 4(3) of the 'Consolidated text of provisions governing immigration and the status of aliens' No 286 of 28 July 1998 states that Italy, in accordance with the obligations entered into by adherence to specific international agreements, shall allow entry into its territory to aliens who can prove that they possess suitable documentation to confirm the purpose and conditions of their residence and that they have sufficient means of subsistence for the duration of their stay and, except in the case of residence permits for work purposes, for their return to the country of origin. Means of subsistence are defined in the relevant directive issued by the Minister for the Interior. Aliens who do not satisfy these requirements or who are considered a threat to national security or public order of the State or of one of the countries with which Italy has signed agreements for the abolition of internal border controls and the free movement of persons may not enter Italy, subject to the limits and derogations laid down in those agreements.

The directive in question, which was issued on 1 March 2000 and has the title 'Definition of means of support for entry and residence of aliens in the national territory', lays down that:

- the availability of means of support may be demonstrated by producing currency or equivalent bills of exchange or bank guarantees or insurance policies guaranteeing payment, by means of documents attesting to prepaid services or documents proving the availability of sources of income in the national territory;

- the monetary amounts laid down in the directive are to be reviewed annually, after application of the parameters relating to average annual variation produced by ISTAT and calculated on the basis of the general consumer price index for foodstuffs, drinks, transport and accommodation services;
- the alien must indicate that he has suitable accommodation in Italian territory and that he possesses the sum needed for repatriation; he may also present a return ticket;
- the minimum means of support needed per person for the issue of a visa and for entry to Italian territory for the purpose of tourism are defined in accordance with Table A below.

TABLE A

Table for determining the means of support required for entry to Italian territory for the purpose of tourism

Duration of trip	Number of participants in trip	
	One participant	Two or more participants
	EUR	EUR
1 to 5 days overall fixed sum	269,60	212,81
6 to 10 days daily sum per person	44,93	26,33
11 to 20 days fixed sum	51,64	25,82
+ daily sum per person	36,67	22,21
more than 20 days fixed sum	206,58	118,79
+ daily sum per person	27,89	17,04

CYPRUS

According to the Aliens and Immigration Regulations (Regulation (9(2)(B))) the entry of aliens for temporary stay in the Republic depends on the discretionary power of the immigration officers at the borders, which is exercised according to the general or specific instructions of the Minister of Interior or to the provisions of the abovementioned Regulations. The immigration officers at the borders decide on the entry on a case by case basis, taking into consideration the purpose and length of stay, possible hotel reservations or hospitality by persons normally residing in Cyprus.

LATVIA

According to the Immigration Law, in order to be able to enter and stay in the Republic of Latvia an alien must prove that he or she has the necessary means of subsistence.

The following amounts are required:

- the daily amount required is LVL 10, if the inviter provides an alien with accommodation and no extra resources are needed for accommodation;
- if the alien has booked a hotel reservation, the means of subsistence are computed based on the hotel charge, taking into account that the total of per diem and accommodation fee shall be at least LVL 30 per day.

In cases when the electronic information system — invitation data base — contains information that the host or any other person will cover the expenses related to the alien's entrance and stay in the Republic of Latvia, the alien does not have to submit the documents proving availability of the necessary means of subsistence.

LITHUANIA

Under the Law on the Legal Status of Aliens, an alien entering the territory of the Republic of Lithuania if necessary must prove that he has adequate means of subsistence or the sources of those means for the stay in the Republic of Lithuania, a return trip to his country or for proceeding to another country which he has the right to enter.

For the purpose of determining whether the alien has adequate means of subsistence, the Ministry of Social Security and Labour has set the appropriate amounts of financial means per 24 hours which the alien must have at his disposal: , i.e. 550 LTL for an alien applying to obtain a residence permit in the Republic of Lithuania and 275 LTL for the members of his family under the age of 18.

Order No. 1V-280/V-109 of the Minister of the Interior and the Minister of Foreign Affairs issued on 2 September 2004 establishes the amount of means for subsistence that an alien entering Lithuania must have at his disposal, which corresponds to EUR 40 per day.

LUXEMBOURG

The law of Luxembourg does not provide for any reference amount for border controls. The official conducting the check decides on a case-by-case basis whether an alien arriving at the border has adequate means of subsistence. In this regard the official takes particular account of the purpose of the stay and the type of accommodation.

HUNGARY

A reference amount is specified in the aliens policing legislation: under Decree No 25/2001. (XI. 21.) of the Minister of Interior, currently at least HUF 1 000 is required upon each entry.

Under Article 5 of the Aliens Act (Act XXXIX of 2001 on the Entry and Stay of Foreigners), the means of subsistence required for entry and stay may be certified by the presentation of:

- Hungarian currency or foreign currency or non-cash means of payment (e.g. cheque, credit card etc.),
- a valid letter of invitation issued by a Hungarian national, an alien holding a residence permit or settlement permit or a legal entity if the person inviting the alien declares to cover the costs of the accommodation, lodging, health care and return (repatriation). The official consent of the aliens policing authority shall be attached to the letter of invitation,
- confirmation of board and lodging reserved and paid in advance by means of a travel agency (voucher),
- any other credible proof.

MALTA

It is the practice to ensure that persons entering Malta have a minimum amount of MTL 20 per day for the duration of their visit.

THE NETHERLANDS

The amount which border control officials take as the basis when checking means of subsistence is currently EUR 34 per person per day.

This criterion is applied flexibly, since the required amount of the means of subsistence is determined on the basis of the planned duration of the stay, the reason for the visit and the personal circumstances of the person concerned.

AUSTRIA

Pursuant to Article 41(2) of the Aliens Act, aliens shall be refused entry at the border if they have no place of residence in Austria and do not have sufficient means of subsistence to meet the costs of their stay and return.

However, there are no reference amounts for the above. Decisions are made on a case-by-case basis depending on the purpose, type and duration of the stay. Cash and — depending on individual circumstances — traveller's cheques, credit cards, bank guarantees or letters of guarantee from solvent persons living in Austria may also be accepted as a proof.

POLAND

Amounts required for crossing borders are determined in the Ordinance of the Minister of Internal Affairs and Administration of 29 September 2003 on the amount of means to cover expenses concerning to entry, transit, stay and departure of aliens crossing the border of the Republic of Poland and detailed rules of documentation evidencing possession of these

means — Dz.U. 2003, No. 178, poz. 1748 and No. 232, poz. 2341).

Amounts indicated in the above regulation are as follows:

- PLN 100 per day of stay for persons over 16 years old, but not less than 500 PLN or the equivalent in a foreign currency,
- PLN 50 per day of stay for persons under 16 years old, but not less than 300 PLN or the equivalent in a foreign currency,
- PLN 20 per day of stay, but not less than 100 PLN or the equivalent in a foreign currency for persons participating in tourist trips, youth camps, sport competitions or having costs of stay in Poland covered or arriving to Poland for health treatment in a sanatorium,
- PLN 300 or the equivalent in a foreign currency for persons over 16 years old, whose stay in Poland does not exceed 3 days (including transit),
- PLN 150 or the equivalent in a foreign currency for persons under 16 years old, whose stay in Poland does not exceed 3 days (including transit).

Aliens must prove that they have the above means of subsistence either by producing them in cash, or by producing:

- traveler's checks or credit card,
- a letter of legal guarantee from a Polish bank (confirming the existence of these means),
- a letter of guarantee from the host,
- a ticket entitling the holder to travel to a country of origin or any other country,
- a document entitling the holder to use a means of transport possessed by the person concerned.

Furthermore, an alien entering the territory of Republic of Poland must have 300 PLN to cover medical expenses for each day of stay or its equivalent in foreign currency. Documents which can confirm that the alien has the required financial means to cover medical treatment are:

- original invitation;
- insurance policy valid on the territory of Poland.

An alien entering the State with the purpose of studying or continuing the studies, taking part in scientific research or trainings must have:

- 1 600 PLN or its equivalent in foreign currency to cover accommodation and board expenses for the duration of the first 2 months of stay on the territory of Republic of Poland;
- 300 PLN or its equivalent in foreign currency to cover medical treatment expenses for each day of stay during the one month period starting from the day of entry.

PORTUGAL

Aliens must be in possession of the following amounts if they wish to enter or stay in Portugal:

- EUR 75 — for each entry
- EUR 40 — for each day spent on the territory

Aliens who are able to prove that their board and lodging are guaranteed for the duration of their stay may be exempted from paying the above amounts.

SLOVENIA

According to article 7 of the Instructions on refusing entry to aliens, conditions for issuing visas at border crossings, conditions for issuing visas for humanitarian reasons and procedure for revoking visas (Official Gazette of the Republic of Slovenia, No. 2/01 — hereinafter referred to as 'Instructions'), an alien has to, prior to entry into the country and upon request of a police officer, provide information regarding the way in which means of subsistence and return to the home country or further travel to the third country will be secured for the time of the alien's stay in the Republic of Slovenia.

As an adequate proof of existence of the required means of subsistence an alien has to present the prescribed amount of money in cash, or traveler's checks, internationally recognized debit or credit cards, letters of credit, or any other verified proof of existence of such means in the Republic of Slovenia.

As an adequate proof that an alien may return to his home country or may travel to the third country, an alien has to submit either paid travel tickets or sufficient means to pay travel expenses.

The adequate amount of cash is obtained by multiplying the daily means of subsistence by the number of days an alien is staying in the Republic of Slovenia. If an alien does not have secured means of subsistence (family, paid accommodation within a tourist package, etc...), the daily means of subsistence shall be fixed at EUR 70, converted in SIT according to the valid exchange daily rate.

The prescribed amount for minors accompanied by their parents or legal representatives shall consist of 50 % of the prescribed amount in the previous paragraph.

SLOVAKIA

Pursuant to Article 4(2)(c) of Act No 48/2002 Z. z. on the Stay of Aliens, an alien is obliged, upon request, to prove that he or she has a financial amount for the stay, in convertible currency, corresponding to at least half the minimum wage in Slovakia, as provided for in Act No 90/1996 Z. z. on minimum wage, as

amended, for each day of the stay. An alien younger than 16 years old is obliged to prove he or she has the financial means for the stay corresponding to half of this.

The amount corresponding to the minimum wage in Slovakia is currently 6 900 SKK.

FINLAND

According to the Aliens' Act (301/2004, paragraph 11) an alien shall prove, upon entry, that he/she possesses sufficient means of subsistence, considering both the length of the intended stay and return to the country of departure, or transit to a third country to which his/her admittance is guaranteed, or that such funds can legally be acquired. Funds are considered as sufficient on a case-by-case basis. In addition to the funds, or tickets, required for the departure and accommodation during the stay, approximately EUR 30 per day is considered necessary, depending on the arrangements for accommodation and a possible sponsor.

SWEDEN

As of 1 October 2006, the reference amount for crossing the border is set by Swedish legislation at an amount of 370 SEK per day.

ICELAND

Under Icelandic law, aliens must prove that they have enough money to meet their needs in Iceland and to make the return journey. In practice, the reference amount is set at ISK 4 000 per person. If the expenses connected with the stay are borne by a third party, the amount is halved. The total minimum amount is ISK 20 000 for each entry.

NORWAY

Under Article 27(d) of the Norwegian Immigration Law, any foreign national who is unable to prove that he or she has adequate funds for his or her stay in the Kingdom and for the return journey, or that he or she can count on such funds, may be refused entry at the border.

The amounts deemed necessary are fixed individually and decisions are taken on a case-by-case basis. Account is taken of the length of stay, whether the foreign national will be staying with family or friends, whether he or she has a ticket for the return journey and whether a guarantee has been given for the stay (as an indication, an amount of NOK 500 per day is deemed to be adequate for visitors who are not staying with relations or friends).